



Council Agenda Including Addeds

3rd Meeting of City Council

December 13, 2022

1:00 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

- 2.1 His Worship the Mayor will present the 2022 Diversity, Race Relations and Inclusivity Awards: Airshow London / Amazon Delivery Station / ATN Access Inc. / Jess Jones Recreation Therapy Inc.

3. Review of Confidential Matters to be Considered in Public

4. Council, In Closed Session

4.1 Labour Relations/Employee Negotiations

A matter pertaining to reports, advice and recommendations of officers and employees of the Corporation concerning labour relations and employee negotiations in regard to one of the Corporation's unions including communications necessary for that purpose and for the purpose of providing instructions and direction to officers and employees of the Corporation. (6.1/1/CSC)

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

A matter pertaining to the proposed or pending disposition of land by the municipality, including communications necessary for that purpose; advice that is subject to solicitor-client privilege; commercial and financial information, that belongs to the municipality and has monetary value or potential monetary value and a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality. (6.2/1/CSC)

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

A matter pertaining to the proposed or pending acquisition of land by the municipality, including communications necessary for that purpose; advice that is subject to solicitor-client privilege; commercial and financial information, that belongs to the municipality and has monetary value or potential monetary value and a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality. (6.3/1/CSC)

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

A matter pertaining to the proposed or pending acquisition of land by the municipality, including communications necessary for that purpose; advice that is subject to solicitor-client privilege; commercial and financial information, that belongs to the municipality and has monetary value or potential monetary value and a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality. (6.4/1/CSC)

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

A matter pertaining to the proposed or pending lease of City-owned land by a third party, including communications necessary for that purpose; advice that is subject to solicitor-client privilege; commercial and financial information, that belongs to the municipality and has monetary value or potential monetary value and a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality. (6.5/1/CSC)

4.6 (6.1) Personal Matter/Identifiable Individual

A matter pertaining to identifiable individuals with respect to the 2023 Mayor’s New Year’s Honour List – “Sports” Category. (6.1/1/CPSC)

4.7 (6.2) Solicitor-Client Privilege

A matter pertaining to advice that is subject to solicitor-client privilege, including communications necessary for that purpose regarding an exemption to the Animal Control By-law. (6.2/1/CPSC)

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

5.1 2nd Meeting held on November 22, 2022 10

6. Communications and Petitions

6.1 931-1225 Southdale Road East (Z-9544)

(Refer to the Planning and Environment Committee Stage for Consideration with Item #16 (3.6) of the 1st Report of the Planning and Environment Committee)

1. M. Rexer 29

2. J. and J. Campanaro 30

3. (ADDED) Harrow Court Residents 31

6.2 (ADDED) Bill 23, More Homes Built Faster Act, 2022

(Refer to the Planning and Environment Committee Stage for Consideration with Item #22 (5.1) of the 1st Report of the Planning and Environment Committee)

1. (ADDED) S. Price 39
2. (ADDED) E. Blokker 40

6.3 Animal Control By-Law

(Refer to the Community and Protective Services Committee Stage for Consideration with Item #8 (4.1) of the 1st Report of the Community and Protective Services Committee)

1. Dr. K. Coulter, Huron University College at Western University 42
2. D. Procop 44
3. K. Sussman 45
4. D. Leckie 56
5. N. Holmes 57
6. B. McFarlen 58
7. K. Lomack 59
8. W. Brown 60
9. T. Beernink 73
10. M. Andreetta 74
11. (ADDED) S. Ryall, Humane Society London & Middlesex 75
12. (ADDED) S.H. Ross 76
13. (ADDED) M.A. Shepherd 77
14. (ADDED) S. Olivastri 78
15. (ADDED) A.M. Valastro 80
16. (ADDED) J. Jacobson 81
17. (ADDED) F. Morrison 82
18. (ADDED) P. Harris 83

6.4 Renaming of Paul Haggis Park

(Refer to the Community and Protective Services Committee Stage for Consideration with Item #9 (4.2) of the 1st Report of the Community and Protective Services Committee)

1. J. McCall 84

6.5 (ADDED) City of London Corporate Growth Projections 2021-2051

(Refer to the Strategic Priorities and Policy Committee Stage for Consideration with Item #10 (4.2) of the 3rd Report of the Strategic Priorities and Policy Committee)

1. (ADDED) J. Zaifman - CEO, London Home Builders Association 85
2. (ADDED) C. Lewis 86
3. (ADDED) A.M. Valastro 87
4. (ADDED) C. Godes 88

7. Motions of Which Notice is Given

8. Reports

- 8.1 1st Report of the Planning and Environment Committee 89
1. (1.1) Disclosures of Pecuniary Interest
 2. (1.2) Election of Vice-Chair
 3. (2.1) Building Division Monthly Report - August 2022
 4. (2.2) Building Division Monthly Report - September 2022
 5. (2.3) 6th Report of the Community Advisory Committee on Planning
 6. (2.4) 1865 Finley Crescent (P-9546)
 7. (2.5) Southwest Sunningdale Road West, Wonderland Road North and 2170 Buroak Drive (Formerly 751 Fanshawe Park Road) (39T-03505)
 8. (2.6) Heritage Alteration Permit Application - 10 Moir Street - Blackfriars/Petersville Heritage Conservation District (HAP22-073-L)
 9. (2.7) Heritage Alteration Permit Application - 123 Wilson Avenue - Blackfriars/Petersville Heritage Conservation District (HAP22-067-L)
 10. (2.8) Heritage Alteration Permit Application - 645 Lorne Avenue - Old East Heritage Conservation District (HAP22-075-L)
 11. (3.1) 3195, 3207 White Oak Road and 2927 Petty Road (Z-9350 / 39CD-21505) (Relates to Bill No. 15)
 12. (3.2) 2846 and 2870 Tokala Trail (Z-9523) (Relates to Bill No. 16)
 13. (3.3) 870-922 Medway Park Drive (Z-9533) (Relates to Bill No. 17)
 14. (3.4) 338 Boler Road (Z-9510) (Relates to Bill No. 18)
 15. (3.5) 6092 Pack Road (Z-9493) (Relates to Bill No. 19)
 16. (3.6) 931-1225 Southdale Road East (Z-9544) (Relates to Bill No. 20)

17.	(3.7) 608 Commissioners Road West (Z-9544)	
18.	(3.8) 307 Sunningdale Road East (Z-9498) Relates to Bill No. 21)	
19.	(3.9) 4452 Wellington Road South (OZ-9497) (Relates to Bill No.'s 9 and 22)	
20.	(3.10) 952 Southdale Road West (OZ-9431) (Relates to Bill No.'s 10 and 23)	
21.	(4.1) Planning Application Process Changes due to Bill 109, the More Homes For Everyone Act, 2022	
22.	(5.1) Bill 23, More Homes Built Faster Act, 2022 - Mayors and Regional Chairs of Ontario	
8.2	1st Report of the Corporate Services Committee	118
1.	(1.1) Disclosures of Pecuniary Interest	
2.	(1.2) Election of Vice Chair	
3.	(2.1) Authorization for Temporary Borrowing (Relates to Bill No. 5)	
4.	(2.2) Amendments to the Travel and Business Expenses Council Policy (Relates to Bill No. 11)	
5.	(2.3) 2021 Annual Reporting of Lease Financing Agreements	
6.	(2.4) Expropriation of Lands - Wellington Gateway Project Phase 1 (Relates to Bill No. 12)	
7.	(2.5) Declare Surplus - City-Owned Property - Part of Emerson Avenue at Baseline Road East	
8.	(2.6) Declare Surplus - City-Owned Property - Part of 181 Hamilton Road	
9.	(2.7) Declare Surplus - City-Owned Property - Part of 108 Clarke Road	
10.	(2.8) Human Resources Information System (HRIS) Implementation Partner Successful Proponent – RFP 2022-080	
11.	(4.1) Development Charge Appeal	
8.3	1st Report of the Community and Protective Services Committee	158
1.	(1.1) Disclosures of Pecuniary Interest	
2.	(1.2) Election of Vice-Chair	
3.	(2.1) 2021 Ontario Works Participant and Service Delivery Profile	
4.	(2.2) Award of Request for Proposal 2022-232 Group Purchasing Organization Services for City of London Long Term Care (Relates to Bill No. 6)	

	5.	(2.3) 2022-2023 Winter Response Program and Action and Accountability Working Group Update	
	6.	(2.4) London Fire Department Automatic Aid Agreement with Central Elgin Fire and Emergency Services (Relates to Bill No. 7)	
	7.	(3.1) 4th Report of the Animal Welfare Community Advisory Committee	
	8.	(4.1) Animal Control By-Law	
	9.	(4.2) Renaming of Paul Haggis Park	
	10.	(4.3) 2022 Parkland Conveyance and Levy By-Law CP-9 Update (Relates to Bill No. 8)	
8.4		1st Report of the Civic Works Committee	165
	1.	(1.1) Disclosures of Pecuniary Interest	
	2.	(1.2) Election of Vice-Chair	
	3.	(2.1) 4th Report of the Environmental Stewardship and Action Community Advisory Committee	
	4.	(2.2) 5th Report of the Integrated Transportation Community Advisory Committee	
	5.	(2.3) SS-2022-299 Single Source Contract Renewal: Navistar Original Equipment Manufacturer Replacement Parts	
	6.	(2.4) Contract Amendment: RFP21-38 CNG Side Loading Waste Collection Trucks	
	7.	(2.5) 2025 One Water Development Charges Background Study Appointment of Consultant	
	8.	(2.6) Vendor of Record Contract Award: Request for Proposal RFP-2022-170 - Rapid Transit Shelter Infrastructure	
	9.	(4.1) Mobility Master Plan Update	
8.5		3rd Report of the Strategic Priorities and Policy Committee	171
	1.	Disclosures of Pecuniary Interest	
	2.	(2.1) London Community Grants Program Innovation and Capital Funding Allocations (2022) – Update	
	3.	(2.2) Investing in Canada Infrastructure Program Public Transit Stream (ICIP-PTS) – London Transit Commission Highbury Avenue Facility Demolition and Rebuild – Project 1	
	4.	(2.3) Confirmation of Appointment to the Argyle Business Improvement Area	
	5.	(2.4) Confirmation of Appointment to Downtown London	
	6.	(2.5) Confirmation of Appointment to the Hyde Park Business Improvement Association	

7. (2.6) 8th Report of the Diversity, Inclusion and Anti-Oppression Community Advisory Committee
8. (3.1) Tabling of the 2023 Annual Budget Update
9. (4.1) Valerie Terejko - Bill 5 - Stopping Harassment and Abuse by Local Leaders Act, 2022
10. (4.2) City of London Corporate Growth Projections 2021-2051
11. (4.3) Application of Equity Lens for Citizen Appointment Process

9. Added Reports

- 9.1 2nd Report of Council in Closed Session

10. Deferred Matters

11. Enquiries

12. Emergent Motions

13. By-laws

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

- | | | |
|------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|
| 13.1 | Bill No. 4 By-law No. A.- _____ - _____

A by-law to confirm the proceedings of the Council Meeting held on the 13th day of December, 2022. (City Clerk) | 185 |
| 13.2 | Bill No. 5 By-law No. A.- _____ - _____

A by-law to authorize the City Treasurer or Deputy Treasurer of The Corporation of the City of London to borrow certain sums to meet current expenditures of the Corporation for the year 2023. (2.1/1/CSC) | 186 |
| 13.3 | Bill No. 6 By-law No. A.- _____ - _____

A by-law to authorize and approve the Purchasing and Revenue Share Agreement between Extendicare (Canada) Inc. carrying on business as SGP Purchasing Partner Network (“SGP”) and The Corporation of the City of London, commencing January 1, 2023, for the purpose of participating in a Revenue Share Program to receive a share of rebates received by the SGP on volume purchases of food products and other related services and products. (2.2/1/CPSC) | 188 |
| 13.4 | Bill No. 7 By-law No. A.- _____ - _____

A by-law to approve the Automatic Aid Agreement between The Corporation of the City of London and The Corporation of the Municipality of Central Elgin; and to authorize the Mayor and Clerk to execute the Agreement. (2.4/1/CPSC) | 202 |
| 13.5 | Bill No. 8 By-law No. CP- _____

A by-law to require the conveyance of land for park or other public recreational purposes as a condition of the development or redevelopment of land within the City of London, or the payment of money in lieu of such conveyance (the “Parkland Dedication By-law”) (4.3/1/CPSC) | 213 |

13.6	Bill No. 9 By-law No. C.P.-1512()-____ A by-law to amend The Official Plan relating to 4452 Wellington Road South. (3.9a/1/PEC)	219
13.7	Bill No. 10 By-law No. C.P.-1512()-____ A by-law to amend The Official Plan relating to 952 Southdale Road West. (3.10a/1/PEC)	225
13.8	Bill No. 11 By-law No. CPOL.-227()-____ A by-law to amend By-law No. CPOL.-227-479 as amended, being “A by-law to revoke and repeal Council policy related to Travel & Business Expenses and replace it with a new Council policy entitled Travel & Business Expenses” to repeal and replace Schedule A. (2.2/1/CSC)	230
13.9	Bill No. 12 By-law No. L.S.P.-_____-____ A by-law to authorize and approve an application to expropriate land in the City of London, in the County of Middlesex, for the Wellington Gateway Project. (2.4/1/CSC)	244
13.10	Bill No. 13 By-law No. L.S.P.-_____-____ A by-law to designate 634 Commissioners Road West to be of cultural heritage value or interest (2.5/16/PEC – 2022)	248
13.11	Bill No. 14 By-law No. S.-_____-____ A by-law to assume certain works and services in the City of London. (North Longwoods Phase 3A; 33M-582) (Deputy City Manager, Environment and Infrastructure)	251
13.12	Bill No. 15 By-law No. Z.-1-23_____ A by-law to amend By-law No. Z.-1 to rezone an area of land located at 3195, 3207 White Oak Road and 2927 Petty Road. (3.1/1/PEC)	252
13.13	Bill No. 16 By-law No. Z.-1-23_____ A by-law to amend By-law No. Z.-1 to rezone an area of land located at 2846 and 2870 Tokala Trail. (3.2/1/PEC)	254
13.14	Bill No. 17 By-law No. Z.-1-23_____ A by-law to amend By-law No. Z.-1 to rezone an area of land located at 870-922 Medway Park Drive. (3.3/1/PEC)	256
13.15	Bill No. 18 By-law No. Z.-1-23_____ A by-law to amend By-law No. Z.-1 to rezone an area of land located at 338 Boler Road. (3.4/1/PEC)	259
13.16	Bill No. 19 By-law No. Z.-1-23_____ A by-law to amend By-law No. Z.-1 to rezone an area of land located at 6092 Pack Road. (3.5/1/PEC)	261
13.17	Bill No. 20 By-law No. Z.-1-23_____ A by-law to amend By-law No. Z.-1 to rezone an area of land located at	264

931-1225 Southdale Road East. (3.6/1/PEC)

- | | | |
|-------|-----------------------------------------------------------------------------------------------------------------|-----|
| 13.18 | Bill No. 21 By-law No. Z.-1-23_____ | 266 |
| | A by-law to amend By-law No. Z.-1 to rezone an area of land located at 307 Sunningdale Road East. (3.8/1/PEC) | |
| 13.19 | Bill No. 22 By-law No. Z.-1-23_____ | 269 |
| | A by-law to amend By-law No. Z.-1 to rezone an area of land located at 4452 Wellington Road South. (3.9b/1/PEC) | |
| 13.20 | Bill No. 23 By-law No. Z.-1-23_____ | 271 |
| | A by-law to amend By-law No. Z.-1 to rezone an area of land located at 952 Southdale Road West. (3.10b/1/PEC) | |

14. Adjournment



Council Minutes

2nd Meeting of City Council
November 22, 2022, 1:00 PM

Present: Mayor J. Morgan, H. McAlister, S. Lewis, P. Cuddy, S. Stevenson, J. Pribil, S. Trosow, C. Rahman, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Franke, E. Pelozo, D. Ferreira, S. Hillier

Also Present: S. Corman, A. Job, M. Schulthess, J. Taylor, B. Westlake-Power
Remote Attendance: L. Livingstone, A. Barbon, B. Card, J. Davison, K. Dickins, S. Mathers, K. Scherr, C. Smith
The meeting was called to order at 1:19 PM.

1. Disclosures of Pecuniary Interest

Councillor S. Trosow discloses a pecuniary interest in Item 22, clause 4.21 of the 1st Report of the Strategic Priorities and Policy Committee, having to do with appointments to the Western University Board of Governors, by indicating that Western University is his employer.

Mayor Morgan discloses a pecuniary interest in Item 22, clause 4.21 of the 1st Report of the Strategic Priorities and Policy Committee, having to do with appointments to the Western University Board of Governors, by indicating that Western University is his employer until November 30, 2022.

2. Recognitions

None.

3. Review of Confidential Matters to be Considered in Public

None.

4. Council, in Closed Session

4.1 Solicitor-Client Privileged Advice

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

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

4.1 Solicitor-Client Privilege Advice

A matter pertaining to Solicitor-Client Privileged Advice. (6.1/1/SPPC)

Yeas: (15): Mayor J. Morgan, H. McAlister, S. Lewis, P. Cuddy, S. Stevenson, J. Pribil, S. Trosow, C. Rahman, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Franke, E. Pelozo, D. Ferreira, and S. Hillier

Motion Passed (15 to 0)

The Council convenes In Closed Session, from 1:28 PM to 1:32 PM.

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

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

That the Minutes of the 15th Meeting and 1st Meeting of the Municipal Council, held on November 8, 2022 and November 15, 2022, respectively, BE APPROVED.

Yeas: (14): Mayor J. Morgan, H. McAlister, S. Lewis, P. Cuddy, S. Stevenson, J. Pribil, S. Trosow, C. Rahman, S. Lehman, A. Hopkins, S. Franke, E. Pelozza, D. Ferreira, and S. Hillier

Absent: (1): P. Van Meerbergen

Motion Passed (14 to 0)

6. Communications and Petitions

Motion made by: S. Hillier
Seconded by: P. Cuddy

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

6.1 Diversity and Inclusion with Regard to London Board Appointments

1. R. O'Hagan

6.2 Consideration of Appointment to the London Public Library

1. W. H. Brock

6.3 Consideration of Appointment to Eldon House

1. Application for Appointment to the Eldon House - B. Duncan

Yeas: (14): Mayor J. Morgan, H. McAlister, S. Lewis, P. Cuddy, S. Stevenson, J. Pribil, S. Trosow, C. Rahman, S. Lehman, A. Hopkins, S. Franke, E. Pelozza, D. Ferreira, and S. Hillier

Absent: (1): P. Van Meerbergen

Motion Passed (14 to 0)

At 1:40 PM, Councillor P. Van Meerbergen enters the meeting.

7. Motions of Which Notice is Given

None.

8. Reports

8.1 1st Report of the Strategic Priorities and Policy Committee

Motion made by: S. Lewis

That the 1st Report of the Strategic Priorities and Policy Committee BE APPROVED, excluding Items 22 (4.21), 32 (4.31), 37 (4.36), 40 (4.39), 41 (4.40) and 42 (4.41).

Yeas: (15): Mayor J. Morgan, H. McAlister, S. Lewis, P. Cuddy, S. Stevenson, J. Pribil, S. Trosow, C. Rahman, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Franke, E. Pelozza, D. Ferreira, and S. Hillier

Motion Passed (15 to 0)

1. Disclosures of Pecuniary Interest

Motion made by: S. Lewis

Mayor J. Morgan discloses a pecuniary interest in Item 4.21, having to do with appointments to the University of Western Ontario (UWO) Board of Governors, by indicating that he is currently employed by UWO, but also noting that he has submitted his resignation from UWO effective December 1, 2022.

Councillor S. Trosow discloses a pecuniary interest in Item 4.21, having to do with appointments to the University of Western Ontario (UWO) Board of Governors, by indicating that he is currently employed by UWO.

Motion Passed

2. (4.1) Consideration of Appointment to the Civic Works Committee

Motion made by: S. Lewis

That the following BE APPOINTED to the Civic Works Committee for the term ending November 14, 2023:

Councillor C. Rahman (Chair)
Councillor H. McAlister
Councillor P. Van Meerbergen
Councillor S. Trosow
Councillor P. Cuddy

Motion Passed

3. (4.2) Consideration of Appointment to the Community and Protective Services Committee

Motion made by: S. Lewis

That the following BE APPOINTED to the Community and Protective Services Committee for the term ending November 14, 2023:

Councillor E. Pelosa (Chair)
Councillor D. Ferreira
Councillor J. Pribil
Councillor S. Stevenson
Councillor C. Rahman

Motion Passed

4. (4.3) Consideration of Appointment to the Corporate Services Committee

Motion made by: S. Lewis

That the following BE APPOINTED to the Corporate Services Committee for the term ending November 14, 2023:

Councillor S. Lewis (Chair)
Councillor D. Ferreira
Councillor S. Trosow
Councillor S. Stevenson
Councillor H. McAlister

Motion Passed

5. (4.4) Consideration of Appointment to the Planning and Environment Committee

Motion made by: S. Lewis

That the following BE APPOINTED to the Planning and Environment Committee for the term ending November 14, 2023:

Councillor S. Lehman (Chair)
Councillor S. Lewis
Councillor S. Hillier
Councillor A. Hopkins
Councillor S. Franke

Motion Passed

6. (4.5) Consideration of Appointment to the Audit Committee

Motion made by: S. Lewis

That the following BE APPOINTED to the Audit Committee for the term ending November 14, 2026:

Councillor S. Lewis (Chair)
Councillor S. Stevenson
Councillor J. Pribil
Councillor P. Cuddy

Motion Passed

7. (4.6) Consideration of Appointment to the Covent Garden Market

Motion made by: S. Lewis

That the following BE APPOINTED to the Covent Garden Market Board for the term ending November 14, 2026:

Councillor S. Hillier
Councillor D. Ferreira

Motion Passed

8. (4.7) Consideration of Appointment to the County/City Liaison Committee

Motion made by: S. Lewis

That the following BE APPOINTED to the County/City Liaison Committee for the term ending November 14, 2026:

Mayor J. Morgan
Councillor J. Pribil
Councillor H. McAlister
Councillor D. Ferreira (Alternate)

Motion Passed

9. (4.8) Consideration of Appointment to the Dearness Home Committee of Management

Motion made by: S. Lewis

That the following BE APPOINTED to the Dearness Home Committee of Management for the term ending November 14, 2026:

Councillor S. Hillier
Councillor E. Pelosa
Councillor D. Ferreira

Councillor S. Lehman
Councillor H. McAlister

it being noted that the Fixing Long-term Care Act (FLTCA) states that no person who has been convicted of certain offences or found guilty of an act of professional misconduct as set out in the FLTCA may be a member of the Committee of Management. Therefore, before any person is permitted to be a member of the Committee of Management, they must satisfy screening measures as required by section 256 of the FLTCA, and must provide the City Clerk, or written designate, with a criminal record check in accordance with the FLTCA, as well as a signed declaration disclosing the prescribed offences or professional misconduct set out in the FLTCA or Regulation.

Motion Passed

10. (4.9) Consideration of Appointment to the Governance Working Group

Motion made by: S. Lewis

That the following BE APPOINTED to the Governance Working Group for the term ending November 14, 2026:

Councillor S. Lewis
Councillor S. Trosow
Councillor A. Hopkins
Councillor D. Ferreira
Councillor S. Stevenson
Councillor C. Rahman
Councillor H. McAlister
Councillor S. Hillier
Councillor P. Cuddy

Motion Passed

11. (4.10) Consideration of Appointment to the London & Middlesex Community Housing

Motion made by: S. Lewis

That the following BE APPOINTED to the London & Middlesex Community Housing for the term ending November 14, 2026:

Councillor S. Lewis
Councillor H. McAlister

Motion Passed

12. (4.11) Consideration of Appointment to the London Hydro Inc.

Motion made by: S. Lewis

That Councillor C. Rahman BE APPOINTED to London Hydro Inc. for the term ending November 14, 2026.

Motion Passed

13. (4.12) Consideration of Appointment to the London Police Services Board

Motion made by: S. Lewis

That the following BE APPOINTED to the London Police Services Board for the term ending November 14, 2026:

Mayor J. Morgan
Councillor S. Lehman
Councillor S. Stevenson

Motion Passed

14. (4.13) Consideration of Appointment to the London Public Library Board

Motion made by: S. Lewis

That the following BE APPOINTED to the London Public Library Board for the term ending November 14, 2026:

Councillor S. Trosow
Councillor P. Cuddy

Motion Passed

15. (4.14) Consideration of Appointment to the London Transit Commission

Motion made by: S. Lewis

That the following BE APPOINTED to the London Transit Commission for the term ending November 14, 2026:

Councillor J. Pribil
Councillor D. Ferreira

Motion Passed

16. (4.15) Consideration of Appointment to the Middlesex-London Emergency Medical Services Authority Board

Motion made by: S. Lewis

That Councillor S. Stevenson BE APPOINTED to the Middlesex-London Emergency Medical Services Authority Board for the term ending November 14, 2026.

Motion Passed

17. (4.16) Consideration of Appointment to the Middlesex-London Food Policy Council (2 year term)

Motion made by: S. Lewis

That Councillor H. McAlister BE APPOINTED to the Middlesex-London Food Policy Council for the term ending November 14, 2024.

Motion Passed

18. (4.17) Consideration of Appointment to the Middlesex-London Health Unit
- Motion made by: S. Lewis
- That the following BE APPOINTED to the Middlesex-London Health Unit Board for the term ending November 14, 2026:
- Councillor P. Cuddy
Councillor S. Franke
- Motion Passed**
19. (4.18) Consideration of Appointment to the Museum London
- Motion made by: S. Lewis
- That the appointment to the Museum London Board BE REFERRED to a future meeting of the Strategic Priorities and Policy Committee.
- Motion Passed**
20. (4.19) Consideration of Appointment to the RBC Place London
- Motion made by: S. Lewis
- That the following BE APPOINTED to RBC Place London Board for the term ending November 14, 2026:
- Mayor J. Morgan
Councillor D. Ferreira
Councillor S. Stevenson
- Motion Passed**
21. (4.20) Consideration of Appointment to the Tourism London
- Motion made by: S. Lewis
- That the following BE APPOINTED to Tourism London Board for the term ending November 14, 2026:
- Councillor S. Lewis
Councillor E. Pelosa
- Motion Passed**
23. (4.22) Consideration of Appointment to the Western Fair Board of Governors
- Motion made by: S. Lewis
- That Councillor S. Stevenson BE APPOINTED to the Western Fair Board of Governors for the term ending November 14, 2026.
- Motion Passed**
24. (4.23) Consideration of Appointment to the Western Fair Programming Council
- Motion made by: S. Lewis

That the following BE APPOINTED to the Western Fair Programming Council for the term ending November 14, 2026:

Councillor E. Pelosa
Councillor S. Franke

Motion Passed

25. (4.24) Consideration of Appointment to the Argyle Business Improvement Area

Motion made by: S. Lewis

That Councillor S. Lewis BE APPOINTED to the Argyle Business Improvement Area for the term ending November 14, 2026.

Motion Passed

26. (4.25) Consideration of Appointment to the Hamilton Road Business Improvement Area

Motion made by: S. Lewis

That Councillor H. McAlister BE APPOINTED to the Hamilton Road Business Improvement Area for the term ending November 14, 2026.

Motion Passed

27. (4.26) Consideration of Appointment to the Hyde Park BIA

Motion made by: S. Lewis

That Councillor C. Rahman BE APPOINTED to the Hyde Park BIA for the term ending November 14, 2026.

Motion Passed

28. (4.27) Consideration of Appointment to the London Downtown Business Association Board of Management

Motion made by: S. Lewis

That Councillor D. Ferreira BE APPOINTED to the London Downtown Business Association Board of Management for the term ending November 14, 2026.

Motion Passed

29. (4.28) Consideration of Appointment to the Old East Village Business Improvement Area Board of Management

Motion made by: S. Lewis

That Councillor S. Stevenson BE APPOINTED to the Old East Village Business Improvement Area Board of Management for the term ending November 14, 2026.

Motion Passed

30. (4.29) Consideration of Appointment to the Elgin Area Primary Water Supply System Joint Board of Management

Motion made by: S. Lewis

That the following BE APPOINTED to the Elgin Area Primary Water Supply System Joint Board of Management for the term ending November 14, 2026:

Councillor E. Pelosa
Councillor S. Stevenson
Councillor S. Hillier
Councillor P. Van Meerbergen (Alternate)
Councillor H. McAlister (Alternate)

Motion Passed

31. (4.30) Consideration of Appointment to the Lake Huron Primary Water Supply System Joint Board of Management

Motion made by: S. Lewis

That the following BE APPOINTED to the Lake Huron Primary Water Supply System Joint Board of Management for the term ending November 14, 2026:

Councillor S. Hillier
Councillor P. Van Meerbergen
Councillor S. Lehman
Councillor S. Franke
Councillor A. Hopkins (Alternate)
Councillor H. McAlister (Alternate)

it being noted that two additional Alternate appointments remain vacant.

Motion Passed

33. (4.32) Consideration of Appointment to the Lower Thames Valley Conservation Authority

Motion made by: S. Lewis

See recommendation with item 4.31.

Motion Passed

34. (4.33) Consideration of Appointment to the Upper Thames River Conservation Authority

Motion made by: S. Lewis

That the following actions be taken with respect to appointments to the Upper Thames River Conservation Authority:

a) the following members of Municipal Council BE APPOINTED to the Upper Thames River Conservation Authority for the term ending November 14, 2026:

i) Councillor A. Hopkins
ii) Councillor S. Franke
iii) Councillor P. Cuddy; and,

b) the Civic Administration BE DIRECTED to take the following actions with respect to appointments to the Upper Thames River Conservation Authority (UTRCA):

- i) advertise in the usual manner, including the City's social media channels, for applications from members of the public for one appointment to the UTRCA;
- ii) the above-noted applications be brought forward to a future meeting of the Strategic Priorities and Policy Committee, on or before February 7, 2023, for consideration and recommendation to the Municipal Council for appointment;

it being noted that recent changes to the Conservation Authorities Act requires that a minimum of seventy percent of municipal appointees to an Authority are selected from among members of its Council.

Motion Passed

35. (4.34) 1st Report of the Striking Committee

Motion made by: S. Lewis

That the following actions be taken with respect to the Striking Committee:

- a) the 1st Report of the Striking Committee from its meeting held on October 26 and 27, 2022 BE RECEIVED; and,
- b) the memo dated November 4, 2022 from Z. Hashmi, M. Hernandez and P. Seale, Striking Committee Members, BE RECEIVED, with thanks for the Committee's work.

Motion Passed

36. (4.35) Consideration of Appointment to the Audit Committee

Motion made by: S. Lewis

That Ibad Cheema BE APPOINTED to the Audit Committee, for the term ending November 14, 2026.

Motion Passed

38. (4.37) Consideration of Appointment to the Committee of Revision/Court of Revision

Motion made by: S. Lewis

That the following BE APPOINTED to the Committee of Revision/Court of Revision for the term ending November 14, 2026:

Tariq Khan
Avdija Ramic
Donald Millar

Motion Passed

39. (4.38) Consideration of Appointment to the Covent Garden Market Corporation Board of Directors

Motion made by: S. Lewis

That the following BE APPOINTED to the Covent Garden Market Corporation Board of Directors for the term ending November 14, 2026:

Tyrrell de Langley
Claudio De Vincenzo
Justin Dias
Zeba Hashmi
Mike Marsman
Donna Szpakowski
John Fyfe-Millar

Motion Passed

43. (4.42) Consideration of Appointment to the London Transit Commission

Motion made by: S. Lewis

That the following BE APPOINTED to the London Transit Commission for the term ending November 14, 2026:

Sheryl Rooth
Scott Andrew Collyer
Stephanie Marentette

Motion Passed

44. (4.43) Consideration of Appointment to the Middlesex-London Health Unit

Motion made by: S. Lewis

That Matthew Reid BE APPOINTED to the Middlesex-London Health Unit Board for the term ending November 14, 2026; it being noted that the Strategic Priorities and Policy Committee received a communication dated November 14, 2022 from K. Elliot, Vice Chair and E. Williams, Secretary, Middlesex-London Board of Health with respect to this matter.

Motion Passed

45. (4.44) Consideration of Appointment to the Plumbers' and Drain Layers' Examining Board

Motion made by: S. Lewis

That Scott Atchison BE APPOINTED to the Plumbers' and Drain Layers' Examining Board for the term ending November 14, 2026.

Motion Passed

46. (4.45) RBC Place London Board Appointment Recommendations

Motion made by: S. Lewis

That the following actions be taken with respect to the appointments to the RBC Place London Board of Directors:

- a) Jenny Diplock and David Smith - Class 1 - term ending November 14, 2023;

- b) Jeffrey Floyd - Class 2 - term ending November 14, 2024; and,
- c) Susan Judd, Garrett Vanderwyst, Eunju Yi, Ross De Gannes and Linda Nicholls - Class 3 - term ending November 14, 2025.

Motion Passed

- 47. (4.46) London & Middlesex Community Housing Tenant Resignation

Motion made by: S. Lewis

That the City Clerk BE DIRECTED to bring forward applications to be considered to fill the tenant vacancy at a future meeting of the Strategic Priorities and Policy Committee; it being noted that the Strategic Priorities and Policy Committee received a communication dated October 20, 2022 from P. Chisholm, Chief Executive Officer, London & Middlesex Community Housing with respect to this matter, outlining the resignation of a tenant member.

Motion Passed

- 22. (4.21) Consideration of Appointment to the University of Western Ontario Board of Governors

At 1:44 PM, His Worship the Mayor places Councillor E. Pelozza in the Chair.

At 1:45 PM, His Worship the Mayor resumes the Chair.

Motion made by: S. Lewis

That Mayor Morgan BE APPOINTED to the University of Western Ontario Board of Governors for the term commencing December 1, 2022 to November 14, 2026.

Yeas: (13): H. McAlister, S. Lewis, P. Cuddy, S. Stevenson, J. Pribil, C. Rahman, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Franke, E. Pelozza, D. Ferreira, and S. Hillier

Recuse: (2): Mayor J. Morgan, and S. Trosow

Motion Passed (13 to 0)

- 32. (4.31) Consideration of Appointment to the Kettle Creek Conservation Authority

Motion made by: S. Lewis

That the following actions be taken with respect to appointments to the Kettle Creek Conservation Authority and the Lower Thames Valley Conservation Authority:

- a) pursuant to subsection 14 (1.2) of the Conservation Authorities Act, the Civic Administration BE DIRECTED to make application to the Minister of environment Conservation and Parks (MECP) for a Minister's Exception in order to appoint individuals other than Members of Municipal Council to the Kettle Creek and Lower Thames Valley Conservation Authorities for the following reasons;

- i. current members of the Municipal Council are unable to fulfill the positions;

ii. Council of the City of London supports and recognizes the importance of citizen involvement in these important committees; etc.

b) subject to the approval of the Minister, requested in part a), above, the Civic Administration BE DIRECTED to advertise in the usual manner, including the City's social media channels, for applications from members of the public for appointment; and,

c) the applications BE INCLUDED on a future agenda of the Strategic Priorities and Policy Committee, for consideration and recommendation of appointment.

Motion made by: E. Pelosa

Seconded by: S. Hillier

That the motion BE AMENDED by adding the following to the clause:

d) that Councillor S. Trosow BE APPOINTED to the Kettle Creek Conservation Authority for the term ending November 14, 2026.

Yeas: (15): Mayor J. Morgan, H. McAlister, S. Lewis, P. Cuddy, S. Stevenson, J. Pribil, S. Trosow, C. Rahman, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Franke, E. Pelosa, D. Ferreira, and S. Hillier

Motion Passed (15 to 0)

Motion made by: P. Cuddy

Seconded by: A. Hopkins

That item 32 (4.31), as amended, BE APPROVED.

Yeas: (15): Mayor J. Morgan, H. McAlister, S. Lewis, P. Cuddy, S. Stevenson, J. Pribil, S. Trosow, C. Rahman, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Franke, E. Pelosa, D. Ferreira, and S. Hillier

Motion Passed (15 to 0)

Clause 4.31, as amended, reads as follows:

That the following actions be taken with respect to appointments to the Kettle Creek Conservation Authority and the Lower Thames Valley Conservation Authority:

a) pursuant to subsection 14 (1.2) of the Conservation Authorities Act, the Civic Administration BE DIRECTED to make application to the Minister of Environment Conservation and Parks (MECP) for a Minister's Exception in order to appoint individuals other than Members of Municipal Council to the Kettle Creek and Lower Thames Valley Conservation Authorities for the following reasons;

i. current members of the Municipal Council are unable to fulfill the positions;

ii. Council of the City of London supports and recognizes the importance of citizen involvement in these important committees; etc.

b) subject to the approval of the Minister, requested in part a), above, the Civic Administration BE DIRECTED to advertise in the

usual manner, including the City's social media channels, for applications from members of the public for appointment; and,

c) the applications BE INCLUDED on a future agenda of the Strategic Priorities and Policy Committee, for consideration and recommendation of appointment; and

d) that Councillor S. Trosow BE APPOINTED to the Kettle Creek Conservation Authority for the term ending November 14, 2026.

37. (4.36) Consideration of Appointment to the Committee of Adjustment

Motion made by: S. Lewis

That the following BE APPOINTED to the Committee of Adjustment for the term ending November 14, 2026:

Mohamed Mohamed El Hadary

Steve Polhill

Daniela Schmidt

John Fyfe-Millar

Yeas: (14): Mayor J. Morgan, H. McAlister, S. Lewis, P. Cuddy, S. Stevenson, J. Pribil, S. Trosow, C. Rahman, S. Lehman, P. Van Meerbergen, S. Franke, E. Pelozza, D. Ferreira, and S. Hillier

Nays: (1): A. Hopkins

Motion Passed (14 to 1)

Motion made by: S. Lewis

That the following BE APPOINTED to the Committee of Adjustment for the term ending November 14, 2026:

Cheryl Miller

Yeas: (10): Mayor J. Morgan, S. Lewis, P. Cuddy, S. Stevenson, J. Pribil, C. Rahman, S. Lehman, P. Van Meerbergen, E. Pelozza, and S. Hillier

Nays: (5): H. McAlister, S. Trosow, A. Hopkins, S. Franke, and D. Ferreira

Motion Passed (10 to 5)

40. (4.39) Consideration of Appointment to Eldon House

Motion made by: S. Lewis

That the following actions be taken with respect to appointments to the Eldon House Board of Directors:

a) the following BE APPOINTED to Eldon House for the term ending November 14, 2026:

Mike Donachie

Doug Fleming

Rebecca Griesmayer

Megan Halliday

Louanne Henderson

Joseph O'Neil

Donald Millar
Devinder Luthra

b) the City Clerk BE DIRECTED to contact Bruce Duncan and invite Mr. Duncan to submit an application for consideration of appointment to the Eldon House Board of Directors; it being noted that Mr. Duncan had contacted the City Clerk's Office after the submission deadline for the Strategic Priorities and Policy Committee agenda;

it being noted that the Strategic Priorities and Policy Committee received a communication dated November 14, 2022 from M. Donachie, Board Chair, Eldon House with respect to this matter.

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

That Item 40 (4.39) BE AMENDED to add the following individual for appointment to the Eldon House Board – Bruce Duncan;

it being noted that part b) of the original recommendation be deleted.

Yeas: (15): Mayor J. Morgan, H. McAlister, S. Lewis, P. Cuddy, S. Stevenson, J. Pribil, S. Trosow, C. Rahman, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Franke, E. Pelozza, D. Ferreira, and S. Hillier

Motion Passed (15 to 0)

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

That Item 40 (4.39), as amended, BE APPROVED.

Yeas: (15): Mayor J. Morgan, H. McAlister, S. Lewis, P. Cuddy, S. Stevenson, J. Pribil, S. Trosow, C. Rahman, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Franke, E. Pelozza, D. Ferreira, and S. Hillier

Motion Passed (15 to 0)

Clause 4.39, as amended reads as follows:

That the following BE APPOINTED to Eldon House for the term ending November 14, 2026:

Mike Donachie
Doug Fleming
Rebecca Griesmayer
Megan Halliday
Louanne Henderson
Joseph O'Neil
Donald Millar
Devinder Luthra
Bruce Duncan

it being noted that the Strategic Priorities and Policy Committee received a communication dated November 14, 2022 from M. Donachie, Board Chair, Eldon House with respect to this matter.

41. (4.40) Consideration of Appointment to the London Police Services Board

Motion made by: S. Lewis

That Susan Toth BE APPOINTED to the London Police Services Board for the term ending November 14, 2026.

Yeas: (11): Mayor J. Morgan, H. McAlister, S. Lewis, J. Pribil, S. Trosow, C. Rahman, S. Lehman, A. Hopkins, S. Franke, E. Pelozza, and D. Ferreira

Nays: (4): P. Cuddy, S. Stevenson, P. Van Meerbergen, and S. Hillier

Motion Passed (11 to 4)

42. (4.41) Consideration of Appointment to the London Public Library

At 2:20 PM, His Worship the Mayor places Councillor E. Pelozza in the Chair.

At 2:23 PM, His Worship the Mayor resumes the Chair.

Motion made by: S. Lewis

That the following BE APPOINTED to the London Public Library Board for the term ending November 14, 2026:

Brian Gibson
Zeba Hashmi
Heather Jack
Beth Allison
Scott Andrew Collyer
Jeremy McCall
Sharon Desserud

it being noted that the Strategic Priorities and Policy Committee received a communication dated October 26, 2022 from M. Ciccone, CEO and Chief Librarian with respect to this matter.

Yeas: (9): Mayor J. Morgan, H. McAlister, S. Lewis, S. Stevenson, S. Trosow, C. Rahman, A. Hopkins, S. Franke, and D. Ferreira

Nays: (6): P. Cuddy, J. Pribil, S. Lehman, P. Van Meerbergen, E. Pelozza, and S. Hillier

Motion Passed (9 to 6)

9. Added Reports

- 9.1 2nd Report of the Special Strategic Priorities and Policy Committee

Motion made by: S. Lewis

That the 2nd Report of the Strategic Priorities and Policy Committee, BE APPROVED.

Yeas: (15): Mayor J. Morgan, H. McAlister, S. Lewis, P. Cuddy, S. Stevenson, J. Pribil, S. Trosow, C. Rahman, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Franke, E. Pelozza, D. Ferreira, 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. (4.1) Bill 23, More Homes Build Faster Act, 2022, Information Report

Motion made by: S. Lewis

That, on the recommendation of the Deputy City Manager, Finance Supports, Deputy City Manager, Legal Services and Deputy City Manager, Planning and Economic Development, the following actions be taken with respect to Bill 23, the More Homes Built Faster Act, 2022:

a) the report dated November 22, 2022, entitled "Bill 23, More Homes Built Faster Act, 2022 information report" BE RECEIVED for information;

b) the position of calling on the Province to refer the proposed legislation to the Ontario Housing Supply Action Plan Implementation Team (HSAPIT) to allow the necessary time for a fulsome review to mitigate the potential of unintended consequences and to find solutions to improving housing affordability across the province that meet local needs, BE ENDORSED by Council;

c) the staff report BE FORWARDED, with a cover letter, to the Minister of Municipal Affairs and Housing, Minister of Finance, Premier of Ontario and local MPs and MPPs; and,

d) that the Province BE FURTHER ADVISED that the Municipal Council supports the submissions on Bill 23, More Homes Built Faster Act, 2022, from the Association of Municipalities of Ontario and the Ontario Big City Mayors;

it being noted that as of November 18, 2022, Bill 23 had passed Second Reading and was being considered by the applicable Standing Committee and it being further noted that the Civic Administration will report back to Council with any further information on legislative changes arising from this Bill;

it being pointed out that the Strategic Priorities and Policy Committee heard a delegation from M. Wallace, Executive Director, London Development Institute with respect to this matter.

Motion Passed

9.2 1st Report of the Council in Closed Session

Motion made by: S. Lewis

Seconded by: S. Hillier

1. That progress was made with respect to Item 4.1 as noted on the public agenda (6.1/11/SPPC).

Motion Passed

10. Deferred Matters

None.

11. Enquiries

None.

12. Emergent Motions

None.

13. By-laws

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

That Introduction and First Reading of Bill No. 3, BE APPROVED.

Yeas: (15): Mayor J. Morgan, H. McAlister, S. Lewis, P. Cuddy, S. Stevenson, J. Pribil, S. Trosow, C. Rahman, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Franke, E. Pelozza, D. Ferreira, and S. Hillier

Motion Passed (15 to 0)

Motion made by: E. Pelozza
Seconded by: D. Ferreira

That Second Reading of Bill No. 3, BE APPROVED.

Yeas: (15): Mayor J. Morgan, H. McAlister, S. Lewis, P. Cuddy, S. Stevenson, J. Pribil, S. Trosow, C. Rahman, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Franke, E. Pelozza, D. Ferreira, and S. Hillier

Motion Passed (15 to 0)

Motion made by: S. Trosow
Seconded by: H. McAlister

That Third Reading and Enactment of Bill No. 3, BE APPROVED.

Yeas: (15): Mayor J. Morgan, H. McAlister, S. Lewis, P. Cuddy, S. Stevenson, J. Pribil, S. Trosow, C. Rahman, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Franke, E. Pelozza, D. Ferreira, and S. Hillier

Motion Passed (15 to 0)

The following Bill is enacted as a By-law of the Corporation of the City of London:

Bill No. 3	By-law No. A.-8304-3 - A by-law to confirm the proceedings of the Council Meeting held on the 22nd day of November, 2022. (City Clerk)
------------	----------------------------------------------------------------------------------------------------------------------------------------

14. Adjournment

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

That the meeting BE ADJOURNED.

Motion Passed

The meeting adjourned at 2:34 PM.

Josh Morgan, Mayor

Michael Schulthess, City Clerk

from Marguerite Reser
26 Harrow Court

I discussed the future buildings that will be constructed at 931-1225 with Lina Sombrea who composed a questionnaire, and possible solutions and concerns of Harrow Court.

Hopefully, we we will be able to accept the changes to our, so far, peaceful lives on Harrow Court.

Notice of Planning Application
931 - 1225 Southdale Road East

Why do so many existing units have to be torn down? There is plenty of land in the surrounding area eg. east of Commissioners Road.

Why do so many people have to lose their existing homes? This is an expense. People will have to be moved to another place.

This area is a residential area and since these are commercial buildings that will be built it will decrease the value of residential homes in this area.

John + Jo Anne Campanaro
27 Harrow Court
London Ont
Phone 519-681-4540

TO: THE CITY COUNCIL
City of London

Subject: 931-1225 Southdale Road East, File Z-9544

Construction of Three 6-Storey Apartment Buildings with 167 units in total

Applicant: LONDON & MIDDLESEX COMMUNITY HOUSING

Dear Sir/Madam:

We would like to bring to your attention our opinion regarding the above project. Please note that we are not happy with the Three 6-storey apartment buildings which London & Middlesex Community Housing is proposing to build in our neighbourhood. We hope that you will rethink and delve into this matter earnestly before considering this project. We, home owners on Harrow Court, are finding this building application disappointing, disturbing and unfair.

Currently, people living in townhouses at the subject lot seem fine and comfortable. Also, the buildings look decent and are not dilapidated. Just like any other homes in the city, they may need upgrading as the need arises. Demolition as well as relocating and interrupting the lives of tenants will cost a lot of money.

We have learned that London & Middlesex Community Housing can only build structures of up to a height of 13 meters in the said location. Therefore, we understand it is feasible or reasonable that only 3-storey apartment buildings shall be allowed. We will be more than happy to accept and see the construction of three 3-storey apartment buildings as opposed to three 6-storey buildings behind us.

During the Council Meeting at City Hall on November 28, 2022, which we attended, we had mentioned to London & Middlesex Community Housing if they would look into buying a nice piece of vacant land where they could build those high-rise apartment buildings instead of putting them at 931 – 1225 Southdale Road East.

OUR PROBLEMS AND CONCERNS

1. Will this project be of economic benefit to London & Middlesex Community Housing?
2. At this point you may be thinking this project will contribute to the progress of our community as it will create more affordable & updated housing facilities for people who may need them. Maybe the intention is good as these apartment buildings will help answer their needs for a more comfortable life.
3. However, on the other hand, we homeowners in the immediate area truly believe this project will put us into a lot of disadvantages. The buildings will be too high and can obstruct, impede or block our views as soon as we open our windows. It is of rental in nature and expected to accommodate a lot more people than there are now.

4. The Applicants failed to visualize the negative impact these buildings will bring to residents of the immediate area. Primarily it will affect the homeowners' everyday life, routine, functions, activities and investments. They failed to evaluate whether this project can enhance the life of the area residents or bring unprecedented problems to this neighbourhood.
5. Being homeowners who have resided in this area for many years (some of us for over 3 decades), we are greatly concerned that our privacy and quiet enjoyment will diminish. With the presence of the multi-family 6-storey apartment buildings towering over us, the majority of homeowners on our street do foresee a huge loss of our homes' market value. The whole area will be crowded, congested and ultimately traffic will be cited as one of the major issues which will contribute to our property losing its desirability.
6. Constructing high rise buildings with 3- bedrooms and 4-bedroom units will mean more occupants or families are allowed to live in the complex. For sure, more cars will be in sight too. The Applicant has overlooked the fact that there is Salvation Army Community Church on the north west corner of Southdale Road & Millbank Dr. and a Secondary School few meters away where we already have to deal with the daily problems with cars, students walkers, and school buses in the morning, noon and afternoon.
7. Also, we worry about your plan on changing the zoning to include office, commercial or light industrial.

REQUESTS AND RECOMMENDATIONS:

Sometimes projects such as this will make its way to fruition and there is nothing Homeowners in the area can do about it. We are making our voices heard, and hope all parties involved will hear one another. Please do not weigh things lightly or rush in making a decision to the advantage of one over the other. Let's make some compromise to the benefit of all involved in order to reach an educated decision and obtain our goal in a healthy manner.

We, citizens of this beautiful city, who pay taxes **year after year**, would like to ask London & Middlesex Community Housing and City of London with the following:

- a. To see if London & Middlesex Housing will look into buying a nice piece of vacant land which they can easily build three 6-storey buildings.
- b. To modify their plans and opt to construct Three 3-storey apartment buildings on 931-1225 Southdale Road East, instead of Three 6-storey apartment buildings.

- c. To provide us with a good fence to be erected along the North side of Southdale Road East, directly across the proposed lot where the proposed 3 buildings will be built- (i.e. behind our homes on Harrow Court and to run parallel to it from Millbank Drive up to the end of the subject lot. (See attached drawing).

There are nice and efficient fencing products on the market that are high enough to provide privacy, protection and reduce noise that may inadvertently come from the occupants when the buildings are fully rented out. Also, this fence will help minimize or deter the noise and disturbances that will be created during construction of the buildings for many months or years.

- d. **Further**, these fences shall be erected ahead of time (i.e. before the proposed project will commence construction), to keep us from annoying noise, smoke, yells, hazardous dust and fumes and whirring/revving of high powered machineries, equipment, trucks and other construction vehicles from different contractors, etc. **These fencing will just be a fraction of the cost to be added to the budget of London & Middlesex Community Housing, but for sure most of us, homeowners will be elated having it.**
- e. To apply to the city in consonance with this project to widen and improve the concerned stretch of Southdale Road East with proper signs, etc.
- f. To look into changing or upgrading the traffic lights on the intersection of Southdale Road East & Millbank Dr. in order to handle the anticipated traffic issues.

We would highly appreciate it if our problems and concerns, as well as our suggestions and requests will be given serious thoughts and utmost consideration during your planning stages. Thank you very much.

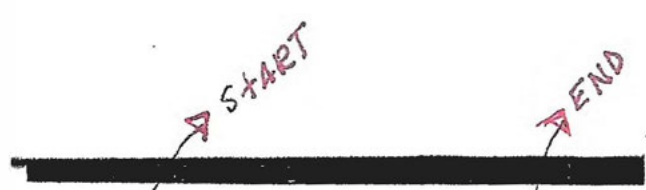
Very truly yours,

Marguerite Reyer - Thank you, Lina, for voicing our concerns
Deborah Maundy Pepers

Jim & Cheryl
Neil & Betty O'Hanley
John & Jo Anne Campanaro
Mr. Peter (Francis Peluso)

Lina D. Ambrose


"A"



FENCING

200

- M.P.
- S.D.P.
- M.R.
- J.C.
- J.D.
- J.F.
- C.F.
- N.H.
- B.H.

FP

City Council Office
City of London

MARY PEPPER.

I, Deborah Peper hereby give consent to allow publication of my name on the city of London Website and will form a part of the permanent public record.

Dated at London this 7th day of December, 2022.

✓ Deborah M Peper 28 HARRLOW CT. LONDON
✓ Mary Peper

City Council Office
City of London

I, Paul Mc hereby give consent to allow publication of my name on the city of London Website and will form a part of the permanent public record.

Dated at London this 6TH day of December, 2022.

✓ Paul Mc 16 HARROD CT. LONDON

City Council Office
City of London

WE
I, JIM & CHERIE FORSTER hereby give consent to allow publication of my name on the city of London Website and will form a part of the permanent public record.

Dated at London this 7TH day of December, 2022.

✓ Forster Jim & Cherie

City Council Office
City of London

We John & Jo Anne Campanaro hereby give consent to allow publication of my name on the City of London Website and will form a part of the permanent public record.

Dated at London this 6 day of December, 2022.

Jo Anne Campanaro John A Campanaro

City Council Office
City of London

I, NEAL & BETTY hereby give consent to allow publication of my name on the city of London Website and will form a part of the permanent public record.

Dated at London this 7th day of December, 2022.

Neal Betty

City Council Office
City of London

I, Marquise Roper hereby give consent to allow publication of my name on the city of London Website and will form a part of the permanent public record.

Dated at London this Dec. 5th day of December, 2022.

✓ Marquise Roper, 26 Harrow Court

City Council Office
City of London

✓ I, LINA SOMBREA hereby give consent to allow publication of my name on the city of London Website and will form a part of the permanent public record.

Dated at London this 6TH day of December, 2022.

Lina S. Sombrea _____

From: Susan Price

Sent: Sunday, December 11, 2022 5:40 PM

To: Council Agenda <councilagenda@london.ca>

Subject: [EXTERNAL] Bill 23 and the City of London Corporate Growth Projections 2021-2051

I object very strongly to Bill 23. Where do I start? Bill 23 is anti-environment. Environmental experts know that you cannot recreate natural wetlands. Bill 23 weakens the ability of conservation authorities who are land stewards and environmental "authorities" to protect the environment. Bill 23 takes away the opportunity for citizens to have a voice in how the city will be developed. Bill 23 allows more urban sprawl on farm land which will increase food insecurity. Bill 23 encourages urban sprawl which is expensive to service. Since development charges are lowered, taxes are sure to increase and/or there will be a decrease in the services and programs the city will be able to finance. Indigenous groups were not consulted when Bill 23 was being shaped, which if not unlawful is at very least unethical. Bill 23 will not increase affordable housing which is what it proposes to do. Who will benefit from this huge omnibus bill? Not the average citizen but real estate speculators and developers will be laughing all the way to the bank. I would like to see evidence that what is set out in Bill 23 will be good for the average citizen and the environment. It is obvious that experts weren't consulted when Bill 23 was written.

Only about 17% of the people in Ontario voted for the Conservatives in the last provincial election. The NDP held onto all 3 London urban ridings. That in itself is very telling about what kind of city Londoners want. Unfortunately with a Conservative majority Bill 23 can be pushed through no matter how wrong headed it is. The passing of Bill 39, and Fords' repeated use of the notwithstanding clause clearly show that the current provincial government has no qualms with misusing their power to undermine the democratic process. For all these reasons and more I am counting on the current council to push back on Bill 23 where and when you have the power to do so.

Yours truly,

Susan Price

50 Forward Avenue

Please place this letter on the public agenda for item: City of London Corporate Growth Projections 2021-2051

From: Elizabeth Blokker

Sent: Sunday, December 11, 2022 10:59 PM

To: Council Agenda <councilagenda@london.ca>

Subject: [EXTERNAL] Opposition to Bill 23 Proposed by the Ontario Government- Included 2022-12-13 Council Added Agenda

Hello,

My name is Elizabeth Blokker and I request that this letter be placed on the Public Agenda for item: City of London Corporate Growth Projections 2021-2051

This letter is in regards to London City Council voting to support Bill 23 Population Growth Projections.

The passing of Bill 23 is disturbing for many reasons:

As a resident in London, I am very worried about what this means for setting the precedent for development in Ontario. London has developed a robust climate action plan that promotes densification in the city, and reduces urban sprawl while protecting our natural heritage within the city. Bill 23 is in direct opposition to promoting this type of development in cities that is so desperately needed to address our climate crisis.

Bill 23 does not address the housing crisis that it is claiming to. It is encouraging the building of luxury homes, and expanding urban sprawl. This type of development will be more expensive for London, as we taxpayers will need to support the costly supporting infrastructure for these subdivisions. We should be heavily prioritizing development within the city instead of expanding our borders outward.

Expanding outward will only ensure that we lock residents out the outskirts of the city to use cars to get around, as they are not close to any of the necessities such as hospitals, grocery stores, and entertainment. People don't want to live like that. It is frustrating to not be close to what you need, and always have to drive 20 minutes to get to where you need to go. Expanding outward will only increase traffic within the city as well, which is already a major frustration when trying to get around in this city.

The science is crystal clear. We need to change how our cities expand to reduce reliance on fossil fuel driven vehicles. We need to be building up, not out, as London expands.

London is also in a housing crisis. There is a many year wait for affordable housing, and building luxury homes on the outskirts of London will NOT address the needs of London residents. This will only push more people into poverty as the rate of living continues to sky rocket.

To truly solve the housing crisis, London should focus on land in existing urban areas that is close to transit and services people want. For example, there are SO many huge parking lots within city limits. Why can we not look to these spaces as opportunities to develop, such as the example set by the Masonville transit village? It would be good for the businesses in the area because so many people will live so close to what they need.

London can be different. We have the capacity to take care of our people, to further develop our downtown businesses and make it a sustainable destination for all residents to enjoy. Our city can

become active transit friendly and a good place for everyone to live. We need to prioritize development within our city limits to make this happen though.

PLEASE don't support the provinces passing of Bill 23. Use your voice as city councillors to speak up against this undemocratic process.

Thank you for taking the time to read this letter.

I hope you have a good day,

Elizabeth Blokker



November 28th, 2022

To the City of London Community and Protective Services Committee,

As a globally recognized expert on animal businesses and animal protection, I wish to convey my opposition to the company Reptilia being granted an exemption to the City of London Animal Control Bylaw PH-3. Reptilia is a commercial entity that seeks to make money by transporting and displaying wild animals. I support a thoughtful, sustainable, and ethical approach to businesses involving animals in the City, including new businesses, but not Reptilia's approach. It does not make sense for the City, economically or ethically.

Reptiles have advanced cognitive, emotional, and social capacities, clear sensitivities, and specialized species-specific environmental needs. They can experience mental and physical distress, pain, and suffering. Public opinion on the keeping and displaying captive animals is changing and reflects growing discomfort with the risks of proximity to animals who may carry zoonotic diseases (animal-human transmission) as well as ethical concerns about the physical and psychological wellbeing of wild animals kept in cages and containers. This shift in public sentiment is for good reason. The more we learn about animals' minds, social patterns, and behaviours, the more it is clear that mobile exhibits are not appropriate. Animals kept in such conditions cannot engage in natural behaviours and, quite simply, cages and boxes are not where these animals are meant to live.

Reptilia's business model includes not only zoo gallery/space rentals and onsite events but also additional offsite commercial activities involving animals (e.g., children's parties, retail venues, consumer shows, corporate gatherings, summer camps, religious institutions, seniors' homes, etc.). The risks of moving wild animals, including dangerous species, are clear. These include both health and safety concerns. The bylaw exists for all of these reasons and is sound public policy, in keeping with established and growing trends across Canada and around the world.

This issue has been addressed by Council a number of times including in April 2022 and December 2018. The matter of private zoos was also addressed by Council in 2011. Nothing new is being brought forward and given the many pressing and important issues facing our community, revisiting this one is inefficient and a poor

use of time. Similarly, the City does not have the time or resources to monitor Reptilia's activities or the capacity to properly assess them. The Provincial Animal Welfare Service inspectorate could examine specific issues, but this venture would largely be an under-regulated situation, augmenting the risks for people and animals alike.

To be clear, Reptilia is not a sanctuary. Sanctuaries cost money, they don't make money. Reptilia is a business. Rescuing some animals (the number and results for animals held by the company are unclear) does not make up for the physical and psychological stress caused to those and other animals who are trucked around and put on display to make this company money. Real rescues and sanctuaries place animals' needs first, not commercial goals. In fact, the Reptilia model likely fuels demand for the keeping of wild animals as pets, further exacerbating the problem and costing the public sector more money in the medium and longer term. The more that animals are kept in private hands away from their natural habitats, the more likely they will be poorly treated, escape, transmit diseases and germs, and need to be "rescued."

The bylaw is sound, and I urge you to reject the request for an exemption.

Sincerely,

Dr. Kendra Coulter

Professor

Fellow, Oxford Centre for Animal Ethics

Member, Royal Society of Canada's College of New Scholars, Artists, and Scientists

Re: Reptilia Zoo

Dear Madame,

My view request & demand is not to allow this reptilia zoo to set up their business in Westmount Mall, the City of London & though beyond your authority

in this county. Never.

Respectfully Submitted,

Dan Procop

London City Council Public Hearing Remarks

Hello, my name is Dr. Kathryn Sussman. I am an independent researcher and consultant, and have done research, and written an academic paper looking into the educational value of private zoos such as Reptilia and Mobile Live Animal Programs. The object of my paper was to assist in determining whether or not the educational claims of these businesses are supported by evidence.

What I found is that almost none of the criteria that allow for learning in traditional zoos are possible with these businesses. The main criteria that allow for learning in traditional zoos are naturalistic free-range exhibits and the ability of animals to display natural behaviours in such exhibits, enrichment presentations, signage/graphics and reinforcement of a conservation message. Private businesses such as Reptilia fail to meet most if not all of these criteria.

Let me break down how for you:

The animals that are used are displayed out of their natural environments. The animals are not allowed free-range, but are rather contained in small display exhibits. When they are allowed out of their containers, it is to be used as fun objects, such as when a snake is wrapped over a participant's shoulder, or around a child's waist.

While some programs do present signage or graphics, these displays are almost always minimal, often inaccurate, and is providing information that is already readily available without the use of live animals. As these programs are usually one-time presentations, the opportunity for reinforcement, including reinforcement of a conservation message, does not exist.

In addition, live animals serve as a significant distraction rather than as a learning tool. Presentations and display areas are often very loud and chaotic. In fact there are many studies that show learning to be most effective in settings without live animals present.

Another finding was that animals that typically get the most positive and enthusiastic reactions from participants are prioritized for display, so that colourful, active and large animals are more frequently learned about. The display is therefore driven by what is popular, rather than by a coherent educational purpose.

Guests of these businesses are more likely to respond to wild animals as domesticated. This contributes to the appeal of wild animals as pets and often leads to the desire to own an exotic animal, propagating the appeal and potential growth of the exotic pet trade.

Businesses like Reptilia do not have a discernable conservation action plan. The lack of a conservation action plan or petition results in them being extremely unlikely to produce any kind of measurable learning outcome. There is simply not evidence that these programs result in conservation action.

It must be emphasized that learning from businesses like Reptilia is had at the animals' expense insofar as they are non-consenting and captive. This can contribute to negative learning that it is okay to discount the interests of animals themselves.

It is crucial to consider that conservation teaching with the use of captive animals normalizes captivity and is inherently contradictory. Being taught not to take animals from where they live, yet seeing animals who have been removed from their habitat or that exist outside of it and are no longer in the wild underscores a hypocrisy that sends the message that our amusement, or even knowledge is justified at the expense of the animals. The concept of animal ambassadorship – animals that are forced to sacrifice their freedom and privacy for their wild counterparts – is ethically suspect, and I do not believe the correct educational message to be sending our children.

My research has led me to the conclusion that making large unsubstantiated claims about positive educational value is educationally irresponsible and negatively impacts the public's perception, and most crucially children's perception, about other species and the environment. Learning that contributes to an attitude of unnecessary human use of animals, and the objectification and exploitation of them is harmful.

Based on their purported educational claims, I therefore do not recommend any of these programs be given special consideration or exemption when it comes to laws restricting or prohibiting animal use within municipal or provincial/state boundaries.

Thank you very much.

Dr. Kathryn Sussman

Review

Are Mobile Live Animal Programs Educationally Beneficial? A Critical Assessment of the Human Learning Component Underlying Traveling Animal Exhibits

Kathryn Sussman

Zoocheck Inc., 788 ½ O'Connor Drive, Toronto, ON M4B 2S6, Canada; kjsussman@gmail.com
Tel.: 00 1 416 875-4212

Simple Summary: This article addresses the problem of negative education that results from participating in Mobile Live Animal Programs (MLAP). Its aim is to determine what constitutes both positive and negative education and to examine how and if these types of learning can be measured in regard to MLAPs. The conclusion reached is that there is no evidence of affective learning that results in increased conservation efforts from participating in MLAPs, and, furthermore, there is an accumulation of learning that occurs in the form of a negative emotional and intellectual perception of non-human species. Given the accumulation of negative educational value that outweighs any cognitive acquisition of facts regarding the animals being presented, the conclusion reached is that it is not recommended, based on their purported educational claims, that MLAPs be given special consideration when it comes to laws restricting or prohibiting animal use within municipal or provincial/state boundaries. This information can be used to help shape future legislation that works to protect non-human animals, and contributes to our perceptions of non-human animals as persons rather than commodities.

Abstract: This paper assesses whether there is intrinsic positive educational value in travelling animal presentations and exhibits, referred to here as Mobile Live Animal Programs (MLAPs). Given that educational claims serve as the basis for allowing MLAPs to operate in many jurisdictions throughout Canada and the United States, it is essential to examine whether these purported claims are valid. This study takes a twofold approach of examining first, what constitutes an MLAP and how such programs are situated within the larger context of animal observation and tourism, and second, what constitutes both positive and negative education, and how such learning can empirically be measured in these settings. This approach provokes the ethical question of whether or not MLAPs should be allowed to operate given the high price paid not only by the individual animals used, but also to our psychological, emotional, and intellectual relationship with other species when we use non-human animals for our own knowledge, pleasure or comfort. The paper concludes that we must consider that the pervasive problem of negative education, that using displaced captive wild animals as learning tools that highlights human control over them, their objectification and their exploitation, is not justified by the purported positive educational claims of MLAPs.

Keywords: zoo; mobile zoo; mobile animal exhibits; animal display; mobile live animal programs; negative education

1. Introduction

Mobile Live Animal Programs (MLAPs) are businesses that operate by transporting nonhuman animals (heretofore referred to as animals) to various locations such as private in-home birthday parties, nursing homes, retirement facilities, schools, daycare centers, religious institutions such as churches, corporate functions and community-events, i.e., consumer and trade shows. The animals are confined and transported in ad-hoc or purpose-built containers including trailers for larger hoofed animals like donkeys, zebras and camels, and wooden crates, kennel carriers and rubber tubs or other such similar containers for smaller species. At these various locations, the animals are used as displays in temporary exhibits and/or for live animal presentations. Many of these displays are interactive, allowing for the frequent touching, petting and handling of the animals by the public.

An MLAP may be privately-owned by an exotic animal keeper or collector who conducts live animal presentations locally or further afield, or it can be a publically owned operation, such as a major urban zoo that conducts an offsite animal outreach program. As well as being both for-profit and non-profit, what all MLAPs have in common is that they all provide a service – the animal presentation or exhibit – for a fee. MLAPs can be distinguished from travelling circuses in that they generally do not force the animals to perform circus-like tricks for human amusement.

MLAPs resemble first generation zoo displays of the 19th century, when zoos existed almost exclusively as sites of recreation and leisure for human entertainment and pleasure. At this time, zoos exhibited wild animals in cages or concrete, barren enclosures in rigidly controlling environments emphasizing their lack of freedom [1], reflecting the conspicuous wealth and ‘reach’ of the relevant empires and kingdoms [2]. While well-run progressive modern day zoos focus some attention on research and conservation and make efforts to present animals in naturalistic displays – exhibits that have natural vegetation and landscaping, where animals are able to practice natural behaviours, can escape excess heat or cold, and often are provided with items that stimulate their interest, referred to as enrichment [1] – these goals and animal welfare standards are not present, nor achievable, in the case of MLAPs. In contrast to most permanent zoo exhibits, where there is an attempt to replicate some aspects of the natural habitat of the animals, MLAPs involve keeping animals in sterile situations that are entirely removed from any authentic ecological contexts. The animals, furthermore, are presented in highly artificial, often stressful conditions where they are utilized as objects of curiosity and entertainment and often handled and passed around from one human to another.

Many jurisdictions allow MLAPs to operate because of their purported educational value [3,4,5,6]. MLAPs claim to be providing a service to the public, not only by providing entertainment, comfort or joy to humans, but also by providing education in the form of factual knowledge about animals and their habitats, as well as knowledge about conservation [3,4,5,6]. On their company website, Hands on Exotics, for example, states “meeting and interacting with our animal ambassadors in person not only helps to enhance learning, but helps to promote a positive relationship between both humans and animals,” (2017 -05-18). Some MLAPs, furthermore, purport to help in broader conservation efforts by instilling in the public an interest in conservation through their live animal presentations. On their website, Animal Wonders, for example, states “the final

objective of Animal Wonders is to support and promote conservation efforts locally, nationally, and internationally” (2017 -05-18).

Given these educational claims as the basis for allowing MLAPs to continue, it is essential to examine whether they are valid. Thus, the aim of this paper is 1) to determine how and if learning can empirically be measured in the context of MLAPs, and 2) to critically examine whether the educational claims are valid. This analysis will assist in addressing the question of whether MLAPs warrant special consideration when it comes to laws restricting or prohibiting animal use within municipal or provincial/state boundaries.

2. What is education?

In order to determine if there is inherent educational value in MLAPs, it is therefore necessary to consider what education is, how it is measured, and to address positive versus negative educational value. To do so, the present assessment will use the term *educational value* to encompass learning that is either cognitive and/or affective. In this context, cognitive learning pertains to the gaining of facts and knowledge regarding animals and their habitats – that is, education as purely increased knowledge or understanding about animals, their behaviour, and habitats [7,8]. Affective learning pertains to, often emotion-driven attitude change towards wildlife and conservation – that is education that motivates increased concern about issues of conservation [7,8]. Affective learning also refers to behavioural change – education that leads to attitude change resulting in real world change/helping conservation efforts with action [8].

Education, or learning, also may have a valence. Positive learning refers to learning that leads to the acquisition of accurate knowledge about species, their natural habitats and conservation issues, as well as positive behavior. Negative learning refers to inaccurate information about species, their natural habitats and conservation issues as well as negative perceptions about species, conservation action, and/or the normalizing of captivity [9,10].

3. Education and standard zoos.

It may be instructive to assess questions about the educational value of MLAPs in a comparative context with standard modern zoos (acknowledging that modern zoos run the gamut in terms of quality and experiences for both the animals and the visitors). Research on learning (informal learning) in standard zoos and aquariums has assessed cognitive learning, that is the retention of specific facts regarding species, their behaviour and conservation, and also affective learning, that is, learning that results in attitude change or behavior benefitting conservation of animals. This paper, however, is not intended as an exhaustive analysis of the educational claims of standard zoos.

While research on learning in traditional zoos and aquariums has pointed primarily to short term cognitive learning, i.e., the retention of particular facts regarding species, their behavior and conservation, evidence of long term cognitive knowledge gained is scant [11,12]. Even more scant is evidence of affective learning, i.e., learning that results in an attitudinal change or behavioral change in terms of conservation efforts [13]. One-day zoo visits have little long-term impact on cognitive and affective learning [12]. While a desire to help conservation action has been shown to increase

immediately after zoo visits, this desire does not persist over time or result in real-world action [11]. Follow-up interventions are necessary to impact long-term knowledge gained and behavioural change [12,13,11].

When short term learning does occur in standard zoos it is correlated with the following criteria:

- Naturalistic free-range exhibits: viewing animals in surroundings that more closely emulate their natural habitats allow for observation of a greater range of semi-naturalistic behaviors. Some studies have correlated such displays with visitor learning, as they increase interest in and empathy for the animals, however, these studies have concluded that naturalistic displays have been shown to have only a cognitive learning impact on zoo visitors [14,15]. Furthermore, these studies did not involve follow up and therefore could not determine if learning was long term. Learning in this situation was limited to guided exhibits in which visitors received structured information about the animals on exhibit [14,15].

- Enrichment presentations: training sessions allow for animal activity which results in increased visitor interest in the animal being viewed as well as an increase in stay time at an exhibit. These two factors (naturalistic exhibits and enrichment presentations) have been correlated with promoting conditions for learning in humans and increased positive perceptions of the animals viewed [14].

In terms of other elements of standard zoo exhibits, most research has concluded that the use of sign displays and interactive graphics are among the least effective methods of education in a zoo setting [16]. or only minimally interesting, and therefore minimally helpful to zoo visitors' increased knowledge regarding species, their habitats, and conservation issues [17,18]. On the other hand, some studies have provided evidence that these tools are useful for increased cognitive learning [19,20,14].

In summary, the evidence for short-term cognitive or affective learning in modern zoos is modest at best, but there is little to no support for long term learning of any kind. Moreover, studies of informal learning in zoos do not assess negative learning, that is, the adoption of inaccurate information about the animals or anti-conservation attitudes, and there is evidence to support this premise that negative learning occurs [21,22]. Ross et al. 2008 found that chimpanzees were less likely to be viewed as endangered compared to gorillas and orangutans due to their high visual presence in the media and advertisements. A 2015 study found that when viewing images of chimpanzees in either a naturalistic or anthropomorphic setting, with a human present or absent, they were perceived to be more stable in their wild populations as well as more desirable as pets [21]. These findings can be extrapolated to apply to zoo exhibits that display endangered or unstable populations. In other words, viewing wild animals in anthropomorphic settings, which include presentation with humans, has a negative impact on cognitive or affective learning.

4. Education and MLAPs.

None of the criteria that are presumed to most effectively allow for positive cognitive learning in zoos – naturalistic exhibits allowing semi-natural behaviors, environmental enrichment presentations, signs or interactive graphics, and reinforcement – are possible with MLAPs. Therefore, the question is whether there is evidence of any positive learning in MLAPs and, likewise, whether there is the potential for negative learning.

Positive Learning:

Attention has long been considered a necessary precursor to positive cognitive learning [19,23]. In the zoo context, visitors' attention has been presumed to be captured most successfully by naturalistic designs, by observing active animals – which such designs and environmental enrichment can elicit – signage and/or graphics, and reinforcement [19].

- Naturalistic free-range exhibits: The animals that are used in MLAPs are not exhibited in naturalistic displays but are, rather, displayed out of their natural environments [24,25]. Even nocturnal animals, such as hedgehogs, are used during daytime displays [4,5,6]. The animals are not allowed to free-range, but are contained until they are displayed, with smaller species often constrained to a handler's grip, or kept in small containers [26,27]. For these reasons, the animals are prevented from displaying any range of behaviours, let alone naturalistic ones [28,29,30].

- Environmental enrichment: The animals that are used in MLAPs are not generally given environmental enrichment activities that in zoos, serve to help elicit species-specific natural behaviours and prevent stereotypies. Such enrichment includes, for example, the introduction of objects to manipulate, enhancing habitat, presenting food in a variety of ways, allowing for interspecies or conspecific interactions and sensory stimulation – all of which help to elicit behaviours that would be naturalistic in the wild [19]. Their environmental constraints – being confined and/or kept in small containers – do not allow for the environmental stimuli needed for physiological and psychological wellness.

- Signage/graphics: While some MLAPs do present signage/graphics, these displays are almost always minimal, and often inaccurate [3,31].

- Reinforcement: Unlike conventional zoos that visitors often visit on multiple occasions, MLAP's are usually one-time presentations, therefore the opportunity for reinforcement, including reinforcement of a conservation message, does not exist as these programs provide no follow-up interventions.

MLAPs are at a further disadvantage for providing positive cognitive and/or affective learning opportunities in comparison to well-run progressive modern day zoos for several other reasons. In terms of cognitive learning of animal facts, it may be that live animals actually serve as a distraction rather than a learning tool in this context. While there is currently a lack of research in this area, some observations suggest that as the number of animals used increases, the chances of children being distracted also seems to increase [32, personal communication, Rob Laidlaw, Zoocheck, 2017-04-24]. While participants at MLAPs presentations are often encouraged to be quiet, these programs can be very loud and chaotic when animals are brought out [personal communication, Rob Laidlaw, Zoocheck, 2017-04-24].

For-profit and program success goals often conflict with education goals of MLAPs. MLAPs that are privately owned and operated, as well as those that are non-profit, often measure program success by factors such as financial gain, or number of presentations conducted. These goals are prioritized above positive learning goals and result in cognitive learning that, if it does occur, is based on characteristics of the animals that are irrelevant to their conservation. An example of this is how animals that typically get the most positive and enthusiastic reactions from participants are prioritized for display, so that furry, colourful, active and large animals are more frequently learned

about, creating a bias in the cognitive learning component [33,34]. The display is driven by what is popular, rather than by a coherent educational purpose.¹

MLAPs typically have no discernable conservation action plan. The lack of a conservation action plan or petition at these exhibits and presentations results in them being extremely unlikely to produce any kind of measurable affective learning outcome. Behavioural change that results in real-world action is most likely to occur right after exposure to information [32]. The most prominent zoo accreditation organizations including the World Association of Zoos and Aquariums, the American Association of Zoos and Aquariums, the Canadian Association of Zoos and Aquariums, the Zoological Association of America and the European Association of Zoos and Aquaria all concur that education, rather than being merely inspirational or emotive, should have an 'action' component that allows for positive conservation action [33]. Furthermore, since MLAPs do not have a follow-up process to these one-time experiences for participants, affective learning is unlikely to translate into positive conservation action, or if it does, there is no current evidence for it.

Negative Learning:

In addition to these obstacles to positive learning, negative learning can take place during MLAPs in a wide variety of ways. As these exhibits and presentations are often small operations not run by individuals with expertise in animal behavior and welfare, the animal "facts" they present can be outdated or simply incorrect. Furthermore, the animals presented are in many ways not representative of their wild counterparts as they are entirely removed from their natural ecological contexts, thus extrapolating information about animal "ambassadors" to the species at hand in general is often inaccurate. Further negative learning aspects include the following:

- Some MLAPs use animals as Play objects, such as when they place frogs on children's heads or wrap snakes over a participant's shoulder or around a child's waist [35,36]. These kinds of actions, rather than introducing in children love and respect for other animals [37] reinforces the notion that they are objects to be used for entertainment. This, as Donaldson and Kymlicka state, inculcates children into an ideology of species superiority and entitlement [37].

- Participants of MLAPs are more likely to respond to wild animals as domesticated. Research has shown that participants who view wild animals in an anthropomorphic setting while in contact with humans are more likely to respond to the animals presented on a personal level, and as less threatening [21]. They often want to know facts such as the age or name of the exhibited animal, and how many babies the animal has had. This personalization of individual exotic animals has a domesticizing and false familiarity effect which can lead to the confusion of wild and domesticated species, underscoring the idea that exotic species are like pets or are pets [38,21]. This fact can be extrapolated to the desire to own an exotic animal, which can promote the exotic pet trade.

- Importantly, the biology and conservation status of animals used in MLAPs may be inaccurately perceived by the public as the result of such programs [21,22]. As an example, as with the case of primates in the Ross et al. (2008) study, animal "ambassadorship" – the viewing of animals in an anthropomorphic setting and/or in the presence of humans – may lead to the lessening of concerns about the status of their wild counterparts. That is, these situations promote the false impression that the species being viewed is readily available and in abundance [21].

▪ Seeing animals in captivity normalizes captivity. One recent study that asked different groups of schoolchildren where they would go to find out about nature after viewing animals in one of three different informal settings – at a museum, at a live animal show, and at a natural outdoor environment center – found that the children who had viewed animals in nature were more likely to write or draw animals in parks while the children who had viewed animals at a live animal show were more likely to write or draw zoos [38].

5. Conclusions

There is no substantive evidence to support the purported claims that Mobile Live Animal Programs are educationally beneficial. As with traditional zoos, there is a distinct problem with the over-exaggeration of claims of educational impact in MLAPs without supporting evidence of measurable outcomes. Furthermore, these unsubstantiated claims of positive educational value are in turn used by MLAPs as a major justification for their existence, allegedly compensating for safety and welfare concerns. In addition, learning outcomes of MLAPs may even be negative for a variety of reasons. One indisputable negative learning outcome from the use of animals in MLAPs is that participants witness animals' lack of natural environment, freedom and privacy; an experience that normalizes assumptions about human dominance and the utilization and exploitation of animals.

When it comes to an assessment of whether or not MLAPs should be allowed to operate, concern should be given to the pervasive problem of using animals in the name of education and conservation. Making large unsubstantiated claims about positive educational value is educationally irresponsible. It negatively impacts the public's perception – and perhaps most crucially, children's perception, about other species and the environment. It is of great importance to weigh the acquisition of cognitive facts about animals, their behaviour and conservation with the acquisition of information that may be inaccurate or that contributes to a psychological mindset that can be deemed negative education. Learning that leads to an attitude of unnecessary human use of animals, and the systemic objectification and exploitation of them is miseducation.

It is not recommended, therefore, based on their purported educational claims, that MLAPs be given special consideration when it comes to laws restricting or prohibiting animal use within municipal or provincial/state boundaries.

Acknowledgments: I thank Zoocheck Inc. for funding and logistical support.

Conflicts of Interest: Kathryn Sussman is an independent consultant for Zoocheck Inc. and The Whale Sanctuary Project. Zoocheck Inc. provided KS with funding and logistical support for research but had no part in the research, analysis, interpretation and conclusions presented, which remain those of the author.

References

1. Ballantyne, R.; Packer, J.; Hughes, K.; Dierking, L. Conservation learning in wildlife tourism settings: lessons from research in zoos and aquariums. *Environmental Education Research* **2007**, 13(3), 367-383.
2. Rothfels, N. *Savages and Beasts: The Birth of the Modern Zoo*, Baltimore: Johns Hopkins UP: Baltimore, U.S.A, **2002**.
3. [Animal Wonders Montana]. (2015, July 9). *Bringing the Zoo to You!* Retrieved from

- <https://www.youtube.com/watch?v=nqVtF-VQHSs>.
4. Hands On Exotics (2017, March 26). Retrieved from <http://www.handsonexotics.com/animals>.
 5. Travelling Critters (2017, March 26). Retrieved from <http://travellingcritters.com/animals/>.
 6. Zoo To You (2017, March 26.) Retrieved from <http://www.zootoyou.ca/ontario-mixture-exotic-animals-displays-exhibits>.
 7. Briseno-Garzon, A.; Anderson, D.; Anderson, A. Adult learning experiences from an aquarium visit: the role of social interactions in family groups. *Curator* **2007**, 50(3), 299-318.
 8. Broad, S.; Weiler, B. Captive animals and interpretation – a tale of two tiger exhibits. *The Journal of Tourism Studies* **1998**, 9(1), 14-27.
 9. Jamieson, D. Against zoos. In *defence of animals*, P. Singer Ed., Basil Blackwell, New York, U.S.A., **1985**; pp. 108-117.
 10. Wagoner, B.; Jenson, E. Science learning at the zoo: evaluating children's developing understanding of animals and their habitats. *Psychology and Society* **2010**, 3(1), 65-76.
 11. Smith, L.; Broad, S.; Weiler, B. A closer examination of the impact of zoo visits on visitor behaviour. *Journal of Sustainable Tourism* **2008**, 16(5), 544-562.
 12. Adelman, L. M.; Falk, J. H.; James, S. Impact of national aquarium in Baltimore on visitors' conservation attitudes, behavior, and knowledge. *Curator* **2000**, 43(1), 33-61.
 13. Marino, L.; Bradshaw, G.; Malamud, R. The captivity industry: the reality of zoos and aquariums. *Best Friends Magazine*, **2009**, March/April, 25-27.
 14. Fernandez, E. J.; Tamborski, M. A.; Pickens, S. R.; Timberlake, W. Animal-visitor interactions in the modern zoo: conflicts and interventions. *Applied Animal Behaviour Science* **2009**, 120, 1-8.
 15. Reade, L. S.; Waran, N. K. The modern zoo: how do people perceive zoo animals? *Applied Animal Behaviour Science* **1996**, 47, 109-118.
 16. Simpkin, L. Interpretation – starting with the tourist. *Interpretation attached to heritage*. Papers presented at the Third Annual Conference of Interpretation Australia Association Inc. 5th-7th December **1994**. Albury: Charles Sturt University, 184-188.
 17. Kellert, S. R.; Berry, J. K. *Knowledge Affection and Basic Attitudes Toward Animals in American Society: Phase III*. US Government Printing Office, Washington, DC, U.S.A., **1980**.
 18. Uozumi, A. "Do Zoos Work at Raising Awareness? Quantifying the Impact of Informal Education on Adults Visiting Japanese Zoos." MS thesis Imperial College London, **2010**.
 19. Altman, J.D. Animal activity and visitor learning at the zoo. *Anthrozoos* **1998**, 11(1), 12-21.
 20. Ballantyne, R. Young students' conceptions of the marine environment and their role in the development of aquaria exhibits. *Geojournal* **2004**, 60, 159-163.
 21. Leighty, K.; Valuska, A.J.; Grand, A.P.; Bettinger, T.L.; Mellen, J.D.; Ross, S.R.; Boyle, P.; Ogden, J.J. Impact of visual context on public perceptions of non-human primate performers. *PLoS One* **2015**, 10(2), 1-6.
 22. Ross, S.R.; Lukas, K.E.; Lonsdorf, E.V.; Stoinski, T.S.; Hare, B.; Shumaker, R.; et al. Inappropriate use and portrayal of chimpanzees. *Science* **2008**, 319: 1487.

23. Ashcroft, M.H. *Human Memory and Cognition* 2nd ed.; Harper Collins College Publishers, New York, U.S.A., **1994**.
24. [Casswastaken]. (2015, July 15). *Wild Animals in My Backyard*. Retrieved from <https://www.youtube.com/watch?v=ZzfDCgYLAXs>.
25. [Kitty Pouncer]. (2011, October 19). *Animals Visit Nursing Home*. Retrieved from <https://www.youtube.com/watch?v=-jhpJaGk2yM>.
26. [Breakfast Television]. (2016, October 5). *Hands on Exotics at PumpkinFest*. Retrieved from <https://www.youtube.com/watch?v=Ui0d1rSY-sA&t=260s>.
27. [CNN]. (2012, November 26). *Jack Hanna, Piers Morgan, and a Cheetah*. Retrieved from https://www.youtube.com/watch?v=_IHWVNIr4YI.
28. Coe, J.C. Design and perception: making the zoo experience real. *Zoo Biology* **1985**, 4, 197-208.
29. Hancocks, D. Bringing nature into the zoo: inexpensive solutions for zoo environments. *International Journal for the Study of Animal Problems* **1980**, 1(3), 170-177.
30. Hutchins, M.; Hancocks, D.; Crocket, C. Naturalistic solutions to the behavioural problem problems of captive animals. *Annual AAZPA Conference Proceedings, Wheeling West Virginia*. **1979**, pp. 108-113.
31. [Creeping Things]. (2017, March 18). *Creeping Things Live Animal Shows*. Retrieved from https://www.youtube.com/watch?v=7_zGvZIRTFk.
32. Smith, L.; Weiler, B.; Ham, S. The rhetoric versus the reality: a critical examination of the zoo proposition. *Zoos and Tourism: Conservation, Education, Entertainment?* Ed. Frost, W., Channel View Publications, Toronto, Canada, **2011**; pp. 59-68.
33. Moss, A.; Esson, M. The educational claims of zoos: where do we go from here? *Zoo Biology* **2013**, 32, 13-18.
34. Roe, K.; McConney, A. Do zoo visitors come to learn? An internationally comparative, mixed-methods study. *Environmental Education Research* **2015**, 21(6), 865-884.
35. [Family Fun Pack]. (2016, May 17). *David's Awesome Amazing Reptile Birthday Party*. Retrieved from <https://www.youtube.com/watch?v=GgiBBmpJXmE>.
36. [Party Pop]. (2016, April 7). *Mobile Zoo of Southern California – Animals for Parties Riverside and Los Angeles area CA*. Retrieved from <https://www.youtube.com/watch?v=oQ-1Y-Hn1fM>.
37. Donaldson, S.; Kymlicka, W. Zoos and circuses: the wrong kind of education about animals. *The Globe and Mail* 6 May. **2016**, early ed.
38. Kimble, G. Children learning about biodiversity at an environment centre, a museum and at live animal shows. *Studies in Educational Evaluation* **2014**, 41, 48-57.

Councillor Pribil,

I am lead to believe that you voted in favour of Reptilia. With the impressive CV that you put forward, I voted for you with high hopes of having a mature, progressive representative at City Hall. I hope that this can still be realized.

As a firm believer that humans have historically oppressed all of Nature's creatures, including themselves, it disappoints me that you support Reptilia. This is regressive and furthers the human abuse of Nature. How more abusive of Nature can we be than by perpetuating the archaic and immoral exploitation of animals! At the very least, civilized society, to some degree, has retreated on its support of small, compact zoos that do not attempt to replicate natural habitats for their animal charges. Indeed, such human stewardship should only exist to help preserve endangered or injured species. Optimistically, the extensive abuse of circus animals appears greatly diminished and its purveyors, the zoos themselves, are disappearing. Support of Reptilia is a blatant step backwards from this epiphany that Society finally realized.

Looking locally, Council has previously created bylaws opposing the private ownership of exotic animals. It strikes me that the promotion of an undertaking such as Reptilia contradicts that stance. Indeed, I understand that previous Councils have resoundingly twice rejected applications from Reptilia. Should approval of Reptilia proceed, it would demonstrate that conscience and nature's creatures take a backseat to mercenary interests.

Please reconsider your vote when this comes before Council. This is a matter of animal health and security - not just a crass business venture that intrudes into the world of Nature's creatures. Let's not let the almighty dollar overshadow the real issues here, animal welfare and mature human attitudes towards those creatures that share our planet.

Respectfully,

David Leckie, P.Eng. (Retired)

PS - by copy of this I am requesting that this communication be placed on Council's agenda when this issue is debated and hope that other members of Council oppose Reptilia's application.

I am simply appalled that Council would even consider a suggestion - much less a bylaw exemption - that will have suffering, innocent animals sacrificed for the amusement of humans ... all in the name of "business", i.e., the almighty buck?!

Have we learned nothing from exposés such as *Blackfish* of the atrocities committed against animals? Please - do the right thing, the civilized thing, and speak up in defence of those that cannot defend themselves.

Nancy Holmes
Ward 8, London

Mrs. Peloz,

While we have not always seen eye to eye in the past, I write to you in support of your position on the Reptilia project. Know that it is a position for which I have found no one to be in disagreement. A reptile zoo of any dimension, but particularly of the size, content and scope being requested, will not be the developmental boost for this city which is being suggested by both its owners and several of your council colleagues. Those arguments have been made, debated and denied.

Please do not be swayed by John Winston and the Reptilia owners' law firm. Their request has been heard, debated and a decision made. Knowingly investing millions in spite of that decision was the owners' choice. That large investment cannot now be used as the basis of an argument to get what was originally sought.

It seems that the headwinds may be building in support of Reptilia's shabby position and counter to your own on this issue. Please stand your ground. You are on the side of right.

Best of the Season to you and your family.

Brydon McFarlen

Dear Councillors,

We have been residents of the City of London for over 45 years. As you would expect, we have seen a lot of change over the years. We won't get into some of the things that have happened that have not been as good for the community, but instead, we would like to focus on one particular bylaw that was passed initially in 2011 and has served Londoners and the surrounding area very well for all these years.

This Animal Control bylaw which, thankfully, still exists today, has restricted the display of exotic and dangerous animals in the City of London. Before this bylaw was enacted and enforced we were constantly having to deal with animals of all types being exploited at various venues throughout the City year round. This type of exploitation was not appreciated by most Londoners, hurtful and sometimes deadly to the animals involved and it was such a relief to have this disallowed.

As you can fully imagine, it was quite the shock to hear that the peace and tranquillity enjoyed for all these years was once again being threatened.

We are certain that you are hearing from all sorts of experts about the scientific rationale for why the amendment to the bylaw should be rejected. We will not be reiterating any of these facts and opinions and would only be asking for you to read all of this information and think of the consequences to the animals.

We are not aware of anyone, Mayor or Council, who ran on a platform to amend the bylaw and reintroduce this animal exploitation. With everything else that urgently needs to be dealt with at this time, it's hard to even imagine that this application is being considered.

It is very easy to prognosticate that if this amendment was approved there would be significant costs for Animal Control and the Humane Society as visitors would be encouraged to purchase reptiles as pets. These impulse purchases historically result in rather rapid surrender of the innocent and unwanted creatures to agencies who often do not have the resources to deal with them humanely.

The fact that Reptilia went ahead with its plans despite the knowledge that it had not received the necessary approvals should not be a reason to accept their application.

We do not need this or any other zoo in the City of London.

Please think of what is at stake here for the animals and the president this will set.

We urge you to stick with the existing bylaw with no amendments as it has served us very well over the years. Let's not take a chance on something that everyone will regret later.

Kathleen & Kevin Lomack
London

To: The City of London Support Clerk,

Re: Reptilia Zoo's request for an exemption to the Animal Control Bylaw

On behalf of the Animal Welfare Advisory Committee to the City of London, I am requesting the attached Report to Council Recommendation regarding Reptilia Zoo's request for an exemption to the Animal Control Bylaw accompanying attached document report be added to Council's agenda for Council's Meeting, to be held on December 13, 2022.

Regards,

Wendy Brown

Chair

Animal Welfare Community Advisory Committee

To: City Council, meeting on December 13, 2022
From: Animal Welfare Community Advisory Committee (AWAC)
Re: Reptilia Zoo request for exemption from the Animal Control By-law (CPSC Report)

To be helpful, I write to you regarding animal welfare concerns as it relates to the current request from Reptilia Zoo for an exemption to the Animal Control Bylaw and AWAC's past careful examination, research, and consequential best advice to the City of London as follows:

The Animal Welfare Advisory Committee recommended:

There be No amendment to the Animal Control Bylaw, and that council reaffirm that the exemption in the Animal Control By-law for animals licensed by the province is limited to the animals held under their provincial license, (those listed as specially protected or game animals under the Ontario Fish and Wildlife Conservation Act), and that ALL other animals continue to be subject to the current municipal animal control by-law.

We continue to strongly recommend that there be no amendment to the Animal Control By-law to exempt Reptilia Zoo, or any other private zoo or exhibition using prohibited animals.

Background:

- London's Animal Control Bylaw restricts the keeping of class 5 animals (non- venomous snakes, lizards, and spiders) and prohibits the keeping of class 7 animals such as crocodilians, alligators, and venomous snakes, lizards, spiders, to name a few.
- In 2011 The City of London took the progressive action of removing private zoos from the Animal Control and the Zoning By-laws due to animal welfare, public concern, and the excessive challenges and burdens to the city as it related to welfare concerns with private zoos.
- At December's 2018 Council Meeting, council rejected Reptilia Zoo's proposal to open a facility and declined an amendment to license private zoos.
- In April 2022, Reptilia Zoo's request for an exemption was rejected by Council.

The Animal Welfare Advisory Committee maintains the following concerns for human health, safety, and animal welfare regarding exotic animals:

- The Province does not currently regulate non-native species. The NDMNRF has no jurisdiction over them. Instead, they are regulated and/or prohibited by municipal by-laws. The municipality of Grand Bend established a bylaw prohibiting exotic animals in April of 2019 due to such concerns as it related to exotic animals. The Provincial Animal Welfare Services (PAWS) Act only minimally addresses the broad suite of issues associated with the keeping of exotic wildlife in captivity.
- The Provincial Animal Welfare Services Act (PAWS) focuses on a very basic and limited set of standards of captive wildlife care, including a small number of primarily enclosure safety features. The Act does not address exotic animal possession, acquisition, breeding, sale, trade, most aspects of public safety, including zoonotic disease risks posed by animals, facility design and security,

education, conservation, entertainment uses of animals, promotion of pet trade and many other issues associated with exotic animals. The Act recognizes that municipal bylaws that provide greater protections for animals supersede the protections of the PAWS Act.

- Animal welfare and wildlife conservation NGOs and independent experts with vast experience working to protect wild and captive reptiles across the world, have opposed proposed Reptilia zoos or requests to amend animal control bylaws. They include, but not limited to: the Ontario Humane Society and SPCA, Humane Canada, World Animal Protection, Zoocheck, David Suzuki Foundation, Animal Justice, Niagara Action for Animals, Animal Alliance of Canada, International Fund for Animal Welfare, Ontario Captive Animal Watch, as well as members of academia, internationally renowned animal welfare scientists, veterinarians and members of the public.
- Reptilia Zoo heavily promotes their off site live exotic animal program, putting the public at risk for injuries and the spread of infectious diseases such as salmonella, particularly when animals are taken off-site for events such as birthday parties. The elderly, young, and immunocompromised are at the greatest risk.
- Our local hospitals' ability to respond as they are not equipped to address any venomous snake bites that may occur. Disabling effects of snake bites can be life long and treatment for venomous snake bites is more than a single injection of antivenom.
- As of 2022 Reptilia Zoo is no longer listed on Canadian Association of Zoos and Aquariums (CAZA) website as being an accredited facility. The loss of this accreditation is concerning, both for animal welfare at Reptilia, and for the precedent it sets that any unaccredited zoo or exhibition could seek an exemption from the by-law.
- A November 2021 City of Toronto staff report, in collaboration with Economic Development and Culture and Toronto Public Health, outlined concerns related to Reptilia Zoo's operations. The report was particularly concerned about the poor body condition of animals and adequacy of care provided to the animals and cited past investigations of Reptilia Zoo by the Provincial Animal Welfare Services (PAWS). (Please see the attached Report For Action, City of Toronto.)
- Captive breeding is often touted as a humane alternative to wild capture. Captive bred reptiles may be habituated to humans, but they remain wild. Captive bred or not, reptiles require the most vast and complex environments to express their innate natural instincts, biological functions and behaviours and suffer in confined, minimal enclosures, with few choices. Reptilia Zoo's off-site live animal business imposes excessive handling, and long periods of extreme confinement during transport and at events causing stress.
- Reptiles have evolved to live in a diversity of aquatic, terrestrial, fossorial and arboreal habitats. In captivity only the most basic aspects of a reptile's natural living conditions can be provided. As a result, captive reptiles live lives of idleness, emptiness, frustration and various states of deprivation. This diminishes their welfare and causes them to suffer.

- Business interests should not supersede science-based facts regarding human health and safety risks, the undue burden to municipalities, and ethical considerations as it relates to private and live mobile animal businesses.

In conclusion:

The intention of the current bylaw and zoning prohibitions pertaining to private zoos and mobile zoos IS progressive as it relates to animal welfare as well as the City's leadership in this area.

From the description of activities advertised on Reptilia Zoo's website, they showcase mainly non-native animals. These species are beyond the jurisdiction of the Fish and Wildlife Conservation Act and are currently not regulated by the province.

What we have here, is a private zoo, operating out of a Mall, under "a place of entertainment". However, under any definition Reptilia Zoo IS a private zoo.

In 2011 the City of London recognized public concerns regarding the keeping of exotic animals in private zoos as well as the undue burden to the city without Provincial Oversight, which remains a concern today. Therefore, an exemption sets a disconcerting precedent for private zoos and mobile animal businesses to set up here.

Since then, exotic animals have been removed from Storey Book Gardens as well as remaining farm animals due to animal welfare concerns.

Circuses using exotic animals for entertainment are no longer considered to be ethical and no longer welcomed by the City of London residents. Private and mobile zoos continue to pose tangible risks and animal welfare concerns for those municipalities without progressive zoning and bylaws to prohibit them.

Sincerely,

Wendy Brown
Animal Welfare Community Advisory Committee Chair

Request to review Chapter 349, Animals exception for Reptilia Zoo

Date: November 17, 2021

To: Economic and Community Development Committee

From: Executive Director, Municipal Licensing and Standards

Wards: Spadina-Fort York

SUMMARY

This report responds to the Economic and Community Development Committee (ECDC)'s request to explore a site-specific exception in Chapter 349, Animals to permit the operations of Reptilia Zoo at 245 Queens Quay West (Harbourfront Centre).

Reptilia is a reptile zoo with locations in Vaughan and Whitby. Their operations include a self-guided visitation centre with exhibits that house numerous reptiles, as well as both on-site and off-site shows for education and entertainment. Reptilia's existing locations also have ancillary business functions such as adopting out reptiles, and the retail sale of food and equipment for keeping reptiles as pets.

The company has been in discussions with Harbourfront Centre as a prospective tenant. Reptilia's proposed program includes animals that fall under the Prohibited Animals list in Toronto Municipal Code Chapter 349, Animals. ECDC has requested that staff consider the specific species that would be permitted if the Animals Bylaw was amended to provide a site-specific exception for Reptilia's operations, and the health and safety implications associated with City Council granting an exception.

To respond to this request, staff undertook targeted stakeholder consultation and research on the implications of such an exception, including those related to health and safety, animal welfare, and economic development. Based on the findings of this work, staff do not recommend amending the bylaw to grant a site-specific exception to the Animals Bylaw. While this report recommends against an exception, staff note that the company can still pursue its operations without housing species listed in the Prohibited Animals list.

This report was written in consultation with Economic Development and Culture, Toronto Public Health, and Corporate Real Estate Management.

RECOMMENDATIONS

The Executive Director, Municipal Licensing and Standards recommends that:

1. City Council not grant a site-specific exception for Reptilia Zoo, at 245 Queens Quay West, under Section 349-4 of City of Toronto Municipal Code Chapter 349, Animals.

FINANCIAL IMPACT

There are no current or known future year financial impacts arising from the recommendation contained in this report.

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the financial implications as identified in the Financial Impact section.

DECISION HISTORY

On June 30, 2021, the Economic and Community Development Committee adopted Item EC23.8 Request for Review of City of Toronto Municipal Code Chapter 349, Animals Regarding Exemption for Reptilia Facility at 245 Queens Quay West, requesting the Executive Director, Municipal Licensing and Standards to report by the end of the fourth quarter of 2021 on the proposed Reptilia facility at 245 Queens Quay West, including a recommendation on whether or not to include the facility under the Prohibited Animals exceptions; the specific prohibited animal species that would be permitted if City Council grants the exception; and health and safety considerations for staff and the public, including access to antivenin and consultation with local hospitals. <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.EC23.8>

COMMENTS

This report responds to the Economic and Community Development Committee's request for staff to explore the implications of a site-specific exception to the Prohibited Animals restrictions in Toronto Municipal Code Chapter 349, Animals, to permit the operations of Reptilia at 245 Queens Quay West (Harbourfront Centre).

Reptilia is a reptile zoo and visitation centre with locations in Vaughan and Whitby. Reptilia's operations include a self-guided visitation centre with exhibits that house numerous reptiles, as well as both on-site shows and mobile live animal programs (MLAPs), which are off-site shows that attend schools and events. Reptilia's existing locations also have ancillary business functions such as adopting out reptiles, and the retail of food and equipment for keeping reptiles as pets.

The company has been in discussions with Harbourfront Centre as a prospective tenant for the north building located at 245 Queens Quay West. Reptilia's proposed program

includes animals that fall under the Prohibited Animals list in the Toronto Municipal Code Chapter 349, Animals. The Committee has requested that staff consider the specific species that would be permitted if the Animals Bylaw was amended to provide a site-specific exception for Reptilia, and the health and safety implications associated with City Council granting an exception.

To respond to this request, staff undertook targeted stakeholder consultation and research related to health and safety, animal welfare and economic development. Staff did not undertake broad public consultation, but rather engaged the experts necessary to inform the recommendation.

This report recommends that City Council not amend the Animals Bylaw to provide a site-specific exception at 245 Queens Quay West. The following sections will outline the findings that informed this recommendation, including the historical context of the existing Prohibited Animals exceptions; and considerations related to health and safety, animal welfare, and economic development.

Background

The Animals Bylaw prohibits the keeping of certain animals in the City of Toronto, as identified in Schedule A of Chapter 349, Animals. The Prohibited Animals list was developed in order to protect public health and safety, address concerns around animal care, and to restrict animals that may result in significant public nuisance problems such as noise and/or odour for neighbouring residents. The list includes animals such as some mammals (tigers, kangaroos, non-human primates, bears, elephants, etc.), birds (flightless birds such as ostriches and emus, geese, etc.), reptiles such as alligators and crocodiles, snakes that reach an adult length of greater than three metres, lizards that reach an adult length of greater than two metres, and all venomous and poisonous animals.

When this bylaw was enacted in 1999, it included a number of exceptions to the prohibition on keeping those prohibited animals in the City, such as exceptions for the premises of a City animal centre, an accredited veterinary hospital under the care of a licensed veterinarian, the Toronto Zoo, Riverdale Farm, Sunnybrook Stables and the High Park Zoo. It also included the premises of facilities with accreditation from the Canadian Association of Zoos and Aquariums (CAZA), as well as those used for education programs.

In 2016, City Council adopted LS15.2 Chapter 349, Animals: Exceptions for Prohibited Animals, which changed the way that the City regulates prohibited animals in Toronto. This report removed the provisions that allowed both the "blanket" exception for facilities that were accredited by CAZA and those used for education programs. Deleting these exceptions aimed to ensure that the City would be notified and become aware of any organization or facility interested in keeping prohibited animals in the City. It also provided the City with the opportunity to review an interested organization to determine if it can properly care for the prohibited animals and reduce the health and safety risk to the public before an exemption could be granted.

Removing those blanket requirements also meant that there would be no further exceptions granted for any organization or facility interested in keeping prohibited animals in Toronto, unless granted by a bylaw amendment adopted by City Council. Since the changes were made in 2016, the City has denied a number of businesses requesting an exception to the bylaw, including temporary exceptions for events.

The 2016 report did not introduce a process for staff to review and approve applications for organizations to become exempt from the Prohibited Animals restrictions. At the time, Ripley's Aquarium of Canada was added to the listed exceptions in the bylaw. This was necessary as it had been previously granted an exception on the basis of its CAZA accreditation, and had been operating since 2013.

Reptilia Zoo is requesting a similar exception as its proposed operations at the Harbourfront Centre would include animals that are prohibited under the bylaw. Specifically, a total of 39 species of crocodylians, non-venomous and rear-fanged venomous (non-medically significant) snakes, lizards and venomous species would be included. The majority of these species (23) are venomous. As part of this request, staff discussed the specific species with Reptilia and reviewed a number of submitted documents including corporate health and safety protocols.

Toronto Animal Services continues to have significant concerns about prohibited animals in the City of Toronto, including the health and safety risk they pose to residents, the ability to properly care for the animals, and the nuisance to neighbourhoods that they may pose. The City does not have a role in accrediting such facilities, and staff do not recommend introducing a delegated process to review and approve individual facilities interested in keeping prohibited animals.

Staff recommend maintaining the current approach and intention of the bylaw to ensure that prohibited animals are not kept in Toronto unless granted by City Council, following consideration of unique circumstances on a case-by-case basis. Staff note that while this report recommends against an exception, Reptilia can still pursue its operations without a bylaw amendment if it does not house species listed in the Prohibited Animals section of the Chapter 349, Animals. Depending on the nature of the operations pursued otherwise, the company may be subject to other regulations, such as obtaining a pet shop licence under Chapter 545, Licensing.

Health and Safety Considerations

The Committee requested that staff consider access to antivenin and consult with local hospitals. Reptilia has confirmed that its corporate protocol is to store antivenin on-site. In the event of an emergency, Reptilia staff accompany the injured person to the hospital with the appropriate antivenin in the event that antivenin will be required. Each antivenin dose must include detailed instructions on administration to accompany the injured person and the antivenin. This protocol is similar to what is carried out at other facilities, including the Toronto Zoo.

In consultation with Toronto Public Health (TPH), staff engaged local hospitals and heard that emergency departments generally do not have the capacity to manage

antivenins. The facility must ensure that an adequate supply of the appropriate types of antivenin is maintained at all times. For CAZA accreditation, there must be adequate antivenin to treat one severely poisoned patient should an envenomation occur. This is different for each animal and antivenin.

If antivenin is not within the facility, as it has been sent to a hospital with an injured person and/or has been used for that person, the Facility must have taken the venomous animal/animals off display until further replacement antivenin can be sourced.

Many antivenins are developed to support envenomation for only one species. Reptilia would therefore need to determine the most appropriate antivenin for each of the proposed species (23 venomous), and source them accordingly. The company needs a sponsoring physician to sign off on each antivenin that is applied for through Health Canada. Once secured, shipping conditions, storage requirements and transport modalities for each antivenin must be considered, as some have specific storage and temperature requirements in order for them to be active when brought to the hospital for administration. Antivenins are often expensive and tend to expire after 3-4 years, so these must also be kept up to date and be replaced after their shelf life.

Hospitals highlighted that the facility must have adequate oversight and qualified staff who can monitor antivenin supply, partner with external stakeholders including hospitals, and be on call to identify products to be used in the event of an emergency. Education and awareness efforts must also be undertaken to ensure that all partners understand the processes to follow in the event of an emergency. This includes detailed protocols with information for clinicians on the signs and symptoms indicating when antivenin is required for each species, the potential for anaphylaxis of each antivenin, as well as educational sessions for emergency departments. Engaging with Ontario Poison Centre is recommended. This resource will be contacted by a receiving hospital in the event of a bite as the average Emergency Physician/Intensivist will not be familiar with or comfortable caring for an envenomated patient.

Use of other resources including Toronto EMS may be impacted should an injured person incident occur.

Staff reviewed all existing relevant documentation related to Reptilia's operations, including health and safety protocols. Staff found that the training requirements, emergency procedures and facility security standards are reasonable and sufficient to keep facility staff and the public safe.

However, staff do have concerns with the handling of reptiles in general. In consultation with TPH, staff note that there are potential health risks associated with handling reptiles, including exposure to infectious diseases, injuries, and allergies.

Vulnerable populations, such as children, those with compromised immune systems, and the elderly are more vulnerable and susceptible to disease transmission, including zoonotic diseases transmitted from animals. Children are more vulnerable than adults to acquiring infections from animals, as a result of several factors such as a general lack of awareness of the risk of disease transmission, less than optimal hygiene practices,

propensity to put their fingers in their mouths, increased risk of developing disease after exposure to a pathogen and their natural curiosity and attraction to animals. Young children and infants also have an increased risk of infection and complications from such infections that can result in serious illness because their immune systems are not fully developed. Accordingly, there are certain animals that are considered too high risk for children under 5 years of age to interact with, including exotic animals, reptiles, amphibians, and live poultry.

Infectious diseases passed on from animals to humans occur through direct and indirect contact with animals. Examples of direct contact include petting an animal, while indirect contact can include touching an animal's environment (e.g. cage, terrarium). There are several diseases that reptiles and amphibians can transmit to humans. For example, since almost all reptiles and amphibians can carry Salmonella bacteria, this pathogen can be transmitted to both children and adults. Studies suggest that approximately half of reptiles carry the disease. Reptiles and amphibians can also carry Salmonella bacteria without being sick. Staff note that the rodents used to feed some reptiles can also carry Salmonella bacteria or other germs that can make people sick.

Staff also note particular concern regarding mobile live animal programs and other activities that take place off-site, which are key components of Reptilia's operations in other jurisdictions. Bringing exotic and potentially dangerous animals offsite can pose significant health and safety risks such as the potential for an animal to escape, increased incidence of handling the animals and exposure to infectious disease, and a lack of oversight and other safety features that are contained in the facility itself. Concerns regarding MLAPs were also raised from animal welfare experts and residents in the surrounding community.

Concerns regarding MLAPs were one of the key reasons for amending the bylaw in 2016 to prevent further exceptions and ensure that Animal Services has sufficient oversight of the keeping of prohibited animals in the City. Furthermore, TPH has advised that if such mobile activities were permitted, there would need to be strict documentation and trace-back protocols for public health officials to use in order to protect the public from outbreaks.

Animal Welfare Considerations

As part of this review, staff requested information from the Ontario Ministry of the Solicitor General's Provincial Animal Welfare Services (PAWS) regarding any animal welfare concerns associated with Reptilia's operations in other jurisdictions. Based on the information received, staff have significant concerns regarding the outcomes of past investigation and inspections by PAWS. While the company quickly came into compliance following these inspections, there are concerns regarding the adequacy of care provided to the animals, as well as poor record-keeping of critical information.

Staff also heard from experts in animal welfare. These stakeholders have outlined a number of concerns and recommended that the City does not grant a bylaw exception to permit Reptilia's operations.

Stakeholders are concerned that an exception establishes a precedent that will create a case for other exotic animal businesses and institutions to seek exceptions moving forward, and could result in an expansion the number of animals and various species that are kept in Toronto. Stakeholders have also raised concerns about Reptilia as a commercial zoo with many ancillary businesses, including the retail of reptiles and supplies. In particular, stakeholders are concerned that Reptilia's operations will result in an increase in MLAPs in the City.

Stakeholders are also concerned that accreditation or association memberships (for example, CAZA) do not guarantee optimal animal welfare and public safety standards. The commercialization of wildlife supports the continued expansion of reptile pet keeping and trade, which can have negative impacts related to public health and safety, as well as threats to native wildlife. Finally, stakeholders raise that such an exception is a substantial departure to Council's previous direction to remove blanket exceptions to the bylaw, which could undermine deliberate past improvements to animal welfare and undermine the City's reputation as a national leader in this space.

Many of the concerns raised are shared by City staff, particularly regarding a potential increase in MLAPs across the city that may pose health and safety risks to the public and the environment. Staff are also concerned about the potential increase in exotic animal businesses seeking exceptions and expansion in the number of these animals kept in the City. Staff continue to have concerns regarding the ability to properly care for such animals, and believe that the intention of the bylaw as currently drafted is supportive of animal welfare and contributes to the City's leadership in this space.

Staff recommended removing the blanket CAZA exception in 2016 to ensure due diligence and oversight of prohibited animals in the City. CAZA is a national not-for-profit organization that works to standardize professional conduct and care of animals through its accreditation program, which includes the inspection of its accredited facilities. As part of this review, staff consulted with CAZA to understand whether there were existing concerns related to the facility's ability to care for its animals. CAZA confirmed that Reptilia is in good standing with its accreditation in its existing facilities.

Staff also met with community leaders and residents from the surrounding Harbourfront neighbourhood. While there is interest among residents in seeing a new family-friendly business on the waterfront, concerns were raised about whether the animals would be adequately cared for, and the risk of exotic animals entering the City and threatening native species.

Economic Development Considerations

While the mandate of Toronto Animal Services is to focus on public health and safety and animal welfare, staff acknowledge that there may be potential economic benefits to the City with the introduction of a facility such as Reptilia's.

Harbourfront Centre, who would be the property manager facilitating the lease with Reptilia Zoo, is supportive of the proposed facility. Harbourfront Centre highlighted the economic benefits of introducing a facility such as Reptilia Zoo by bringing tourism and

economic activity to the waterfront area, particularly since this location has been vacant since 2017. The proposed facility would bring visitors to the area year-round, including during the winter months when the area would otherwise be less active, which would also bring benefits to the surrounding community and businesses.

Harbourfront Centre believes that the proposed facility is a natural fit for tourism and family businesses in the surrounding area, and also fits within their mandate promoting the local economy and strong ties to education. Staff confirmed that the Harbourfront Centre is satisfied with the information Reptilia has provided them regarding their health and safety protocols.

Community leaders and residents from the surrounding neighbourhood expressed some support for the proposed facility. Residents are supportive of the Harbourfront Centre and would like to see the space occupied by a family-friendly business with daytime hours and limited nuisance. However, residents also noted longer-term implications on the surrounding area that must be considered, such as the potential for increased noise, nuisance lighting and traffic. They also expressed concern regarding the lack of parking in the area, and that the company may expand the size of their operations in the future if an exception is granted for this site.

Other considerations

Since Chapter 349, Animals, was last amended with respect to prohibited animals in 2016, the City has denied a number of requests from business operators seeking exceptions to the Prohibited Animals restrictions, including temporary exceptions for events.

Staff are concerned that pursuing an exception for Reptilia's operations may set a precedent for exceptions becoming more frequent in the future. Such exceptions are not aligned with previous City Council direction and staff recommendations, and pose a number of challenges related to health and safety and animal welfare, as described in this report.

While this report recommends that the Animals Bylaw should not be amended to grant a site-specific exception at 245 Queens Quay West, staff note that this does not mean that Reptilia cannot establish a facility in this location. Without a bylaw exception, the company can still pursue its operations without housing species listed in the Prohibited Animals list.

Staff note that if the proposed facility includes a retail component that sells animals or offers adoption services, the company would be required to obtain a pet shop licence under Chapter 545, Licensing. Pet shops that sell and/or keep animals for sale must meet requirements to ensure that the facility is kept in a sanitary, well-ventilated, and clean condition, and that animals are safely housed, cared for, and provided adequate food and water.

CONTACT

Esther Attard, Director, Animal Services, Municipal Licensing and Standards,
416-338-1476, Esther.Attard@toronto.ca

SIGNATURE

Carleton Grant
Executive Director, Municipal Licensing and Standards

As residents living within 2 blocks of Westmount Mall, we strongly object to the exemption of Reptilia from the animal control bylaw, to allow a reptile zoo at the mall.

There are several health-care offices, government service offices, food service, retail, and other legitimate business that in my view will notice the negative effect of a reptile zoo as a neighbour.

Yes, perhaps the zoo may be a great new attraction for a short time, but (and in my view) as soon as all interested and local schools have toured the zoo, interest will drop and the zoo will begin to cut operating cost to stay alive, and the reptiles will suffer. This will surely have a negative affect on the good name of the mall.

I just cannot believe that this company has the gall to continue construction of this facility, when the City has a bylaw in place to prevent and stop this type of business.

If the zoo is permitted, I see the Westmount mall's business dropping and leaving in time, and we will have another deserted mall.

So much for the neighbourhood. So disappointed in your stance on this Paul

Ted Beermink, C.E.7.

Dear Councillors,

I am contacting you concerning Reptilia. I am asking that the City of London **maintain their 2018 decision to reject Reptilia's request to expand into London Ontario.**

While Reptilia brands itself as a 'zoo and conservation centre', animal rights activists and Marie Blosch - vice-chair of the Animal Welfare Advisory Committee - have raised concerns about the welfare of exotic animals kept in captivity. Private zoos have been banned in London more than a decade ago, however, by granting Reptilia an exemption, we run the risk of setting a dangerous precedent for the inclusion of zoos more generally, which ultimately undermine the welfare of exotic animals and the health and safety of those who interact with them.

In addition to trying to circumvent democratic decision making by disregarding the City of London's 2018 decision, Reptilia also recently withdrew their application for amendments to the City of St. Catharine's By-Law 95-212. The company has a disreputable track record of trying to exploit legal loop-holes to turn ultimately turn a profit on exotic animals in towns that, as yet, fortunately do not allow zoos to operate. Conceding to their demands would **harm the interests of both animals and Londoners.**

Yours sincerely,
Monika Andreetta



Council Members,

Humane Society London & Middlesex is aware that the City of London is considering an exemption to the city's Animal Control By-Law regarding exotic animals in private zoos.

We ask that Council consider the below points before making an exemption to this by-law.

For over 120 years, HSLM has been the region's premier animal welfare organization, providing critical services to thousands of animals every year. With experience in municipal and provincial laws, we believe the regulation of exotic animals is important to the well-being of animals, and to the well-being of our community members.

The keeping of exotic animals poses a threat to public safety, with risk of disease transmission, escape and injury to handlers, and danger risks for the public. Exotic animals require specialized care and experienced handlers. Even with safeguards in place, and no previous history of aggressive behaviour, many wild animals have escaped and/or caused injury to handlers and the public. The City of London Animal Control By-Law effectively controls the well-documented risks posed by keeping exotic animals, including crocodilians and venomous snakes, to the health, safety and well-being of residents, the animals and the environment. The limited economic benefit of exotic animal businesses and organizations has been well documented and should not outweigh the risk to public safety and animal well-being.

Making an exception to the by-law in order to open a facility such as Reptilia will showcase wild animals to Londoners, undoubtedly igniting intrigue. This is likely to result in individuals seeking to own wild animals as pets. In London, we already struggle with animal surrenders. For many reasons, folks are finding it a challenge to care for their cats and dogs, and hundreds of these animals are currently in our crowded shelter waiting for a new home. If folks struggle to care for domestic animals, what will happen if they have a wild animal in need of expensive, specialized vet care?

Approving an exemption to our current Animal Control By-Law ultimately jeopardizes an effective by-law that protects both animals and our citizens.

At HSLM we strive to improve animal welfare in our community. As such, we request no exemption be made to this existing Animal Control By-Law.

Sincerely,

A handwritten signature in blue ink that reads "Steve Ryall".

Steve Ryall
Executive Director
Humane Society London & Middlesex

Our mission is to lead London and Middlesex in building a humane and compassionate community for all animals.

Re: Reptilia Pushes for Animal Control By-law Exemption Again

As recent as April 2022, Reptilia asked Council for an exemption to the city's Animal Control By-law which prohibits exotic animals kept in captive. In April Council rejected Reptilia's request.

Dear Council Members,

Rules are made for a reason and the reason for this rule is the well-being of animals. The previous council rejected Reptilia's request because it was against the rules. Just because a new city council was voted in (and I was one of those voters) does not mean the rules change. It reminds me of a child asking Mommy for permission, not getting it, then going to ask Daddy.

Exotic animals require specific habitats to thrive. A mall doesn't provide it. Period. The exception would be if this group was a rescue organization taking in animals that were illegally purchased, surrendered, and unable to be released back into the wild. It does not sound like this is the case.

Please don't make me regret my vote.

Susan Herman Ross

From: maryaliceshepherd [REDACTED]
Sent: Thursday, December 8, 2022 6:33 PM
To: Council Agenda <councilagenda@london.ca>
Subject: [EXTERNAL] Reptilia

After decades of hard work to bring London into the 21st century with regards to banning circuses and building in humane and progressive measures at Animal Control, it appears that the city fathers are taking us to a worse place than ever.

[REDACTED]

This situation is appalling. I hope that our councillors will educate themselves and put an end to this embarrassment to our city which was becoming better regarded for how animals are treated.

Yours truly,

Mary A. Snepherd

From: Steve.O [REDACTED]
Sent: Friday, December 9, 2022 12:30 AM
To: Council Agenda <councilagenda@london.ca>
Cc: AnnaMaria [REDACTED]; Louise [REDACTED]; Paul [REDACTED]; Marcus [REDACTED]; Judy [REDACTED]; Colin [REDACTED]; Muffin [REDACTED]; Susan [REDACTED]; George [REDACTED]
Subject: [EXTERNAL] Council Agenda re: Exemption to the Animal Control By-law - Reptilia

Dear Members of Council,

Please do not support the motion passed by the Committee of Community and Protective Services asking staff to return with 'options' for an exemption to the Animal Control By-law for Reptilia.

Staff have explored exemptions to the Animal Control By-law for Reptilia more than once and as recent as April of this year. Asking staff to do it all over again simply because of a 'personal' change on Council is wasting staff time. New council members have the opportunity to review these reports just for the asking, and a long list of experts in animal welfare took the time to present at committee detailing why captive reptiles in artificial displays is cruel.

Exploitation of animals as a business model is cruel and old.

That's bottom line and those councillors that advocated for Reptilia didn't show a sliver of compassion for the animals held in captivity. If these were dogs and cats, they would be outraged but their lack of understanding for reptiles makes them indifferent to their well being.

[REDACTED]

They want the exemption because they know that simply displaying native and endangered reptiles from Ontario (with few exceptions - amphibians and reptiles in Ontario are listed at risk) is not enough. They need the exemption to display exotic reptiles such as crocodiles and venomous snakes to attract that crowd that perceives them as dangerous. This just plays into the negative stereo types that can be harmful to wildlife.

It was suggested at committee that Reptilia in London would present a 'new' London and 'this is the change people voted for.' I found these comments particularly demeaning because they portrayed Londoners superficially. I agree that people voted for change but the change was for a Council that was receptive to residents including homeless residents, environmentally progressive and ethical.

[REDACTED]

Please accept Reptilia's report with no further action. Reptilia can commence its business without the exemption at any time.

Please add my letter to the public Council Agenda re: Exemption to the Animal Control By-law - Reptilia

Sincerely,
Steve Olivastri
141 Central Ave
London N6A 1M6

From: [REDACTED]
Sent: Friday, December 9, 2022 1:08 AM
To: Council Agenda <councilagenda@london.ca>
Subject: [EXTERNAL] Letter Reptilia - Exemption to Animal Control By-law

Please add my letter to the public Council Agenda re: Exemption to the Animal Control By-law - Reptilia

Dear Members of Council,

Please do not support the motion passed by the Committee of Community and Protective Services asking staff to return with 'options' for an exemption to the Animal Control By-law for Reptilia.

Staff have explored exemptions to the Animal Control By-law for Reptilia more than once and as recent as April of this year. Asking staff to do it all over again simply because of a 'personal' change on Council is wasting staff time. New council members have the opportunity to review these reports just for the asking, and a long list of experts in animal welfare took the time to present at committee detailing why captive reptiles in artificial displays is cruel.

Exploitation of animals as a business model is cruel and old.

That's the bottom line and those councillors that advocated for Reptilia didn't show a sliver of compassion for the animals held in captivity. If these were dogs and cats, they would be outraged but their lack of understanding for reptiles makes them indifferent to their well being.

[REDACTED]

They want the exemption because they know that simply displaying native and endangered reptiles from Ontario (with few exceptions - amphibians and reptiles in Ontario are listed at risk) is not enough. They need the exemption to display exotic reptiles such as crocodiles and venomous snakes to attract that crowd that perceives them as dangerous. This plays into the negative stereo types that can be harmful to wildlife.

It was suggested at committee that Reptilia in London would present a 'new' London and 'this is the change people voted for.' I found these comments particularly demeaning because they portrayed Londoners superficially. I agree that people voted for change but the change was for a Council that was receptive to residents including homeless residents, environmentally progressive and ethical.

[REDACTED]

Please accept Reptilia's report with no further action. Reptilia can commence its business without the exemption at any time.

Thank You

AnnaMaria Valastro

Please add my letter to the public Council Agenda re: Exemption to the Animal Control By-law - Reptilia

Dear Members of Council,

Please do **NOT** support an exemption to the Animal Control By-law for Reptilia.

I wholeheartedly agree with the numerous experts that this by-law should **NOT** be changed. Please remember they are deemed experts for a reason. Why are we still questioning this issue when nothing has changed. **Reptilia is still NOT a sanctuary; it is a private, for-profit zoo.**

It is alarming that Westmount Mall decided to ignore the city by-laws and start building Reptilia without council approval to bring in exotic animals. It is disturbing to think that building the facility would force a change in the by-law. I trust council will not be bullied into allowing this to happen.

As well, I don't believe Reptilia will help tourism, but rather will harm the reputation of London. I think there are enough truly creative minds in this city to come up with far better ideas to bring tourists in than caging live animals.

Thank you,

Jill Jacobson

To: Mayor and Members of Council

As a property owner in London, I found some of the views expressed by Councilor Stevenson on November 29 quite disturbing.

She said she was elected to represent people not animals, so it seems pretty clear to me that she does not understand by-laws. The people spoke years ago when the by-law to prohibit exotic and dangerous animals was passed in London, upheld in 2018 and again last April.

The people spoke against Reptilia on the 29th at CAPS. They wrote e-mails, came to the Council chambers and zoomed in to speak against this zoo. Reptilia had no public support because London does not want a zoo.

Which brings me to the fact that Reptilia snuck in under the guise of "entertainment" to gain access to Westmount Mall. They are a zoo, and all talk at the last meeting called Reptilia just that. A zoo. There is nothing entertaining or educational about animals deprived of all natural behaviour. That can only send children a very distorted educational message regarding the treatment of animals.

Reptilia is well aware of the fact that London has a by-law to prevent non-native and dangerous species from coming into the City, but they went right ahead with their plans to open a zoo. Is this the type of business you want to encourage? One that is so arrogant that they feel entitled to go against the wishes of the people of London and ignore our by-laws? It's pretty simple. The provincial license lists the native animals that Reptilia is allowed to have. Not any other animals or a zoo. This zoo is not licensed by anyone.

[REDACTED]

Florine Morrison
21491 84 Ave.
Langley B.C.
V1M 2M1

[REDACTED]

I wish to sign on to Annamarie Valastro's letter.

I am in Ward 4.

PAUL HARRIS

Councillor Pelosa:

As a proud Londoner of the last twenty-six years, our city has certainly seen our share of national and internationally notable individuals come from and through it. Victories in athletics, arts, culture, innovation, and other important fields are celebrated by us all whenever possible.

In spite of this, I personally believe that permanently naming landmarks, community space, and civic institutions after specific individuals is a gesture that should be conducted with the utmost rarity and diligence in terms of a full spectrum of contributions, virtue, character, and history.

What is in the past is in the past, and we as a city and a community can only learn, adjust, and adapt in an ever changing world with evolving information and insights.

With this said, I am writing to you today in support of removing Paul Haggis' name from any city owned property. All men; whether or not they are community leaders, professional experts, or notable in any way shape or form; have the duty and obligation to create a safe community for women and girls, and that obligation travels with them to any community they find themselves in at any time.

We all have the obligation to set a high bar for personal conduct, and only celebrate those who meet and exceed it. Given what has been proven in a court of law with regards to the personal conduct of Mr. Haggis, I support the removal of his name from city owned property as part of affirming our commitment to a strategic pillar of being a safe city for women and girls.

As a community leader, I am mindful of doing my part at all times, and that needs to be an expectation from the top down.

Thank you for your advocacy in this important area, and the opportunity to provide a letter of support.

Sincerely,

Jeremy McCall
President,
Dad Club London



Mayor Morgan and City Council,

I write to you today on behalf of the London Home Builders' Association to share our feedback on the growth projections for the City of London and the support of the reference scenario, otherwise known as the medium growth scenario.

While we appreciate that this reflects strong growth we know our City will be encountering over the next decade, it minimizes the potential significant growth we will see over the later term of the projections.

Our concern with this as we had raised on numerous occasions with the consultant preparing the report, it does not accurately reflect the additional growth London will be faced with as more and more people continue to leave the GTHA because they cannot find a home there.

This issue is even more pressing now as we have learned since the release of this final report of the increased immigration numbers shared by the federal government which will certainly mean more people finding their way to the GTHA looking for a home and being unable to find one.

London has a strong housing target of 47,000 homes over the next decade which we appreciate this motion reflects, but if we do not set a higher growth rate the industry has real concerns of not having the right tools and targets in place to be able to get there and achieve it.

Thank you for your consideration,

Jared Zaifman

Jared Zaifman – LHBA - CEO

From: Carol & Merwin Lewis
Sent: Friday, December 9, 2022 9:54 PM
To: Council Agenda <councilagenda@london.ca>
Subject: [EXTERNAL] letter to be placed on the public agenda

Please include the following letter on your public agenda for the item City of London Corporate Growth Projections 2021-2051:

I understand that London City Council has voted to support Bill 23 Population Growth Projections that could see sprawl onto farmland and carve up Greenbelt space.

This will cost the City of London \$97 million over the next five years in underfunded development charges born by the existing property tax base. Residents, and not developers, will bear the brunt of infrastructure costs.

This will undermine the city's ability to undertake affordable housing projects. And without measures to protect tenants and create affordable rental and supportive housing, more renters will face eviction and homelessness, and hence student enrolment in Western University and Fanshawe College will be threatened.

Bill 23 proposes allowing the provincial government to override municipal governments' decision-making authority over development approvals. Municipal governments will no longer be allowed to implement green standards in site plan control to require new buildings to be designed sustainably, meaning municipalities like the City of London will be limited in how they can manage growth while meeting targets for reducing greenhouse gas emissions set out in climate change plans. Bill 23 proposes amending the Land Tribunal Act to remove the right of individuals or bodies in Ontario to appeal to the Ontario Land Tribunal about reviewing planned development.

Expert reviews of Bill 23 suggest that the proposed changes will result in environmental disasters, leading to fast-tracked developments in areas at risk of severe flooding. This will ultimately result in a high cost for municipal governments and taxpayers left to cover expensive maintenance associated with sprawling development as well as future disaster mitigation.

As London City Council should be aware, the actions of Bill 23 will do nothing to solve the housing crisis. The province's own Housing Affordability Task Force said there is plenty of land available for development without opening up the Greenbelt—which Doug Ford promised 18 times NOT to touch. The removal of more than 7,000 acres of protected land from the Greenbelt will see the paving over of farmland and natural habitat, jeopardizing food security and environmental protection, and allowing well-connected land speculators (and PC donors) to make huge profits.

I ask that London City Council work to repeal rather than support this anti-democratic legislation.

Carol Lewis

838 Dufferin Avenue

London, Ontario N5W 3K1

From:

Sent: Sunday, December 11, 2022 9:04 PM

To: Council Agenda <councilagenda@london.ca>

Subject: [EXTERNAL] Letter: City of London Corporate Growth Projections 2021-2051

Please add my letter to the public Council agenda for item:

City of London Corporate Growth Projections 2021-2051

Dear Council Members,

There was little discussion at the SPPC on how the adopted **baseline** growth projection will impact residents and many questions arose after the fact. It would be much appreciated if Council would take time tonight to clarify some of the perceived concerns of a **baseline** growth projection.

Does the baseline growth projection adopt the housing targets set out for the City of London in Bill 23 - Build More Homes Faster Act, i.e. 4700 new housing units a year?

1. Is Council embracing Bill 23 - Build More Homes Faster Act?
2. Where will these new housing units be built?
3. Will this increase urban sprawl?
4. Will it expand into the urban growth boundary and/or expand the city's boundaries?
5. Who will pay for development in areas that have no underground infrastructure?
6. Will Council redefine 'affordability' with the new baseline growth projections.

Thank You

AnnaMaria Valastro

Dear Mayor Morgan and Councillors,

My name is Cathy Godes and I am a citizen of Ward Five. Congratulations on being elected to London's City Council. I appreciate work that you have done to ease the housing crisis and the plight of the homeless in our city.

I have serious concerns about Bill 23 and its potential effects on our city. I ask you to consider the following questions.

Will the transfer of development fees for new homes be passed on to the city and its residents?

What effects will this Bill have on the environment, specifically, encroaching on environmentally significant areas, which also provide important recreational space for Londoners?

Will Bill 23 actually help build housing for low-income and homeless Londoners?

Please continue to work hard to find creative and timely solutions for the vulnerable in our city, renters, and potential homeowners.

Sincerely,

Cathy Godes

1059 South Wenige Drive

London, Ontario

N5X 4G5

Planning and Environment Committee Report

1st Meeting of the Planning and Environment Committee
November 28, 2022

PRESENT: Councillors S. Lehman (Chair), S. Lewis, A. Hopkins, S. Franke, S. Hillier, Mayor J. Morgan

ALSO PRESENT: PRESENT: Councillors J. Pribil, S. Trosow and P. van Meerbergen; A. Job and H. Lysynski

REMOTE ATTENDANCE: Councillor C. Rahman; I. Abushehada, J. Adema, G. Belch, E. Biddanda Pavan, J. Bunn, M. Corby, M. Davenport, I. de Ceuster, K. Edwards, S. Filson, K. Gonyou, S. Grady, M. Greguol, M. Johnson, J. Kelemen, P. Kokkoros, J. MacKay, L. Maitland, K. Mason, P. Masse, S. Mathers, H. McNeely, L. McNiven, S. Meksula, B. O'Hagan, B. Page, N. Pasato, A. Patel, M. Pease, A. Riley, M. Schulthess, M. Vivian, B. Westlake-Power and P. Yeoman

The meeting was called to order at 4:02 PM.

1. Call to Order

1.1 Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

1.2 Election of Vice-Chair

Moved by: S. Hillier

Seconded by: A. Hopkins

That Deputy Mayor Lewis BE APPOINTED Vice Chair for the term ending November 14, 2023.

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

VOTING RECORD:

Election

Election of Vice Chair

S. Franke (40.00 %):A. Hopkins , S. Franke

S. Lewis (60.00 %):S. Lewis, S. Hillier, S. Lehman

Conflict (0): None

Majority Winner: S. Lewis

2. Consent

Moved by: S. Hillier
Seconded by: S. Franke

That Items 2.1 to 2.8 BE APPROVED.

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

2.1 Building Division Monthly Report - August 2022

Moved by: S. Hillier
Seconded by: S. Franke

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

Motion Passed

2.2 Building Division Monthly Report - September 2022

Moved by: S. Hillier
Seconded by: S. Franke

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

Motion Passed

2.3 6th Report of the Community Advisory Committee on Planning

Moved by: S. Hillier
Seconded by: S. Franke

That the 6th Report of the Community Advisory Committee on Planning, from its meeting held on November 9, 2022 BE RECEIVED for information. (2022-A02)

Motion Passed

2.4 1865 Finley Crescent (P-9546)

Moved by: S. Hillier
Seconded by: S. Franke

That, on the recommendation of the Acting Director, Planning and Development, the following actions be taken with respect to the application by Kenmore Homes (London) Inc., to exempt Block 96, Plan 33M-733 from Part-Lot Control:

- a) pursuant to subsection 50(7) of the *Planning Act, R.S.O. 1990, c. P.13*, the proposed by-law appended to the staff report dated November 28, 2022 BE INTRODUCED at a future Council meeting, to exempt Block 96, Plan 33M-733 from the Part-Lot Control provisions of subsection 50(5) of the said *Act*; it being noted that these lands are subject to a registered subdivision agreement and are zoned Residential R4 Special Provision (R4-4(1)) which permits street townhouse dwellings;

- b) the following conditions of approval BE REQUIRED to be completed prior to the passage of a Part-Lot Control By-law for Block 96, Plan 33M-733 as noted in clause a) above:
- i) the applicant be advised that the costs of registration of the said by-laws are to be borne by the applicant in accordance with City Policy;
 - ii) the applicant submits a draft reference plan to the Planning and Development for review and approval to ensure the proposed part lots and development plans comply with the regulations of the Zoning By-law, prior to the reference plan being deposited in the land registry office;
 - iii) the applicant submits to the Planning and Development a digital copy together with a hard copy of each reference plan to be deposited. The digital file shall be assembled in accordance with the City of London's Digital Submission / Drafting Standards and be referenced to the City's NAD83 UTM Control Reference;
 - iv) the applicant submits each draft reference plan to London Hydro showing driveway locations and obtain approval for hydro servicing locations and above ground hydro equipment locations prior to the reference plan being deposited in the land registry office;
 - v) the applicant submits to the Deputy City Manager, Planning and Development for review and approval prior to the reference plan being deposited in the land registry office; any revised lot grading and servicing plans in accordance with the final lot layout to divide the blocks should there be further division of property contemplated as a result of the approval of the reference plan;
 - vi) the applicant shall enter into any amending subdivision agreement with the City, if necessary;
 - vii) the applicant shall agree to construct all services, including private drain connections and water services, in accordance with the approved final design of the lots;
 - viii) the applicant shall obtain confirmation from the Planning and Development that the assignment of municipal numbering has been completed in accordance with the reference plan(s) to be deposited, should there be further division of property contemplated as a result of the approval of the reference plan prior to the reference plan being deposited in the land registry office;
 - ix) the applicant shall obtain approval from the Planning and Development of each reference plan to be registered prior to the reference plan being registered in the land registry office;
 - x) the applicant shall submit to the City, confirmation that an approved reference plan for final lot development has been deposited in the Land Registry Office;
 - xi) the applicant shall obtain clearance from the Deputy City Manager, Planning and Development that requirements iv), v) and vi) inclusive, outlined above, are satisfactorily completed, prior to any issuance of building permits by the Building Controls Division for lots being developed in any future reference plan;
 - xii) the applicant shall provide a draft transfer of the easements to be registered on title;
 - xiii) that, on notice from the applicant that a reference plan has been registered on a Block, and that Part Lot Control be re-established by the repeal of the bylaw affecting the Lots/Block in question;
 - xiv) in accordance with condition v), the applicant provide servicing drawings of municipal servicing to each of the blocks created within 1865 Finley Crescent to indicate that all municipal servicing can be provide to each property/block created without conflict;
 - xv) as per condition xii) of the subdivision agreement, a reference plan (33R) is to be provided for the 5m storm servicing easement located at the rear of the property;
 - xvi) the existing subdivision agreement is to be amended as per condition vi) of the subdivision agreement. The agreement is to include

provisions for the 5m storm servicing easement located at the rear of the property; and,
xvii) a complete ECA application package is to be submitted to Planning & Development for the proposed storm sewers at the rear of the property. (2022-D25)

Motion Passed

2.5 2170 Buroak Drive (Formerly 751 Fanshawe Park Road) (39T-03505)

Moved by: S. Hillier
Seconded by: S. Franke

That, on the recommendation of the Acting Director, Planning and Development, with respect to the application by Vista Woods Estates Ltd., relating to the lands located at 2170 Buroak Drive (formerly 751 Fanshawe Park Road), the Approval Authority BE ADVISED that the Municipal Council supports issuing a three (3) year extension to Draft Plan Approval for the residential plan of subdivision SUBJECT TO the revised conditions contained in Appendix "A" (File No. 39T-03505) as appended to the staff report dated November 28, 2022. (2022-D04)

Motion Passed

2.6 Heritage Alteration Permit Application - 10 Moir Street - Blackfriars / Petersville Heritage Conservation District (HAP22-073-L)

Moved by: S. Hillier
Seconded by: S. Franke

That, on the recommendation of the Acting Director, Planning and Development, with the advice of the Heritage Planner, the application under Section 42 of the *Ontario Heritage Act* seeking approval to pave a portion of the front yard for parking on the heritage designated property at 10 Moir Street, within the Blackfriars/Petersville Heritage Conservation District, BE REFUSED. (2022-R01)

Motion Passed

2.7 Heritage Alteration Permit Application - 123 Wilson Avenue - Blackfriars/Petersville Heritage Conservation District (HAP22-067-L)

Moved by: S. Hillier
Seconded by: S. Franke

That, on the recommendation of the Acting Director, Planning and Development, with the advice of the Heritage Planner, the application under Section 42 of the *Ontario Heritage Act* seeking approval for alterations to the heritage designated property at 123 Wilson Avenue BE PERMITTED as submitted, with the following terms and conditions:

- a) the proposed four replacement windows have a simulated divided light to replicate the two-over-two fenestration of the former windows;
- b) the proposed replacement windows be painted wood or clad-wood windows;
- c) existing trim be used to replicate the painted wood 5" trim, including eared hood as well as windowsills;
- d) all exposed wood be painted;
- e) the Heritage Planner be circulated on the Building Permit drawings to verify compliance;
- f) the proposed alterations be completed within twelve (12) months of

Municipal Council's decision on this Heritage Alteration Permit; and,
g) the Heritage Alteration Permit be displayed in a location visible from the street until the work is underway. (2022-R01)

Motion Passed

2.8 Heritage Alteration Permit Application - 645 Lorne Avenue - Old East Heritage Conservation District (HAP22-075-L)

Moved by: S. Hillier

Seconded by: S. Franke

That, on the recommendation of the Acting Director, Planning and Development, with the advice of the Heritage Planner, the application under Section 42 of the *Ontario Heritage Act* seeking approval for alterations to the heritage designated property at 645 Lorne Avenue BE PERMITTED with the following terms and conditions:

- a) turned wooden spindles be used for the railing/guard of the porch, including the steps;
- b) wood lattice, in a square or diamond shape, be used for the porch skirt;
- c) all exposed wood be painted;
- d) use of paint colours from the Old East Heritage Conservation District palette be considered;
- e) the Heritage Planner be circulated on the Building Permit drawings to verify compliance;
- f) the proposed alterations be completed within twelve (12) months of Municipal Council's decision on this Heritage Alteration Permit; and,
- g) the Heritage Alteration Permit be displayed in a location visible from the street while the work is underway. (2022-R01)

Motion Passed

3. Scheduled Items

3.1 3195, 3207 White Oak Road and 2927 Petty Road (Z-9350 / 39CD-21505)

Moved by: S. Franke

Seconded by: A. Hopkins

That, on the recommendation of the Acting Director, Planning and Development, the following actions be taken with respect to the application by Whiterock Village Inc., relating to the lands located at 3195, 3207 White Oak Road and 2927 Petty Road:

- a) the proposed by-law appended to the Planning and Environment Committee Added Agenda as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on December 13, 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 lands FROM a Urban Reserve UR4 and Holding Urban Reserve UR4 Special Provision h-94*UR4(11) Zone TO a Residential R5 Special Provision (R5-7(**)) Zone to permit cluster housing in the form of townhouse dwellings. Special provisions to the Residential R5 (R5-7) Zone would permit cluster townhouse dwellings, and cluster stacked townhouse dwellings and would permit a reduced exterior side yard setback of 1.2 metres and a rear yard second story deck setback of 4.1 metres and a rear yard depth of 6.0 metres north interior side yard; and,

b) the Approval Authority BE ADVISED that the following issues were raised at the public participation meeting with respect to the application for Draft Plan of Vacant Land Condominium relating to the lands located at 3195, 3207 White Oak Road and 2927 Petty Road:

- i) requesting traffic access from Petty Road be moved to White Oak Road;
- ii) indicating that Petty Road is busy already and with increased traffic it will be unsafe for children; and,
- iii) advising that there will be increased noise and traffic;

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

- N. Dyjach, Strik Baldinelli Moniz Ltd., on behalf of the owner; and,
- M. Dalawir;

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

- the recommended Zoning By-law Amendment and Draft Plan of Vacant Land Condominium are consistent with the Provincial Policy Statement (PPS), 2020, as it promotes efficient development and land use patterns; accommodates an appropriate range and mix of land uses, housing types, and densities to meet projected needs of current and future residents; and minimizes land consumption and servicing costs;
- the recommended zoning amendment conforms to the in-force policies of The London Plan, including but not limited to the Neighbourhoods Place Type, Our Strategy, City Building and Design, Our Tools, and all other applicable London Plan policies;
- the recommended zoning amendment provides appropriate regulations to control the use and intensity of the building and ensure a well-designed development with appropriate mitigation measures;
- the subject development block is of a size and shape suitable to accommodate the Draft Plan of Vacant Land Condominium; and,
- the proposed use, form, and intensity are considered appropriate and compatible with existing residential development in the surrounding neighbourhood. (2022-D14)

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

Additional Votes:

Moved by: A. Hopkins

Seconded by: S. Lewis

Motion to open the public participation meeting.

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

Moved by: A. Hopkins

Seconded by: S. Hillier

Motion to close the public participation meeting.

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

3.2 2846 and 2870 Tokala Trail (Z-9523)

Moved by: S. Hillier

Seconded by: S. Franke

That, on the recommendation of the Acting Director, Planning and Development, based on the application by Foxwood Developments Inc., relating to the property located at 2846 and 2870 Tokala Trail, the proposed by-law appended to the staff report dated November 28, 2022 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on December 13, 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 Holding Residential R5 / Neighbourhood Facility (h-h-71-h-100-h-108-R5-7 / NF1) Zone and Urban Reserve (UR3) Zone TO a Residential R5 Special Provision (R5-7(_)) Zone and a Holding Residential R5 Special Provision (h-18-R5-7(_)) Zone;

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

- i) easement for pedestrian traffic along the east or west property lines of the subject site to provide north-south connections;
- ii) consideration should be given to consolidate the amenity spaces to create one large outdoor common amenity space for all units on site;
- iii) no gates shall be permitted to the pathway to the north abutting the stormwater management pond that restrict access to the multi-trail pathway; and,
- iv) provide pedestrian connections, as direct as possible, from Tokala Trail to the rear of the site to connect to the multi-trail pathway at the rear;

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

- J. McGuffin, Monteith Brown Planning Consultants, on behalf of the applicant;

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 PPS directs municipalities to permit all forms of housing required to meet the needs of all residents, present and future;
- the recommended zoning conforms to the in-force policies of The London Plan, including but not limited to the Key Directions, the Neighbourhoods 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 would permit development at an intensity that is appropriate for the site and the surrounding neighbourhood; and,

- the recommended amendment facilitates the development of a site within the Built-Area Boundary with an appropriate form of infill development. (2022-D04)

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

Additional Votes:

Moved by: S. Hillier

Seconded by: A. Hopkins

Motion to open the public participation meeting.

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

Moved by: A. Hopkins

Seconded by: S. Hillier

Motion to close the public participation meeting.

Yeas: (4): S. Lehman, A. Hopkins , S. Franke, and S. Hillier

Absent: (2): S. Lewis, and Mayor J. Morgan

Motion Passed (4 to 0)

3.3 870-922 Medway Park Drive (Z-9533)

Moved by: S. Lewis

Seconded by: S. Hillier

That, on the recommendation of the Acting Director, Planning and Development, the following actions be taken with respect to the application by Dillon Consulting Limited., relating to the property located at 870-922 Medway Park Drive:

- a) the proposed by-law appended to the staff report dated November 28, 2022 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on December 13, 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 Holding Restricted Office (h-17*RO2) Zone TO a Holding Residential R5 Special Provision (h-17*R5-7(_)) Zone;
- b) the Site Plan Approval Authority BE REQUESTED to consider the following through the site plan process:
 - i) units fronting along Medway Park Drive are to have front doors facing the street with driveways and garages at the rear of the site;
 - ii) board-on-board fencing that meets the requirements of the Site Plan Control By-law; and,
 - iii) the site be developed in general conformity with the layout provided;
- c) pursuant to Section 34(17) of the *Planning Act*, as determined by the Municipal Council, no further notice BE GIVEN in respect to the

proposed by-law as the change in the maximum front yard setback is minor in nature and a technical change, the concept site plan circulated in the Notice of Application and Notice of Public Meeting accurately reflect the site layout, no site changes were proposed for the maximum front yard setback;

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

- M. Fletch, Dillon Consulting Limited;

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 London Plan, including but not limited to the Key Directions and Neighbourhoods Place Type; and,
- the recommended amendment facilitates the development of a site within the Built-Area Boundary with an appropriate form of infill development. (2022-D04)

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

Additional Votes:

Moved by: S. Hillier

Seconded by: S. Franke

Motion to open the public participation meeting.

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

Moved by: S. Hillier

Seconded by: S. Lewis

Motion to close the public participation meeting.

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

3.4 338 Boler Road (Z-9510)

Moved by: A. Hopkins

Seconded by: S. Lewis

That, on the recommendation of the Acting Director, Planning and Development, the following actions be taken with respect to the application by Alma Village Inc., relating to the property located at 338 Boler Road:

a) the proposed by-law appended to the staff report dated November 28, 2022 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on December 13, 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 R2 (R2-1) Zone TO a Residential R3 Special Provision (R3-1(_)) Zone;

b) the Site Plan Approval Authority BE REQUESTED to consider board-on-board fencing along the east and south property boundaries that exceed the standards of the Site Plan Control By-law and do not negatively impact any grading, on-site stormwater management or any existing landscaping through the site plan process;

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

- R. Brown;

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 1989 Official Plan, including but not limited to the Low-Density Residential Designation policies;
- the recommended amendment conforms to the in-force policies of The London Plan, including but not limited to the Key Directions; and,
- the recommended amendment facilitates the development of a site within the Built-Area Boundary with an appropriate form of infill development. (2022-D04)

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

Additional Votes:

Moved by: S. Hillier

Seconded by: A. Hopkins

Motion to open the public participation meeting.

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

Moved by: S. Hillier

Seconded by: S. Lewis

Motion to close the public participation meeting.

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

3.5 6092 Pack Road (Z-9493)

Moved by: S. Hillier

Seconded by: S. Lewis

That, on the recommendation of the Acting Director, Planning and Development, the following actions be taken with respect to the application by Magnificent Homes and Royal Premier Homes, relating to the property located at 6092 Pack Road, the proposed attached, revised, by-law (Appendix "A") BE INTRODUCED at the Municipal Council meeting to be held on December 13, 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 an Urban Reserve (UR3) Zone TO a Holding Residential R6 Special Provision (h*R6-5(_)) Zone;

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

- i) provide additional details for shared outdoor amenity space;
- ii) provide high quality landscaping with consideration to any existing significant mature trees on the site and along property boundaries;
- iii) further emphasize the heritage character through the on-site amenity area and greenspace;
- iv) limit the construction of new residential dwelling(s) to only one of the interior side yards adjacent to the existing single detached dwelling to allow sufficient space to accommodate an access driveway on the opposite interior side yard; and,
- v) the façade for new residential development abutting the existing single detached dwelling to have a first floor grade no higher than the existing dwelling first floor grade;

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

- the revised staff report; and,
- a project fact sheet;

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

- M. Davis, siv-ik planning and design;

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

- the recommended amendment is consistent with the Provincial Policy Statement, 2020 as it encourages efficient development and land use patterns;
- the recommended amendment conforms to the in-force policies of The London Plan, including but not limited to the Key Directions and Neighbourhood Place Type, Our Strategy, our Tools, and other applicable London Plan policies;
- the recommended amendment conforms to the in-force policies of the 1989 Official Plan and the Southwest Area Secondary Plan, including but not limited to the Low and Medium Density Residential policies within the North Talbot Residential Neighbourhood;
- 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 retention of a heritage designated single detached dwelling. (2022-D14)

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

Additional Votes:

Moved by: S. Hillier

Seconded by: S. Lewis

Motion to open the public participation meeting.

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

Moved by: S. Hillier

Seconded by: S. Lewis

Motion to close the public participation meeting.

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

3.6 931-1225 Southdale Road East (Z-9544)

Moved by: S. Lewis

Seconded by: S. Hillier

That, on the recommendation of the Acting Director, Planning and Development, based on the application by London & Middlesex Community Housing, relating to the property located at 931-1225 Southdale Road East, the proposed by-law appended to the staff report dated November 28, 2022 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on December 13, 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 R5 (R5-5) and Compound Residential R5 and Daycare (R5-5*DC) Zone TO a Special Provision Residential R8 (R8-4(_)) Zone;

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

- the staff presentation; and,
- the community consultation presentation from M. Fadaei, MHBC Planning;

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

- E. Theodore, MHBC, on behalf of London & Middlesex Community Housing;
- A. Chance;

- L. Sabria; and,
- J. Campanero;

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

- the proposed amendment is consistent with the Provincial Policy Statement, 2020 by providing efficient and affordable residential infill;
- the proposed amendment conforms to the policies of The London Plan including the applicable City Design, Housing and Homelessness Prevention, and Neighbourhood Place Type policies; and;
- the proposed amendment assists London & Middlesex Community Housing in completing their part of the City's affordable housing development target. (2022-S11)

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

Additional Votes:

Moved by: A. Hopkins

Seconded by: S. Hillier

Motion to open the public participation meeting.

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

Moved by: S. Hillier

Seconded by: A. Hopkins

Motion to close the public participation meeting.

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

3.7 608 Commissioners Road West (Z-9516)

Moved by: A. Hopkins

Seconded by: S. Hillier

That the application by Copia Developments, relating to the property located at 608 Commissioners Road West, BE REFERRED back to the Civic Administration to review the traffic patterns, the access points and the intensification for the proposed development;

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

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

- H. Froussios, Zelinka Priamo Ltd., on behalf of Copia Developments; and,
- D. McLeod;
- J. Burrell;
- Resident;
- C. West;
- R. de Papp;
- N. Turudic;
- Resident; and,
- M. Mackey.

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

Additional Votes:

Motion to open the public participation meeting.

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

Moved by: S. Hillier

Seconded by: A. Hopkins

Motion to close the public participation meeting.

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

3.8 307 Sunningdale Road East (Z-9498)

Moved by: S. Hillier

Seconded by: S. Lewis

That, on the recommendation of the Acting Director, Planning and Development, the following actions be taken with respect to the application by Margrit Johnson, relating to the property located at 307 Sunningdale Road East:

- a) the proposed, attached, revised, by-law (Appendix "A") BE INTRODUCED at the Municipal Council meeting to be held on December 13, 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 lands FROM a Residential R1 (R1-17) Zone, a Holding Residential R1 (h-2*R1-17) Zone and an Open Space (OS5) Zone TO a Residential R6 Special Provision (R6-3(_)) Zone and an Open Space (OS5) Zone;
- b) the Site Plan Approval Authority BE REQUESTED to consider the following design issues for 307 Sunningdale Road East through the site plan review process:

- i) ensure the appropriate setbacks from the east and west property line as outlined in Appendix A to provide full protection to the boundary trees and critical root zones;
- ii) ensure that the proposed building/built form is oriented to both Skyline Avenue and Sunningdale Road East and establishes a pedestrian-oriented built edge with street oriented units;
- iii) ensure the extension of sidewalks to Sunningdale Road East along the private driveway;
- iv) ensure that no part of any required interior side yard shall be used for any purpose other than landscaped open space excluding swimming pools, but decks or patios may be permitted; and,
- v) ensure a north exterior yard setback of minimum 8.0 metres and maximum of 11.0 metres, and a north parking area setback of 11.2 metres;

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

- a memo from the Ecological Community Advisory Committee;
 - a communication dated May 14, 2022, from A. Thompson;
 - a communication dated November 15, 2022, from J.A. Medeiros;
- and,
- the staff presentation;

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

- H. Surgenor, Monteith Brown Planning Consultants;

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 recommended amendment to Zoning By-law Z.-1 conforms to the Low Density Residential and Open Space policies of the 1989 Official Plan;
- the recommended amendment to Zoning By-law Z.-1 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 policies in The London Plan; and,
- the recommended amendment facilitates the development of a site within the Built-Area Boundary with an appropriate form of infill development on a large size lot located at the periphery of a residential neighbourhood. (2022-D04)

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

Additional Votes:

Moved by: S. Hillier

Seconded by: S. Lewis

Motion to open the public participation meeting.

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

Moved by: S. Hillier
Seconded by: A. Hopkins

Motion to close the public participation meeting.

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

3.9 4452 Wellington Road South (OZ-9497)

Moved by: A. Hopkins
Seconded by: S. Lehman

That, on the recommendation of the Acting 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 November 28, 2022 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on December 13, 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 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;
- b) the proposed by-law appended to the staff report dated November 28, 2022 as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on December 13, 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 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;
- c) the Approval Authority BE REQUESTED to consider the following matters during the site plan process:
 - lighting concerns, preference for lights facing downward;
 - appropriate garbage and rest facilities to address the needs of the people using the facility;
 - fencing; and,
 - quality of the facility;

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

- S. Allen, MHBC;
- D. Gillis;
- A. Tipping;
- G. Dowler; and,
- F. Connor;

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

- the recommended amendment is consistent with the Provincial Policy Statement, 2020;
 - the recommended amendment conforms to the in-force policies of The London Plan, including but not limited to the Key Directions, 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-D08)

Yeas: (4): S. Lehman, S. Lewis, A. Hopkins , and S. Franke

Nays: (1): S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (4 to 1)

Additional Votes:

Moved by: S. Hillier

Seconded by: S. Franke

Motion to open the public participation meeting.

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

Moved by: S. Hillier

Seconded by: S. Franke

Motion to close the public participation meeting.

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

3.10 952 Southdale Road West (OZ-9431)

Moved by: S. Lewis

Seconded by: S. Hillier

That the following actions be taken with respect to the application by 1739626 Ontario Limited, relating to the property located at 952 Southdale Road West:

a) the proposed by-law appended to the staff report dated November 28, 2022 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on December 13, 2022 to amend The London Plan to:

i) change the Place Type on a portion of the subject lands FROM the Green Space Place Type TO the Neighbourhoods Place Type and FROM the Neighbourhoods Place Type TO the Green Space Place Type on Map 1 – Place Types; and,

ii) modify the Provincially Significant Wetland Feature on Map 5 – Natural Heritage;

b) the proposed, attached, revised by-law (Appendix "B") BE INTRODUCED at the Municipal Council meeting to be held on December 13, 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 an Urban Reserve (UR2) Zone TO a Holding Residential R8 Special Provision Zone (h*h-129*R8-4(_)) Zone, a Holding Residential R8 Special Provision Zone (h*R8-4(_)) Zone, a Holding Community Shopping Area Special Provision (h*h-129*CSA1(_)) Zone a Holding Community Shopping Area Special Provision (h*CSA1(_)) Zone, and an Open Space (OS5) Zone;

it being noted to ensure the orderly development of the lands the following items will be addressed prior to the removal of the "h" holding provision/through the site plan approval process;

- Transportation – construction of a median to restrict access to the residential portion of the site to rights in/rights out, and to include a one-foot reserve along the Colonel Talbot Road frontage (excluding the access points);
- ensure all reports (Final Environmental Impact Study (EIS), Final Hydrogeological Assessment and Water Balance Analysis) are fully completed and accepted by Staff, and that restoration and compensation works are all carried out to the City's satisfaction;
- final EIS, Final Hydrogeological Assessment and Water Balance Analysis, Servicing Report, Floodline Analysis and Geotechnical Report for the proposed retaining wall be prepared to the satisfaction of the Upper Thames River Conservation Authority (UTRCA); and,
- a Section 28 Permit from the UTRCA will be required prior to finalizing the development agreement;

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

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

- S. Allen, MHBC;
- P. Mills;
- K. Lake;
- R. Delurenits;
- H. Froussios, Zelinka Priamo Ltd., on behalf of the property owner at the southeast corner of Colonel Talbot Road and Southdale; and,
- C. Hindemit;

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

- the recommended amendment is consistent with the Provincial Policy Statement, 2020;
- the recommended amendment conforms to the in-force policies of The London Plan, including but not limited to the Key Directions, Neighbourhoods Place Type, Shopping Area Place Types, Specific Policy 1070C_ and Natural Heritage Features and Hazards; and,
- the recommended amendment will delineate a natural heritage feature and ensure the appropriate buffers are in place to protect the features and ensure appropriate compensation and mitigation will be implemented at site plan. (2022-D08)

Yeas: (4): S. Lehman, S. Lewis, S. Hillier, and Mayor J. Morgan

Nays: (2): A. Hopkins , and S. Franke

Motion Passed (4 to 2)

Additional Votes:

Moved by: A. Hopkins

Seconded by: S. Franke

Motion to open the public participation meeting.

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

Moved by: S. Hillier

Seconded by: S. Franke

Motion to close the public participation meeting.

Yeas: (5): S. Lehman, S. Lewis, A. Hopkins , S. Franke, and S. Hillier

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

4. Items for Direction

4.1 Planning Application Process Changes Due to Bill 109, the More Homes For Everyone Act, 2022

Moved by: S. Lewis

Seconded by: S. Hillier

That the staff report dated November 28, 2022 entitled "Planning Application Process Changes due to *Bill 109, the More Homes for Everyone Act, 2022*", BE RECEIVED for information. (2022-S11)

Yeas: (6): S. Lehman, S. Lewis, A. Hopkins , S. Franke, S. Hillier, and Mayor J. Morgan

Motion Passed (6 to 0)

Additional Votes:

Moved by: S. Hillier

Seconded by: S. Lewis

That M. Wallace, Executive Director, London Development Institute, BE GRANTED delegation status with respect to the planning application process changes due to *Bill 109, the More Homes for Everyone Act, 2022*.

Yeas: (6): S. Lehman, S. Lewis, A. Hopkins , S. Franke, S. Hillier, and Mayor J. Morgan

Motion Passed (6 to 0)

5. Deferred Matters/Additional Business

- 5.1 (ADDED) Bill 23, More Homes Built Faster Act, 2022 - Mayors and Regional Chairs of Ontario

Moved by: A. Hopkins
Seconded by: S. Lewis

That the communication dated November 21, 2022 from K. Redman, Chair, Mayors and Regional Chairs of Ontario and Chair, Regional Municipality of Waterloo, with respect to *Bill 23, More Homes Built Faster Act, 2022*, BE RECEIVED for information.

Yeas: (6): S. Lehman, S. Lewis, A. Hopkins , S. Franke, S. Hillier, and Mayor J. Morgan

Motion Passed (6 to 0)

6. Adjournment

The meeting adjourned at 9:50 PM.

Bill No. 19
2023

By-law No. Z.-1-23_____

A by-law to amend By-law No. Z.-1 to rezone
an area of land located at 6092 Pack Road.

WHEREAS Magnificent Homes and Royal Premier Homes have applied to rezone an area of land located at 6092 Pack Road, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 6092 Pack Road, as shown on the attached map comprising part of Key Map No. A110, from an Urban Reserve (UR3) Zone to a Holding Residential R6 Special Provision (h*R6-5(_)) Zone.
- 2) Section 10.4 of the Residential R6 (R6-5) Zone is amended by adding the following Special Provision:

R6-5(_)	6092 Pack Road	
a)	Prohibited Uses	
	i)	Apartment building
b)	Regulations	
	i)	Front Yard Depth for development 3 storeys or less (Minimum) 13.3 metres (51.8 feet)
	ii)	Front Yard Depth for development 4 storeys in height. (Minimum) 15.8 metres (51.8 feet)
	iii)	Interior Side Yard Depth for new development one to two storeys in height where the end wall of a unit contains no windows to habitable rooms (Minimum) 1.8 metres (5.9 feet)
	iv)	Interior Side Yard Depth for new development over two storeys end wall of a unit contains no windows to habitable rooms (Minimum) 3.0 metres (9.8 feet)
	v)	Interior Side Yard Depth for new development where the wall of a unit contains windows to habitable rooms (Minimum) 6.0 metres (19.7 feet)
	vi)	Separation Distance for new development, 3 storeys or less, from an Existing single detached dwelling on the same lot, save and except the garage. (Minimum) 3.9 metres (16.4 feet)

- | | | |
|-------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|
| vii) | Separation Distance for new development, 4 storeys in height, from Existing single detached dwelling on the same lot, save and except the garage.
(Minimum) | 5.0 metres
(16.4 feet) |
| viii) | New residential uses are restricted to only one side yard from Existing single detached dwelling but in no case permitted on both sides | |
| ix) | Density
(Maximum) | 45 units per hectare |

The inclusion in this By-law of imperial measure along with metric measure is for the purpose of convenience only and the metric measure governs in case of any discrepancy between the two measures.

This By-law shall come into force and be deemed to come into force in accordance with Section 34 of the *Planning Act, R.S.O. 1990, c. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

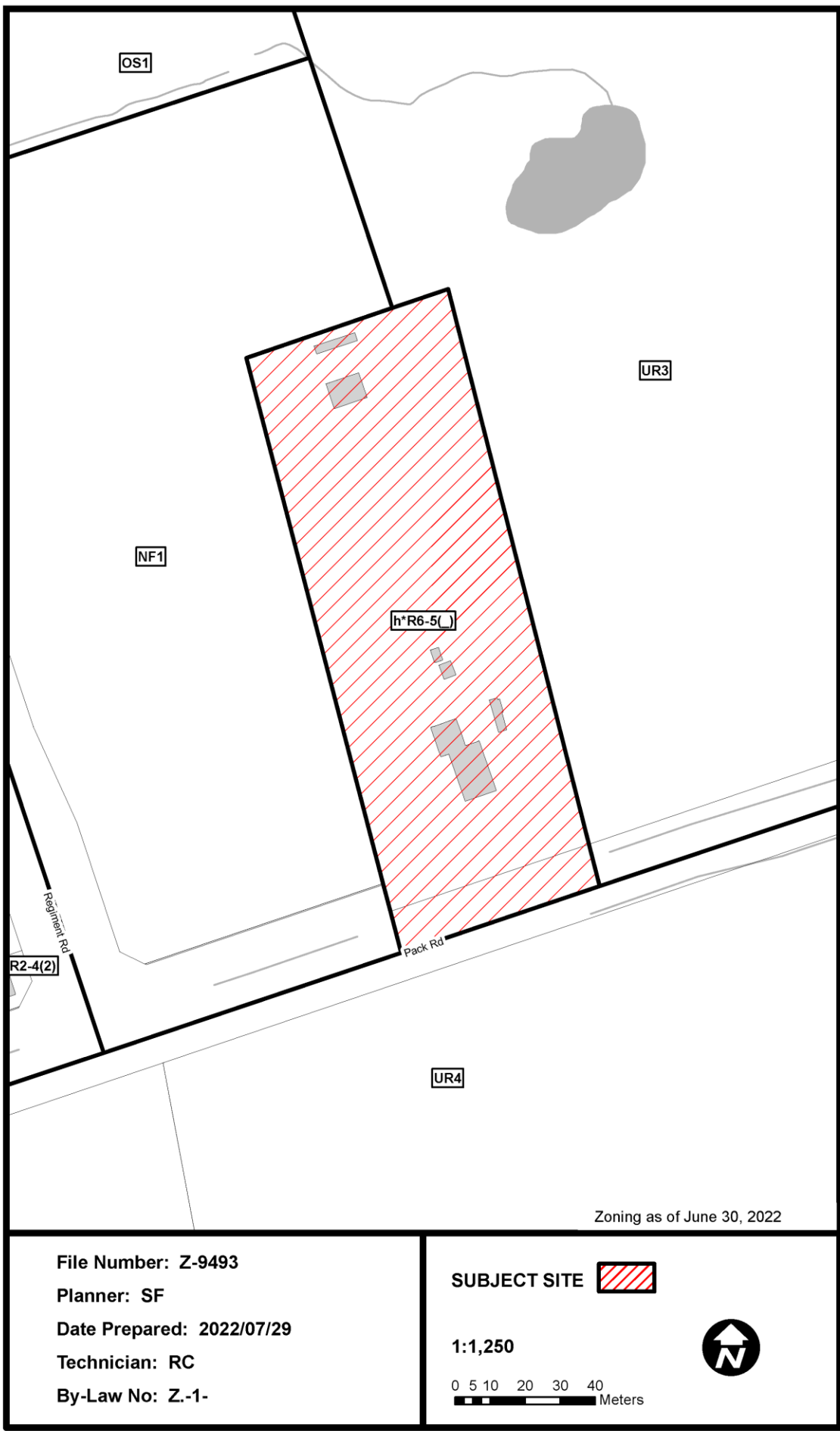
PASSED in Open Council on December 13, 2022.

Josh Morgan
Mayor

Michael Schulthess
City Clerk


First Reading – December 13, 2022
Second Reading – December 13, 2022
Third Reading – December 13, 2022

AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)



Zoning as of June 30, 2022

File Number: Z-9493
 Planner: SF
 Date Prepared: 2022/07/29
 Technician: RC
 By-Law No: Z.-1-

SUBJECT SITE 
 1:1,250
 0 5 10 20 30 40
 Meters



Geodatabase

Bill No. 22
2023

By-law No. Z.-1-23_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 307 Sunningdale Road East.

WHEREAS Margrit Johnson has applied to rezone an area of land located at 307 Sunningdale Road East, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 307 Sunningdale Road East, as shown on the attached map comprising part of Key Map No. A102, from a Residential R1 (R1-17) Zone, a Holding Residential R1 (h-2*R1-17) Zone and an Open Space (OS5) Zone to a Residential R6 (R6-3 ()) Special Provision Zone and an Open Space (OS5) Zone.
- 2) Section Number 10.4 of the Residential R6-3 Zone is amended by adding the following Special Provision:

R6-3() 307 Sunningdale Road East

a) Regulations

- | | | |
|------|------------------------------------------------------------------------------------------|--------------------------|
| i) | Density
(Maximum) | 25 units per hectare |
| ii) | For the purpose of this by-law the front lot line shall be interpreted as Skyline Avenue | |
| iii) | Main Building Setback
From Existing Imperial
Oil Pipeline
(Minimum) | 20 metres (65 feet) |
| iv) | East Interior Side Yard
Setback within first 17.8m
of lot depth (minimum) | 6 metres (19.66 feet) |
| | East Interior Side Yard
Setback between 17.8m
and 30.6m of lot depth
(minimum) | 9.7 metres (31.8 feet) |
| | East Interior Side Yard
Setback between 30.6m
and 50.2m of lot depth
(minimum) | 10 metres (32.8 feet) |
| | East Interior Side Yard
Setback beyond 50.2m
of lot depth (minimum) | 11.1 metres (36.42 feet) |
| | West Interior Side Yard
Setback within first 16.8m
of lot depth (minimum) | 9.5 metres (31.17 feet) |
| | West Interior Side Yard
Setback between 16.8m
and 28.6m of lot depth | 7.0 metres (22.97 feet) |

	(minimum)	
	West Interior Side Yard Setback between 28.6 and 42.4m of lot depth (minimum)	9.0 metres (29.53 feet)
	West Interior Side Yard Setback beyond 42.4m of lot depth (minimum)	7.6 metres (24.93 feet)
v)	No part of any required interior side yard shall be used for any purpose other than landscaped open space excluding swimming pools, but decks or patios may be permitted.	
vi)	North Exterior Yard Setback, and Parking Area Setback (North)	8.0 metres (min.); 11.0 metres (max.) 11.2 metres (min.)

The inclusion in this By-law of imperial measure along with metric measure us for the purpose of convenience only and the metric measure governs in case of any discrepancy between the two measures.

This By-law shall come into force and be deemed to come into force in accordance with Section 34 of the *Planning Act, R.S.O. 1990, c. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

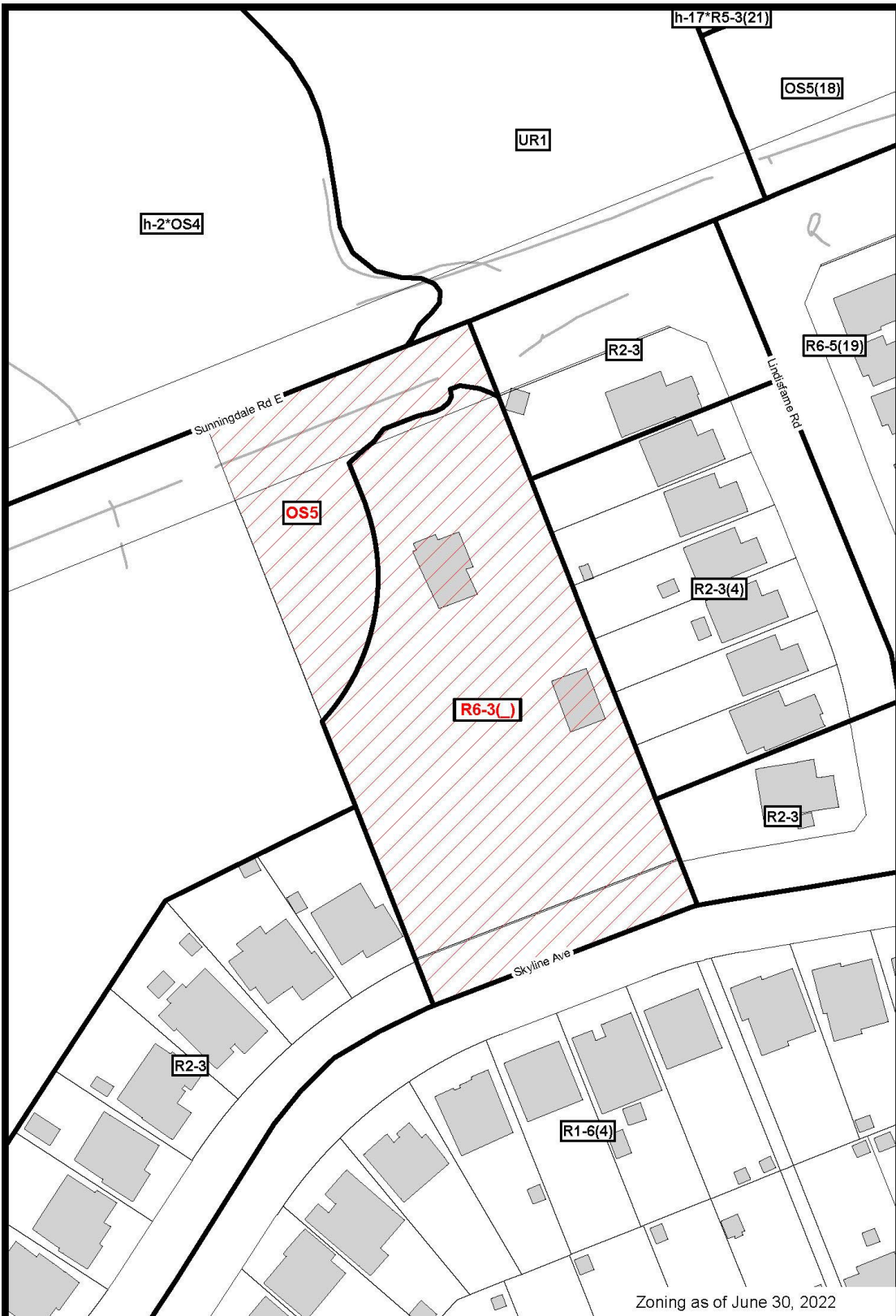
PASSED in Open Council on December 13, 2022.

Josh Morgan
Mayor


Michael Schulthess
City Clerk


First Reading – December 13, 2022
Second Reading – December 13, 2022
Third Reading – December 13, 2022


AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)



File Number: Z-9498
Planner: ID
Date Prepared: 2022/07/27
Technician: RC
By-Law No: Z.-1-

SUBJECT SITE 

1:1,000
 Meters



Geodatabase

Bill No. 23
2023

By-law No. Z.-1-23_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 952 Southdale Road West.

WHEREAS 1739626 Ontario Limited have applied to rezone an area of land located at 952 Southdale Road West, as shown on the map attached to this by-law, as set out below;

AND WHEREAS upon approval of Official Plan Amendment Number _____ this rezoning will conform to The Official Plan;

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

1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 952 Southdale, as shown on the attached map comprising part of Key Map No. A106, from an Urban Reserve (UR2) Zone, to a Holding Residential R8 Special Provision (h*h-129*R8-4(_)) Zone, a Holding Residential R8 Special Provision (h*R8-4(_)) Zone, a Holding Community Shopping Area Special Provision (h*h-129*CSA1(_)) Zone, a Holding Community Shopping Area Special Provision (h*CSA1(_)) Zone, and an Open Space (OS5) Zone.

2) Section Number 12.4 of the Residential R8 (R8-4) Zone is amended by adding the following Special Provision:

R8-4(_)	952 Southdale Road West
a)	Regulations
i)	Front and Exterior Side Yard Depth (Minimum) 3.0 metres (9.8 feet)
ii)	Interior Side Yard Depth Abutting the Commercial Zone to the South (Minimum) 10.5 metres (34.5 feet)
iii)	Density 97 units per hectare
iv)	The definition of 'STACKED TOWNHOUSE' permits units to be stacked three (3) units high, to a maximum height of 13.0 metres (42.7 feet), or three storeys.
v)	The lot line which abuts Colonel Talbot Road shall be interpreted as the front lot line.

3) Section Number 22.4 of the Community Shopping Area (CSA1) Zone is amended by adding the following Special Provision:

CSA1(_)	952 Southdale Road West
a)	Regulations
i)	Front and Exterior Side Yard Depth (Minimum) 1.0 metres (3.3 feet)
ii)	Front and Exterior Side Yard Depth (Maximum) 3.0 metres (9.8 feet)
iii)	Rear Yard Depth 2.0 metres (6.6 feet)

- (Minimum)
- iv) Height (Maximum) the lesser of 13.0 metres, or 3 storeys
 - v) Gross Floor Area for All Permitted Uses (Maximum) 5000.0 square metres (53,819.6 square feet)
 - vi) Gross Floor Area for All Office Uses (Maximum) 660 square metres (53,819.6 square feet), limited to the second floor
 - vii) Gross Floor Area for all Supermarket uses (Maximum) 3,251.6 square metres (35,000 square feet)
 - viii) The primary functional entrance of individual commercial units with frontage on Colonel Talbot Road and/or Southdale Road West shall be oriented to the adjacent street. Supermarkets shall be exempt from this provision.
 - ix) Parking Area Setback (Minimum) 0.5 metres (1.6 feet)

The inclusion in this By-law of imperial measure along with metric measure is for the purpose of convenience only and the metric measure governs in case of any discrepancy between the two measures.

This By-law shall come into force and be deemed to come into force in accordance with Section 34 of the *Planning Act, R.S.O. 1990, c. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

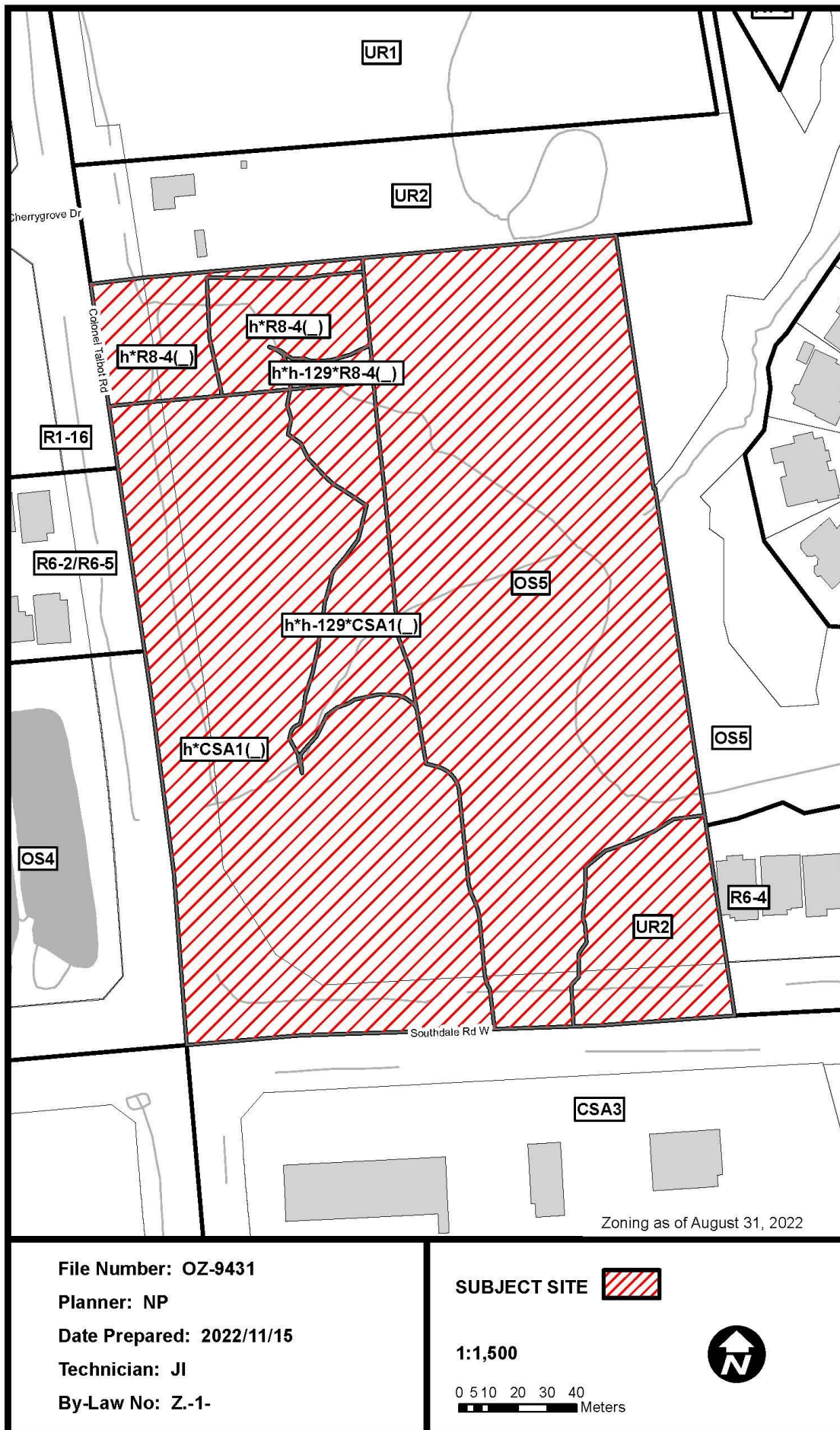
PASSED in Open Council on December 13, 2022.

Josh Morgan
Mayor



Michael Schulthess
City Clerk

First Reading – December 13, 2022
 Second Reading – December 13, 2022
 Third Reading – December 13, 2022

AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z-1)



File Number: OZ-9431
 Planner: NP
 Date Prepared: 2022/11/15
 Technician: JI
 By-Law No: Z-1-

SUBJECT SITE 
 1:1,500
 0 5 10 20 30 40
 Meters 

Geodatabase

Corporate Services Committee

Report

1st Meeting of the Corporate Services Committee
November 28, 2022

PRESENT: Councillors S. Lewis (Chair), H. McAlister, S. Stevenson, S. Trosow, D. Ferreira, Mayor J. Morgan

ALSO PRESENT: Councillor J. Pribil; A. Job, K. Mason, K. Scherr, B. Westlake-Power

Remote Attendance: L. Livingstone, L. Amaral, A. Barbon, B. Card, I. Collins, S. Corman, J. Dann, M. Goldrup, A. Hagan, A. Hovius, P. Kokkoros, S. Mathers, C. McCreery, M. McErlain, K. Murray, J. Senese, S. Swance, S. Tatavarti, B. Warner, K. Wilding, J. Wills, P. Yeoman

The meeting is called to order at 12:00 PM.

1. Call to Order

1.1 Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

1.2 Election of Vice Chair

Moved by: H. McAlister

Seconded by: D. Ferreira

That Councillor S. Trosow BE APPOINTED Vice Chair for the term ending November 14, 2023.

Yeas: (6): S. Lewis, H. McAlister, S. Stevenson, S. Trosow, D. Ferreira, and Mayor J. Morgan

Motion Passed (6 to 0)

2. Consent

Moved by: H. McAlister

Seconded by: S. Trosow

That consent items 2.1 to 2.8, BE APPROVED.

Yeas: (6): S. Lewis, H. McAlister, S. Stevenson, S. Trosow, D. Ferreira, and Mayor J. Morgan

Motion Passed (6 to 0)

2.1 Authorization for Temporary Borrowing

Moved by: H. McAlister

Seconded by: S. Trosow

That, on the recommendation of the Deputy City Manager, Finance Supports, the proposed by-law as appended to the staff report dated November 28, 2022 as Appendix "A" BE INTRODUCED at the Municipal Council meeting on December 13, 2022, to authorize the temporary borrowing of certain sums to meet current expenditures of The Corporation of the City of London for the year 2023.

Motion Passed

2.2 Amendments to the Travel and Business Expenses Council Policy

Moved by: H. McAlister
Seconded by: S. Trosow

That, on the recommendation of the Deputy City Manager, Finance Supports, the proposed by-law as appended to the staff report dated November 28, 2022 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on December 13, 2022 to amend By-law No. CPOL.-227-479 being "A by-law to revoke and repeal Council policy related to Travel & Business Expenses and replace it with a new Council policy entitled Travel & Business Expenses" to repeal and replace Schedule "A" to the by-law.

Motion Passed

2.3 2021 Annual Reporting of Lease Financing Agreements

Moved by: H. McAlister
Seconded by: S. Trosow

That, on the recommendation of the Deputy City Manager, Finance Supports, the 2021 Annual Reporting of Lease Financing Agreements report BE RECEIVED for information.

Motion Passed

2.4 Expropriation of Lands - Wellington Gateway Project Phase 1

Moved by: H. McAlister
Seconded by: S. Trosow

That, on the recommendation of the Deputy City Manager, Environment and Infrastructure, with the concurrence of the Director, Construction and Infrastructure Services, and on the advice of the Director, Realty Services, approval be given to the expropriation of land as may be required for the Wellington Gateway Project, and that the following actions be taken in connection therewith:

- a) application be made by The Corporation of the City of London as Expropriating Authority to the Council of The Corporation of the City of London as approving authority, for the approval to expropriate the land required for the Wellington Gateway project;
- b) The Corporation of the City of London serve and publish notice of the above application in accordance with the terms of the *Expropriations Act*;
- c) The Corporation of the City of London forward to the Chief Inquiry Officer any requests for a hearing that may be received and report such to the Council of The Corporation of the City of London for its information; and,
- d) the proposed by-law as appended to the staff report dated November 28, 2022 as Schedule "B" BE INTRODUCED at the Council meeting on December 13, 2022 to authorize the foregoing and direct the Civic Administration to carry out all necessary administrative actions.

Motion Passed

2.5 Declare Surplus - City-Owned Property - Part of Emerson Avenue at Baseline Road East

Moved by: H. McAlister
Seconded by: S. Trosow

That, on the recommendation of the Deputy City Manager, Finance Supports, on the advice of the Director, Realty Services, with respect to City-owned property described as a portion of the cul-de-sac at the south end of Emerson Avenue at Baseline Road East, described as the cul-de-sac fronting on 229, 230, 233 and 238 Emerson Avenue, Plan 914 London / Westminster, more particularly described as Parts 1 and 2, Plan 33R-21319, in the City of London (the "Subject Property"), the following actions be taken:

- a) the subject property BE DECLARED SURPLUS; and,
- b) the subject property BE TRANSFERRED to the abutting property owner, London Youth for Christ, in accordance with the City's Sale and Other Disposition of Land Policy.

Motion Passed

2.6 Declare Surplus - City-Owned Property - Part of 181 Hamilton Road

Moved by: H. McAlister
Seconded by: S. Trosow

That, on the recommendation of the Deputy City Manager, Finance Supports, on the advice of the Director, Realty Services, with respect to City-owned property legally described as Part Lot 28, S Hamilton Road, N/E Grey Street, Plan 176 (E), in the City of London, County of Middlesex, being part of PIN # 08313-0062, municipally known as 181 Hamilton Road adjacent 580 Grey Street, the following actions be taken:

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

Motion Passed

2.7 Declare Surplus - City-Owned Property - Part of 108 Clarke Road

Moved by: H. McAlister
Seconded by: S. Trosow

That, on the recommendation of the Deputy City Manager, Finance Supports, on the advice of the Director, Realty Services, with respect to City-owned property legally described as Part Lot 17, Plan 761 designated as Parts 1, 2, 5 and 6, Plan 33R-11453, S/T Ease over Parts 1 and 2, Plan 33R-11453 as in LT361005; London Township and Part Lot 18, Plan 761 designated as Parts 9 and 10, Plan 33R-11453 London Township, known municipally as 108 Clark Road, the following actions be taken:

- a) the subject property BE DECLARED SURPLUS; and,
- b) the subject property ("Surplus Lands") BE TRANSFERRED to the abutting property owner in accordance with the City's Sale and Other Disposition of Land Policy in exchange for lands required for road widening along Clarke Road.

Motion Passed

2.8 Human Resources Information System (HRIS) Implementation Partner
Successful Proponent – RFP 2022-080

Moved by: H. McAlister

Seconded by: S. Trosow

That, on the recommendation of the Deputy City Manager, Enterprise Supports, with the concurrence of representatives from Information Technology Services and Finance Supports, the following actions be taken with respect to the SAP SuccessFactors, Human Resources Information Systems (HRIS) Implementation:

a) the proposal for implementation partnership, submitted by Price Waterhouse Coopers LLP (PWC), 99 Bank Street, Suite 710, Ottawa, Ontario, K1P 1E4 BE ACCEPTED in accordance with the Procurement of Goods and Services Policy;

b) the financing for this project BE APPROVED as set out in the Sources of Financing Report as appended to the staff report dated November 28, 2022 as Appendix "A";

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

d) the approval hereby given BE CONDITIONAL upon the City of London (The Corporation) entering a formal contract, agreement or having a purchase order relating to the subject matter of this approval.

Motion Passed

3. Scheduled Items

None.

4. Items for Direction

4.1 Not to be heard before 12:05 PM - Tribunal - Development Charge Appeal

Moved by: S. Trosow

Seconded by: S. Stevenson

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 Neil M. Smiley, Fasken Martineau DuMoulin LLP of the property located at 2365 Innovation Drive, regarding the development charges being appealed, as the amount should be adjusted to reflect the Industrial Development Charge rate and not Commercial 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: (6): S. Lewis, H. McAlister, S. Stevenson, S. Trosow, D. Ferreira, and Mayor J. Morgan

Motion Passed (6 to 0)

Moved by: S. Stevenson

Seconded by: S. Trosow

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: (6): S. Lewis, H. McAlister, S. Stevenson, S. Trosow, D. Ferreira, and Mayor J. Morgan

Motion Passed (6 to 0)

Moved by: D. Ferreira
Seconded by: S. Stevenson

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: (6): S. Lewis, H. McAlister, S. Stevenson, S. Trosow, D. Ferreira, and Mayor J. Morgan

Motion Passed (6 to 0)

5. Deferred Matters/Additional Business

None.

6. Confidential (Enclosed for Members only.)

Moved by: S. Stevenson
Seconded by: D. Ferreira

That the Corporate Services Committee convenes in Closed Session to consider the following:

6.1. Labour Relations/Employee Negotiations

A matter pertaining to reports, advice and recommendations of officers and employees of the Corporation concerning labour relations and employee negotiations in regard to one of the Corporation's unions including communications necessary for that purpose and for the purpose of providing instructions and direction to officers and employees of the Corporation.

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

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

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

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

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

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

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

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

Yeas: (6): S. Lewis, H. McAlister, S. Stevenson, S. Trosow, D. Ferreira, and Mayor J. Morgan

Motion Passed (6 to 0)

The Corporate Services Committee convenes in Closed Session from 1:07 PM to 1:39 PM.

7. Adjournment

Moved by: D. Ferreira

Seconded by: S. Stevenson

That the meeting BE ADJOURNED.

Motion Passed

The meeting adjourned at 1:42 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 Neil M. Smiley, Fasken Martineau DuMoulin LLP, regarding the development charges imposed by The Corporation of the City of London in connection with development on the land known as 2365 Innovation Drive.

November 28, 2022 – 12:05 PM
Council Chambers
London City Hall

PRESENT

Councillor S. Lewis, Chair
Councillor H. McAlister Tribunal Member
Councillor S. Stevenson, Tribunal Member
Councillor S. Trosow, Tribunal Member
Councillor D. Ferreira, Tribunal Member
B. Westlake-Power, Registrar
P. Kokkoros, Director, Building and Chief Building Official
K. Wilding, Manager, Plans Examination
A. Hovius, Solicitor II
N. M. Smiley, Fasken Martineau DuMoulin LLP, Complainant
W. Shaffer, EEC Environmental
K. Wagner, UniFirst Canada Ltd.

CALL TO ORDER

The Chair called the Tribunal to order at 12:21 PM on November 28, 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 2365 Innovation Drive.

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. Hovius, Solicitor were in attendance on behalf of the City of London.

Neil M. Smiley, Fasken Martineau DuMoulin LLP, W. Shaffer, EED Environmental and K. Wagner, UniFirst Canada Ltd. were in attendance on behalf of the 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 November 14, 2022;

Exhibit #2: Written complaint from Neil M. Smiley, Fasken Martineau DuMoulin LLP, emailed on September 16, 2022;

Exhibit #3: Staff report dated November 28, 2022 from the Deputy City Manager, Planning and Economic Development;

Exhibit #4: Presentation dated November 28, 2022 from Neil M. Smiley, Fasken Martineau DuMoulin LLP, included on the Added Agenda.

Mr. Smiley presented information to the Tribunal demonstrating that the operations being undertaken by UniFirst at the location are in fact industrial uses, not commercial. This information is outlined in Exhibits #2 and #4.

It was noted by the Complainant that the application of the commercial rate for the application was incorrectly applied; that the Development Charge should have been calculated on the industrial rate, in accordance with the production/work on the site as well as the property zoning.

There were questions from the Committee for the complainant, primarily related to the intended use of the property. W. Shaffer and K. Wagner assist with the responses.

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 the criteria used for the development charge calculation associated with the application for 2365 Innovation Drive. Noting the definitions of "industrial" in the Development Charges By-law do not apply to UniFirst and recommending dismissal of the complaint.

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. Smiley reiterates the position of UniFirst and indicates the definition for "industrial" is broader than what staff have provided. UniFirst is certainly producing goods with the work that they conduct.

The Chair asked the Tribunal Members if there was a need to go in closed session to receive legal advice regarding the matter. There was no request from the Tribunal Members to convene in closed session.

The following recommendation is passed.

RECOMMENDATION:

That, 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 Neil M. Smiley, Fasken Martineau DuMoulin LLP, the property located at 2365 Innovation Drive, regarding the development charges being appealed, for 2365 Innovation Drive on the subject property, as detailed in this 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 1:15 PM.



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

London
CANADA

November 14, 2022

UniFirst Canada Ltd.
c/o Frasken Martineau DeMoulin LLP
333 Bay Street, Suite 2400
P.O. Box 2400
Toronto, Ontario M5H 2T6

Attn: Neil M. Smiley (nsmiley@fasken.com)

Dear Mr. Smiley,

Re: Development Charges Appeal – UniFirst Canada Ltd.

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 UniFirst Building Permit 21-030285, will be heard by the Corporate Services Committee on Monday, November 28, 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 November 28, 2022.

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

A handwritten signature in black ink, appearing to read 'Barb Westlake-Power', is written in a cursive style.

Barb Westlake-Power
Deputy City Clerk

- c. R. Montgomery, UniFirst Corporation (by email)
- 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

Fasken Martineau DuMoulin LLP
Barristers and Solicitors
Patent and Trade-mark Agents

333 Bay Street, Suite 2400
P.O. Box 20
Toronto, Ontario M5H 2T6
Canada

T +1 416 366 8381
+1 800 268 8424
F +1 416 364 7813

fasken.com

September 16, 2022
File No.: 218183.00967/11889

Neil M. Smiley
Direct +1 416 865 5122
nsmiley@fasken.com

By Email

City of London
300 Dufferin Avenue
P.O. Box 5035
London, Ontario
N6A 4L9

Attention: Corporate Services Committee c/o Najah Kishawi-Support Clerk nkishawi@london.ca

Dear Sirs/Madams:

Re: Letter of Complaint/Protest in respect of the Development Charges (City Services) being required by the City of London to be paid in connection with the issuance of Building Permit 21-030285 concerning the development of property owned by UniFirst Canada Ltd. located at 2365 Innovation Drive, City of London (the “Property”)

We act on behalf of Unifirst Canada Ltd. (“**UniFirst**”) in connection with its development of an industrial laundering and cleaning facility at the above-noted Property (the “**Project**”). Under a Customer Invoice dated Friday September 9, 2022, a copy of which is attached as Schedule A (the “**Customer Invoice**”), the City of London has invoiced UniFirst’s contractor, Arco/Murray International Construction Company, ULC, for payments, including Development Charges, that it requires be paid prior to the issuance of a building permit arising from Building Permit Application No 21-030285 for the Project.

UniFirst does not agree with, and this letter shall serve as notice of Unifirst’s complaint and protest (“**Notice of Complaint**”) in respect of the imposition for the Project of a Development Charges Rates applicable to “Commercial Development” as defined under City of London By-law No. C.P. 1551-227 (the “**DC By-Law**”). It is UniFirst’s respectful submission that its use of the Property should attract/invoke the Development Charges Rate for “Industrial Development” as provided for in the DC By-law. Accordingly, in accordance with Section 20 of the Development Charges Act, 1997 and Section 26 of the City of London’s DC By-law, we hereby file, on behalf of UniFirst as “Complainant”, the within Notice of Complaint to the City of London under Part IV of the DC By-law.

1. The Complainant: UniFirst Canada, Ltd.
2. Address of Service for Complainant: 3067 E. Commerce, San Antonio, TX 78220
Attention: Rick Montgomery Email: RMontgomery@unifirst.com
3. Grounds for Complaint: The amount of the development charge was incorrectly determined; and or there was an error in the application of the DC By-law as summarized below:

(i) UniFirst operates as an industrial launderer, whereby it will use the premises primarily for receiving from an industrial depot, bulk soiled uniforms and other industrial wear, which it industrially launders and has delivered for re-use to the industrial user. Other industrial processing occurs such as labelling and dyeing.

(ii) The building use proposed for the Project does NOT conform to the definition of a “Commercial Development” as set out in the DC By-law since it is not one of the listed uses in paragraph (a) of the definition of Commercial Development. The building will in no way be used for “retail purposes including.....articles or things for sale or rental directly to the public...” as provided for in paragraph (b) of the said definition. There are absolutely no sales at retail of any product or service to the public and no transactions of any sort will be occurring in the premises of a nature contemplated by paragraph (a) or (b) of the definition of “Commercial Development”. Moreover, there will be no delivery to the general public from the facility.

(iii) While “laundries” is a listed purpose in paragraph (b) of the definition of “Commercial Development”, it needs to be read in the context of the paragraph it resides in, such that the retail purpose is “for sale or rental directly to the public”. The word “laundries” is intended to mean public-facing laundromats or similar operations serving the public, not industrial laundering facilities. UniFirst processed a Minor Zoning Variance for this Project to make this distinction of its use within its Light Industrial zoning designation.

(iv) Pursuant to the definition in the DC By-law of “Industrial Development”, paragraph (b): (a) UniFirst will receive raw materials and semi-processed goods (garments, mats, etc. manufactured by UniFirst and others) to the Property and process (wash, dye, label, etc.) and package these materials and goods to provide to industry (not the general public); and (b) UniFirst will also store and distribute such goods and materials which includes “operation of a truck terminal, warehouse”. Again, this does not include retail sale of goods to the public.

(v) UniFirst is classified as an “Industrial Launderer” under NAICS Code 812332 and SIC Code 7218. These are industrial classifications, not commercial.

(vi) The Property is zoned for “Industrial” uses not retail/commercial uses and the Building Occupancy classification of Group F, Division 2 is “Medium Hazard Industrial Occupancies” (per Building Code §9.10.2).

(vii) With no retail activity by way of sale or rental to the public intended to take place at the Property, it is discriminatory and prejudicial to impose, for the purposes of development charges payable under the DC-Law, a classification of “Commercial Development” in respect of the Project which will have the effect of increasing the applicable development charges by \$544,671, being the difference between the rate applicable to “Industrial Development” of \$1,352,366 and the rate applicable to “Commercial Development” of \$1,897,037.

Conclusion:

In light of the grounds cited above and such further grounds that may be asserted on the hearing of the complaint before the City of London’s Corporate Services Committee, City Council or on a further appeal, we respectfully submit that: (i) the amount of the Development Charge for the Project was incorrectly determined; and/or (ii) there was an error in the application of the DC By-law as set out in Section 20 of the Development Charges Act, 1997 and Section 27(1) and 27(2) in the DC By-law. The proposed use for an industrial laundering facility, not offering for sale or

rental directly to the public, is not properly characterized as a Commercial Development but more appropriately, should be classified as an Industrial Development for the purposes of calculating the applicable development charge under the DC By-law.

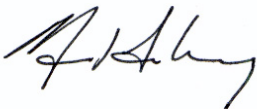
In order to continue with the Project and not cause any further delays, our client requires to urgently procure its building permit. Accordingly, it is contemporaneously paying under protest the amount of \$1,897,037 identified in its Customer Invoice in respect of Development Charges for the Project as it is of the view the applicable development charge amount should be \$1,352,366, being the development charge applicable to "Industrial Development". In dispute under this Notice of Complaint and being protested is the payment of the amount of \$544,671 under the Customer Invoice, which amount Unifirst requests be refunded as part of the determination of its complaint, together with interest as contemplated by Section 25 of the Development Chares Act, 1997.

In accordance with Section 20 of the Development Charges Act, 1997 and Section 30 of the DC By-law, we request that the City and/or its Corporate Services Committee hold a hearing into the within complaint, provide Unifirst (and the undersigned) notice of the hearing and an opportunity to make representations.

Please provide UniFirst and the undersigned with notice of any future proceedings in connection with this complaint.

Yours truly,

FASKEN MARTINEAU DuMOULIN LLP



Neil M. Smiley

NMS/kh

cc. Peter Kokkoros, Director, Building and Chief Building Official Building Division, Planning and Economic Development, City of London – pkokkoro@london.ca
Rick Montgomery, UniFirst Corporation – Rick_Montgomery@unifirst.com
Will Shaffer, EEC Environmental – WShaffer@eccenvironmental.com

SCHEDULE A
CUSTOMER INVOICE



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

Customer Invoice

Friday, September 9, 2022

RE: Permit Application 21-030285 2365 Innovation Drive Dry Cleaning and Laundry Depot Erect

STEVE LANE
 ARCO/MURRAY INTERNATIONAL CONSTRUCTION COMPANY, ULC
 3110 WOODCREEK DR DOWNERS GROVE IL 60515 USA

The review of your permit is now complete. The table below itemizes applicable fees that must be paid in full before the permit can be issued. Fees included in Sub-total 1 must be paid within five (5) business days from the date of this notice. Failure to do so will result in cancellation of the permit application, in accordance with the provisions of the Building By-law. The development charges amount shown below is subject to adjustment based on the rates in effect the day the permit is being issued (See Note below).

Payment can be made by cheque or online using your financial institution's banking service. Payments by cheque can be mailed or delivered to the City Hall Building Division.

If you are submitting payment using an online banking service, please follow the steps below:

- 1) Check box to indicate payment option selected (Fee Subtotal 1 or Total Fees) and save this document.
- 2) Using your email program, click "Reply to All", attach the saved document and click "Send".

Permit Fee	
Construction Water Fee	\$987.94
Water Meter Fee (Remote)	

Fees Sub-total 1:	\$987.94
--------------------------	-----------------

PAID

Development Charges (City Services)	\$1,897,037.50
-------------------------------------	----------------

Fees Sub-total 2:	\$1,897,037.50
--------------------------	-----------------------

Total Fees:	\$1,898,025.44
--------------------	-----------------------

PAID

Note: Per section 4 of the Development Charges By-law: "...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...*", the fees provided above, unless the application is made under a Site Plan or a Zoning By-law Amendment, must be paid prior to January 1st. Fees paid after January 1st would be reassessed and adjusted based on the Development charge rates in effect after January 1st.

Please disregard this notice if payment has already been made

Miguel Mendoza, Plan Examiner
 (519) 661-2489 Ext 5079

The Corporation of the City of London
 Building Division, Room 708
 300 Dufferin Ave. London ON N6A 4L9
 Office: 519-661-4555

www.london.ca

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
2365 Innovation Drive

Date: November 28, 2022

Recommendation

That, on the recommendation of the Director, Building and Chief Building Official, the Development Charges complaint submitted by Mr. Neil M. Smiley of Fasken Martineau DuMoulin LLP, related to development at the property situated at 2365 Innovation Drive, **BE DISMISSED.**

Executive Summary

A building permit application was received on November 3, 2021, for the erection of a new laundry facility. A foundation permit was issued on September 22, 2022. A complaint letter from Mr. Neil M. Smiley of Fasken Martineau DuMoulin LLP with respect to Development Charges paid (hereinafter referred to as the 'Complaint'), was received on September 14, 2022, and is included in Appendix 'A' of this report.

The Development Charges were assessed by staff using the Commercial rate.

The aforementioned letter makes mention of various reasons as to why the requested Development Charges amount should be adjusted to reflect the Industrial Development Charge rate and not Commercial.

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 Mr. Neil M. Smiley of Fasken Martineau DuMoulin LLP, on behalf of UniFirst Canada Ltd. (the "Complainant"), with respect to Development Charges paid for the erection of a new building was received on September 14, 2022, and is included in Appendix 'A' of this report.

The letter makes mention of various reasons as to why the requested Development Charges amount should be adjusted to reflect the Industrial Development Charge rate and not Commercial. In summary, the following reasons have been listed:

1. UniFirst operates as an Industrial launderer.
2. The building does not conform to the definition of 'Commercial Development'.
3. A Minor Variance was processed to conform to 'Light Industrial' zoning designation.
4. UniFirst provides services to industry and not the general public.

5. UniFirst is classified as an 'Industrial Launderer' under NAICS Code 812332 and SIC Code 7218.
6. The property is zoned for Industrial Uses and the Ontario Building Code classifies the building as 'Industrial'.
7. No retail activities by way of sale or rental to the public at the property.

A site plan depicting the proposed development is provided in Appendix 'B'.

The proposed building has a gross floor area of 5,875 sq.m and the development charges were calculated by staff at the Commercial development charge rate of \$322.19 per sq.m. The total development charge amount due was calculated at \$1,897,037.50.

2.0 Discussion and Considerations

Building Uses per the Development Charges By-law

In determining the appropriate development charge, it is important to determine the building's use. Part I, section 1 of the Development Charges By-law C.P.-1551-227 (the "DC By-law") provides the definitions of various building uses which are then used to determine the appropriate development charge rate for the proposed building. Industrial development is defined as:

"Industrial Development" is a building used for:

- a) *manufacturing, producing, fabricating, assembling, compounding or processing of raw materials, goods, component parts or ingredients where the physical condition of such materials, goods, parts or components is altered to produce a finished or semi-finished tangible product, or the packaging, crating, bottling, of semi-processed goods or materials, but not including any of these activities where they primarily serve retail purposes to the general public;*
- b) *storing or distributing something derived from the activities mentioned in a) above and for greater certainty, shall include the operation of a truck terminal, warehouse or depot and does not include self-storage warehousing for use by the general public or retail sales associated with the goods stored or distributed, or accessory storage of a Commercial Development;*
- c) *research or development in connection with activities mentioned in (a) above;*
- d) *retail sales of goods produced by activities mentioned in section a) at the site where the manufacturing, producing or processing from raw materials or semi-processed goods takes place and for greater certainty, includes the sale of goods or commodities to the general public where such sales are accessory or secondary to the Industrial use, and does not include the sale of goods or commodities to the general public through a warehouse club;*
- e) *office or administrative purposes, if they are carried out:*
 - i) *with respect to the activity mentioned in section (a), and*
 - ii) *in or attached to the building or structure used for activities mentioned in section a) and*
 - iii) *for greater certainty, shall include an office building located on the same property as, and used solely to support, the activities mentioned in section a);*
- f) *a business that stores and processes data for retrieval, license or sale to end users and are on lands zoned for Industrial uses; or*

g) businesses that develop computer software or hardware for license or sale to end users that are on lands zoned for Industrial uses; and

h) Industrial Use shall have the corresponding meaning;

Part I, section 1 of the DC By-law describes commercial development, in part, as:

“Commercial Development” is a building used for:

b) Retail purposes including activities of offering foods, wares, merchandise, substances, articles or things for sale or rental directly to the public and includes offices and storage within the same building, which support, are in connection with, related or ancillary to such uses, or activities providing entertainment and recreation. **Retail purposes shall include but not be limited to:** conventional restaurants; fast food restaurants; night clubs, concert halls, theatres, cinemas, movie houses, and other entertainment related businesses; automotive fuel stations with or without service facilities; special automotive shops/vehicle repairs/collision services/car or truck washes; vehicle dealerships; commercial truck service establishments, regional shopping centres; community shopping centres; neighbourhood shopping centres, including more than two stores attached and under one ownership; department/discount stores; banks and similar financial institutions, including credit unions (excluding freestanding bank kiosks), money handling and cheque cashing facilities; warehouse clubs or retail warehouses; food stores, pharmacies, clothing stores, furniture stores, department stores, sporting goods stores, appliance stores, garden centres (but not a garden centre defined as exempt under section 35 of this By-law), government owned retail facilities, private daycare, private schools, private lodging and retirement homes, private recreational facilities, sports clubs, golf courses, skiing facilities, race tracks, gambling operations, funeral homes, motels, hotels, restaurants, theatres, facilities for motion picture, audio and video production and distribution, sound recording services, passenger stations and depots, dry cleaning establishments, **laundries**, establishments for commercial self-service uses, automotive recycling/wrecking yards, kennels. (emphasis added)

The proposed building is to be used to launder materials that were not manufactured in the building. The definition of “Commercial Development” per the DC By-law includes laundries as part of the definition for commercial development. On this fact alone the “Commercial Development” definition is satisfied, and the commercial development charge rate would be applied.

Calculation of Development Charges: Other Considerations

Even if the laundries were not specifically listed, the definition of Commercial Development provides examples of uses and does not limit the types of uses included in that definition. This is reflected in the commercial development definition:

(b) “Retail purposes shall include but not be limited to:”

The definition does not provide all possible commercial development scenarios, but rather provides examples of uses.

Conversely, the definition for ‘Industrial Development’ is restrictive. This definition lists specific uses and does not provide for a “catch all” to reflect similar uses. It is restricted to only those uses listed.

Staff are of the opinion that the proposed use at 2365 Innovation Drive does not conform to the definition of ‘Industrial Development’ for the following reasons:

1. To be considered as an industrial development, the definition outlines that the physical condition of materials, goods, parts or components are altered to produce a finished or semi-finished tangible product.
2. There are no processes whereby raw materials will be physically altered to produce a finished or semi-finished tangible product.
3. The services provided are done so with respect to cleaning/processing items previously manufactured and as such, align with the use of a laundry as provided in the definition of Commercial development.

The proposed building is to be used to launder materials that were not manufactured in the building. There is no new product being manufactured or produced; therefore the industrial development definition is not satisfied.

The Development Charges By-law's Relationship to Other Legislation

It should be noted that the DC By-law is independent of any other legislation, other than the *Development Charges Act, 1997*, S.O. 1997, c. 27 (the "Act"). Unlike the O. Reg. 332/12 under the *Building Code Act, 1992*, S.O. 1992, c. 23 (the "Building Code") that references other 'applicable law', the DC By-law is not bound by any other by-laws or regulations.

The City of London's Zoning By-law may classify a property whereby industrial uses are permitted. However, under the 'Light Industrial' zone (section 40 of the Zoning By-law), as an example, the following uses are permitted:

3) **LI3** *The following are permitted uses in the LI3 Zone variation: a) Assembly halls; b) Commercial recreation establishments; c) Day care centres; d) Private clubs; e) Private parks.*

4) **LI4** *The following are permitted uses in the LI4 Zone variation: a) Any use permitted in the LI1 Zone variation; b) Automotive uses, restricted; c) Clinics; d) Convenience service establishments; e) Convenience stores; f) Day care centres; g) Financial institutions; h) Medical/dental offices; i) Personal service establishments; j) Restaurants.*

5) **LI5** *The following are permitted uses in the LI5 Zone variation: a) Hotels; b) Motels.*

The fact that the above uses are permitted in the light industrial zone, does not constitute their use to be classified as 'Industrial' under the DC By-law. For example, a restaurant or a daycare centre, as permitted above, are not Industrial uses under the DC By-law.

While it is appreciated that other regulations (not associated with the DC By-law) may classify the proposed building as an Industrial Laundry facility, it is the DC By-law alone that applies to calculating the charge. As previously stated, laundries fall under the Commercial Development definition and the applicable commercial rate was used to calculate the charge.

Development Charges By-law and Grounds for Complaints

Part IV, s.27 of the DC By-law 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 development charge was correctly determined. Regarding item 1 noted above, the development charge 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 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 maintain that the development charge amount was properly determined under the DC 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 the Complainant suggests that the development charge amount should be based on the Industrial use as opposed to the Commercial use of the new building to be erected at 2365 Innovation Drive.

The proposed use does not conform to the definition of Industrial development as per the DC By-law.

It is the Chief Building Official's opinion that the Development Charges were correctly determined, and that the Complaint 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"

Fasken Martineau DuMoulin LLP
Barristers and Solicitors
Patent and Trade-mark Agents

333 Bay Street, Suite 2400
P.O. Box 20
Toronto, Ontario M5H 2T6
Canada

T +1 416 366 8381
+1 800 268 8424
F +1 416 364 7813

fasken.com

September 16, 2022
File No.: 218183.00967/11889

Neil M. Smiley
Direct +1 416 865 5122
nsmiley@fasken.com

By Email

City of London
300 Dufferin Avenue
P.O. Box 5035
London, Ontario
N6A 4L9

Attention: Corporate Services Committee c/o Najah Kishawi-Support Clerk nkishawi@london.ca

Dear Sirs/Madams:

Re: Letter of Complaint/Protest in respect of the Development Charges (City Services) being required by the City of London to be paid in connection with the issuance of Building Permit 21-030285 concerning the development of property owned by UniFirst Canada Ltd. located at 2365 Innovation Drive, City of London (the "Property")

We act on behalf of Unifirst Canada Ltd. ("UniFirst") in connection with its development of an industrial laundering and cleaning facility at the above-noted Property (the "Project"). Under a Customer Invoice dated Friday September 9, 2022, a copy of which is attached as Schedule A (the "Customer Invoice"), the City of London has invoiced UniFirst's contractor, Arco/Murray International Construction Company, ULC, for payments, including Development Charges, that it requires be paid prior to the issuance of a building permit arising from Building Permit Application No 21-030285 for the Project.

UniFirst does not agree with, and this letter shall serve as notice of Unifirst's complaint and protest ("Notice of Complaint") in respect of the imposition for the Project of a Development Charges Rates applicable to "Commercial Development" as defined under City of London By-law No. C.P. 1551-227 (the "DC By-Law"). It is UniFirst's respectful submission that its use of the Property should attract/invoke the Development Charges Rate for "Industrial Development" as provided for in the DC By-law. Accordingly, in accordance with Section 20 of the Development Charges Act, 1997 and Section 26 of the City of London's DC By-law, we hereby file, on behalf of UniFirst as "Complainant", the within Notice of Complaint to the City of London under Part IV of the DC By-law.

1. The Complainant: UniFirst Canada, Ltd.
2. Address of Service for Complainant: 3067 E. Commerce, San Antonio, TX 78220
Attention: Rick Montgomery Email: RMontgomery@unifirst.com
3. Grounds for Complaint: The amount of the development charge was incorrectly determined; and or there was an error in the application of the DC By-law as summarized below:

218183.00967/106575862.1

(i) UniFirst operates as an industrial launderer, whereby it will use the premises primarily for receiving from an industrial depot, bulk soiled uniforms and other industrial wear, which it industrially launders and has delivered for re-use to the industrial user. Other industrial processing occurs such as labelling and dyeing.

(ii) The building use proposed for the Project does NOT conform to the definition of a "Commercial Development" as set out in the DC By-law since it is not one of the listed uses in paragraph (a) of the definition of Commercial Development. The building will in no way be used for "retail purposes including....articles or things for sale or rental directly to the public..." as provided for in paragraph (b) of the said definition. There are absolutely no sales at retail of any product or service to the public and no transactions of any sort will be occurring in the premises of a nature contemplated by paragraph (a) or (b) of the definition of "Commercial Development". Moreover, there will be no delivery to the general public from the facility.

(iii) While "laundries" is a listed purpose in paragraph (b) of the definition of "Commercial Development", it needs to be read in the context of the paragraph it resides in, such that the retail purpose is "for sale or rental directly to the public". The word "laundries" is intended to mean public-facing laundromats or similar operations serving the public, not industrial laundering facilities. UniFirst processed a Minor Zoning Variance for this Project to make this distinction of its use within its Light Industrial zoning designation.

(iv) Pursuant to the definition in the DC By-law of "Industrial Development", paragraph (b): (a) UniFirst will receive raw materials and semi-processed goods (garments, mats, etc. manufactured by UniFirst and others) to the Property and process (wash, dye, label, etc.) and package these materials and goods to provide to industry (not the general public); and (b) UniFirst will also store and distribute such goods and materials which includes "operation of a truck terminal, warehouse". Again, this does not include retail sale of goods to the public.

(v) UniFirst is classified as an "Industrial Launderer" under NAICS Code 812332 and SIC Code 7218. These are industrial classifications, not commercial.

(vi) The Property is zoned for "Industrial" uses not retail/commercial uses and the Building Occupancy classification of Group F, Division 2 is "Medium Hazard Industrial Occupancies" (per Building Code §9.10.2).

(vii) With no retail activity by way of sale or rental to the public intended to take place at the Property, it is discriminatory and prejudicial to impose, for the purposes of development charges payable under the DC-Law, a classification of "Commercial Development" in respect of the Project which will have the effect of increasing the applicable development charges by \$544,671, being the difference between the rate applicable to "Industrial Development" of \$1,352,366 and the rate applicable to "Commercial Development" of \$1,897,037.

Conclusion:

In light of the grounds cited above and such further grounds that may be asserted on the hearing of the complaint before the City of London's Corporate Services Committee, City Council or on a further appeal, we respectfully submit that: (i) the amount of the Development Charge for the Project was incorrectly determined; and/or (ii) there was an error in the application of the DC By-law as set out in Section 20 of the Development Charges Act, 1997 and Section 27(1) and 27(2) in the DC By-law. The proposed use for an industrial laundering facility, not offering for sale or

rental directly to the public, is not properly characterized as a Commercial Development but more appropriately, should be classified as an Industrial Development for the purposes of calculating the applicable development charge under the DC By-law.

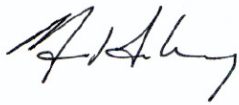
In order to continue with the Project and not cause any further delays, our client requires to urgently procure its building permit. Accordingly, it is contemporaneously paying under protest the amount of \$1,897,037 identified in its Customer Invoice in respect of Development Charges for the Project as it is of the view the applicable development charge amount should be \$1,352,366, being the development charge applicable to "Industrial Development". In dispute under this Notice of Complaint and being protested is the payment of the amount of \$544,671 under the Customer Invoice, which amount Unifirst requests be refunded as part of the determination of its complaint, together with interest as contemplated by Section 25 of the Development Chares Act, 1997.

In accordance with Section 20 of the Development Charges Act, 1997 and Section 30 of the DC By-law, we request that the City and/or its Corporate Services Committee hold a hearing into the within complaint, provide Unifirst (and the undersigned) notice of the hearing and an opportunity to make representations.

Please provide UniFirst and the undersigned with notice of any future proceedings in connection with this complaint.

Yours truly,

FASKEN MARTINEAU DuMOULIN LLP



Neil M. Smiley

NMS/kh

cc. Peter Kokkoros, Director, Building and Chief Building Official Building Division, Planning and Economic Development, City of London – pkokkoro@london.ca
Rick Montgomery, UniFirst Corporation – Rick_Montgomery@unifirst.com
Will Shaffer, EEC Environmental – WShaffer@eecenvironmental.com

UniFirst Canada Ltd. Development Charges Appeal

2365 Innovation Drive, London

November 28, 2022

Presented by: Neil M. Smiley, Fasken, Counsel for UniFirst Canada Ltd.

“Commercial Development” is a building used for:

Exhibit '4'

a) Office or administrative uses, including the practice of a profession, or the carrying on of a business or occupation or where most of the activities in the building provide support functions to an enterprise in the nature of trade, and for greater certainty shall include, but not be limited to, the office of a physician, lawyer, dentist, architect, engineer, accountant, real estate or insurance agency, veterinarian, surveyor, appraiser, contractor, builder, land Owner, employment agency, security broker, mortgage company, medical clinic; or

b) **Retail purposes** including activities of offering foods, wares, merchandise, substances, articles or things for **sale or rental directly to the public** and includes offices and storage within the same building, which support, are in connection with, related or ancillary to such uses, or activities providing entertainment and recreation. Retail purposes shall include but not be limited to: conventional restaurants; fast food restaurants; night clubs, concert halls, theatres, cinemas, movie houses, and other entertainment related businesses; automotive fuel stations with or without service facilities; special automotive shops/vehicle repairs/collision services/car or truck washes; vehicle dealerships; commercial truck service establishments, regional shopping centres; community shopping centres; neighbourhood shopping centres, including more than two stores attached and under one ownership; department/discount stores; banks and similar financial institutions, including credit unions (excluding freestanding bank kiosks), money handling and cheque cashing facilities; warehouse clubs or retail warehouses; food stores, pharmacies, clothing stores, furniture stores, department stores, sporting goods stores, appliance stores, garden centres (but not a garden centre defined as exempt under section 35 of this By-law), government owned retail facilities, private daycare, private schools, private lodging and retirement homes, private recreational facilities, sports clubs, golf courses, skiing facilities, race tracks, gambling operations, funeral homes, motels, hotels, restaurants, theatres, facilities for motion picture, audio and video production and distribution, sound recording services, passenger stations and depots, dry cleaning establishments, laundries, establishments for commercial self-service uses, automotive recycling/wrecking yards, kennels; [*Emphasis added*]

“Industrial Development” is a building used for:

Exhibit '4'

a) manufacturing, producing, fabricating, assembling, compounding or processing of raw materials, goods, component parts or ingredients where the physical condition of such materials, goods, parts or components is altered to produce a finished or semi-finished tangible product, or the packaging, crating, bottling, of semi-processed goods or materials, but not including any of these activities where they primarily serve retail purposes to the general public;

b) storing or distributing something derived from the activities mentioned in a) above and for greater certainty, shall include the operation of a truck terminal, warehouse or depot and does not include self-storage warehousing for use by the general public or retail sales associated with the goods stored or distributed, or accessory storage of a Commercial Development; [...] [*Emphasis added*]

*from [Development Charges By-law - C.P.-1551-227](#)

What UniFirst Does and Why it Should be Classified as an “Industrial Development”♦:

- *Hygienic laundering and finishing
- Regularly scheduled uniform deliveries and product replenishment
- Inspection of all work clothing for rips, flaws, missing buttons, etc.
- Automatic garment repairs
- Automatic replacement of overly worn or damaged garments
- Dyeing and labelling/adding logo to product

* Hygienically clean processing includes textiles laundered and finished with appropriate "green" detergents and high temperatures to a point where biological contaminants (bioburden) have been removed to an acceptable level so they can be used without fear or risk of being a source of contamination.

City of London – Commercial vs. Industrial Development Charges (DC) Rates

Exhibit '4'

	Service Component:	Commercial (per sq. m. of gross floor area)	Industrial (per sq. m. of gross floor area)
City Services	Fire	\$ 0.58	\$ 0.06
	Police	\$ 3.69	\$ 0.35
	Library	\$ -	\$ -
	Parks & Recreation	\$ 0.25	\$ 0.11
	Transit	\$ 1.51	\$ 0.27
	Waste Diversion	\$ -	\$ -
	Roads & Related Services	\$ 190.66	\$ 83.47
	Wastewater	\$ 29.93	\$ 49.96
	Stormwater	\$ 75.93	\$ 74.21
	Water Distribution	\$ 20.35	\$ 21.76
Total Rate	TOTAL RATE - City Services and Urban Works (applied within the Urban Growth Area)	\$ 322.90	\$ 230.19
DC CHARGE		\$1,897,037.50	\$1,352,366.25
*for 5,875 sq. m.		COMMERCIAL - PAID UNDER PROTEST	INDUSTRIAL - ALLOW PAYMENT
			REFUND OF: \$544,671.25

* Source: Extracted from City of London's Development Charges By-law - C.P.-1551-22 (2022) (Subject to rounding)

SIC Code 7218 - Industrial Launderers

Description

Hierarchy

Industry Examples

Companies

Extend

Industry Sector
Services

Total Companies
312

Est. Employment
12,021

Use Data For:

- ✓ Direct Mailing
- ✓ Calling
- ✓ Emailing
- ✓ Research

BUY BUSINESS LIST
SIC CODE 7218



Includes Free Sample & Industry Report

100% Phone-Verified, NCOA Processed, Accurate Data

Description

Establishments primarily engaged in supplying laundered or drycleaned industrial work uniforms and related work clothing, such as protective apparel (flame and heat resistant) and clean room apparel; laundered mats and rugs; dust control items, such as treated mops, rugs, mats, dust tool covers, and cloths; laundered wiping towels; and other selected items to industrial, commercial, and government users. These items may belong to the industrial launderer and be supplied to users on a rental basis, or they may be the customers' own goods. Establishments included in this industry may or may not operate their own laundry or drycleaning facilities.

Snapshot

SIC Code 7218 - Industrial Launderers is a final level code of the "Services" Division. There are 312 companies classified in this industry in the USA with an estimated employment of 12,021 people.



- [NAICS/SIC SEARCH](#)
- [DATA ENRICHMENT](#)
- [BUSINESS LISTS](#)
- [MARKET SIZING](#)
- [COMPANY LOOKUP](#)

NAICS CODE DESCRIPTION

[Return to Lookup Tools](#)

NAICS Code/Keyword Search

812332 - Industrial Launderers

Top Businesses by Annual Sales for 812332 – Click for Complete Profiles:

Unifirst Corporation	Cintas Corporation No 3
Aramark Unf & Career AP LLC	Showa Best Glove Inc
Gea North America Inc	Image Frst Hlthcare Ldry Spcls
Mission Linen Supply	Hospital Central Svcs Coop Inc
Prudential Overall Supply	Van Dyne-Crotty Co

This U.S. industry comprises establishments primarily engaged in supplying, on a rental or contract basis, laundered industrial work uniforms and related work clothing, such as protective apparel (flame and heat resistant) and clean room apparel; dust control items, such as treated mops, rugs, mats, dust tool covers, cloths, and shop or wiping towels.

Need Help?

What are you Searching for? *

-Choose One-

[Submit](#)

Data Services & Products

- [Business Lists](#)
- [Data Appends](#)
- [Data Append API](#)

NAICS Resources

- [High Risk NAICS Codes](#)
- [NAICS & SIC Search](#)
- [NAICS & SIC Crosswalk](#)
- [NAICS Code List](#)
- [SIC Code List](#)
- [NAICS Lookup Help](#)
- [Frequently Asked Q's](#)
- [History of NAICS & SIC](#)



Belmont Coin Laundry, 99 Belmont Dr., London (Google Maps)



149
The House of Laundry, 507 Pall Mall St., London (Google Maps)



150
PJ's Launderette, 41 Adelaide St. N. Unit 51, London (Google Maps)

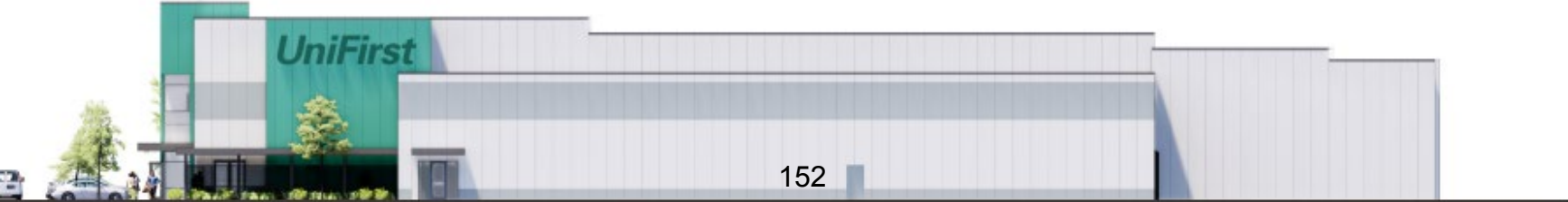




EXTERIOR ELEVATION NORTH



EXTERIOR ELEVATION EAST



152

EXTERIOR ELEVATION WEST







UniFirst

200 Terence Matthews Crescent, Kanata Location (Google Maps)





Industrial Context (Google Maps)

Community and Protective Services Committee

Report

The 1st Meeting of the Community and Protective Services Committee
November 29, 2022

PRESENT: Councillors E. Pelozza (Chair), S. Stevenson, J. Pribil, C. Rahman, D. Ferreira

ABSENT: Mayor J. Morgan

ALSO PRESENT: Councillors: P. Cuddy, A. Hopkins, S. Trosow, P. Van Meerbergen; J. Bunn, C. Cooper, K. Dickins, S. Glover, L. Hancock, C. Smith, K. Van Lammeren and B. Westlake-Power

Remote Attendance: Councillor S Lewis; B. Card, Deputy Chief R. Hayes, O. Katolyk, K. Mason, S. Mathers, S. Mollon, K. Scherr, M. Schulthess, C. Smith, S. Stafford, S. Tatavarti and S. Wilson

The meeting was called to order at 4:02 PM.

1. Call to Order

1.1 Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

1.2 Election of Vice-Chair

Moved by: C. Rahman

Seconded by: S. Stevenson

That Councillor D. Ferreira BE APPOINTED Vice Chair of the Community and Protective Services Committee for the term ending November 14, 2023.

Yeas: (5): E. Pelozza, S. Stevenson, J. Pribil, C. Rahman, and D. Ferreira

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

2. Consent

Moved by: C. Rahman

Seconded by: S. Stevenson

That Items 2.1 to 2.4 BE APPROVED.

Yeas: (5): E. Pelozza, S. Stevenson, J. Pribil, C. Rahman, and D. Ferreira

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

2.1 2021 Ontario Works Participant and Service Delivery Profile

Moved by: C. Rahman

Seconded by: S. Stevenson

That, on the recommendation of the Deputy City Manager, Social and Health Development, the staff report, dated November 29, 2022, with respect to the 2021 Ontario Works Participant and Service Delivery Profile, BE RECEIVED. (2022-S11)

Motion Passed

2.2 Award of Request for Proposal 2022-232 Group Purchasing Organization Services for City of London Long Term Care

Moved by: C. Rahman

Seconded by: S. Stevenson

That, on the recommendation of the Deputy City Manager, Social and Health Development, with the concurrence of the Director, Financial Services, the following actions be taken with respect to the staff report, dated November 29, 2022, related to the Award of Request for Proposal 2022-232 for Group Purchasing Organization Services for City of London Long Term Care:

- a) the submission from SGP Purchasing Partner Network (SGP), owned and operating by Extendicare (Canada) Inc., 3000 Steeles Ave., Markham, Ontario, L3R 9W2, to purchase, at the City's sole discretion, required items for the Dearnness Home, City Golf courses, City Hall Cafeteria, Storybook Gardens, Senior Centres and other Life Stabilization areas such as Discretionary Benefits, BE ACCEPTED for a contract term of two (2) years beginning January 1, 2023, with the option to renew three (3) additional one (1) year terms, in accordance with Section 12.2 b) of the Procurement of Goods and Services Policy;
- b) proposed by-law, as appended to the above-noted staff report, BE INTRODUCED at the Municipal Council meeting to be held on December 13, 2022, to:
 - i) approve the Purchasing and Revenue Share Agreement, as appended to the above-noted by-law, between Extendicare (Canada) Inc., carrying on business as SGP Purchasing Partner Network (SGP) and The Corporation of the City of London, commencing January 1, 2023, for the purpose of participating in a Purchasing and Revenue Share Program to receive a share of rebates received by the SGP on volume purchases of food products and other related services and products;
 - ii) authorize the Civic Administration to undertake all the necessary administrative acts in connection with this matter; and,
 - iii) authorize the Mayor and the City Clerk to execute the above-noted Agreement. (2022-S03)

Motion Passed

2.3 2022-2023 Winter Response Program and Action and Accountability Working Group Update

Moved by: C. Rahman

Seconded by: S. Stevenson

That, on the recommendation of the Deputy City Manager, Social and Health Development, the staff report, dated November 29, 2022, with respect to the 2022-2023 Winter Response Program and Action and Accountability Working Group Update, BE RECEIVED. (2022-S11)

Motion Passed

2.4 London Fire Department Automatic Aid Agreement with Central Elgin Fire and Emergency Services

Moved by: C. Rahman

Seconded by: S. Stevenson

That, on the recommendation of the Acting Fire Chief, with concurrence of the Deputy City Manager, Neighbourhood and Community-Wide Services, the proposed by-law, as appended to the staff report, dated November 29, 2022, BE INTRODUCED at the Municipal Council meeting to be held on December 13, 2022, to:

- a) approve the Automatic Aid Agreement, as appended to the above-noted by-law, between The Corporation of the City of London and The Corporation of the Municipality of Central Elgin regarding the provision of certain fire protection services by Central Elgin to specified areas withing London; and,
- b) authorize the Mayor and the City Clerk to execute the above-noted by-law. (2022-P16)

Motion Passed

3. Scheduled Items

3.1 4th Report of the Animal Welfare Community Advisory Committee

Moved by: C. Rahman

Seconded by: J. Pribil

That the following actions be taken with respect to the 4th Report of the Animal Welfare Advisory Committee, from its meeting held on November 3, 2022:

- a) the following actions be taken with respect to the Animal Welfare Community Advisory Committee (AWCAC) 2022 Budget:
 - i) M. Blosch, Acting Chair, BE GRANTED delegation status at the November 29, 2022 Community and Protective Services Committee (CPSC) meeting to advise CPSC on the AWAC request for the expenditure of it's budget; and,
 - ii) the full 2022 Budget expenditure of \$1,500 BE ALLOCATED for the purchase of bird-friendly window collision tape; it being noted that the AWCAC received the attached Sub-Committee Report with respect to the review of the 2022 AWCAC Budget; and,
- b) clauses 1.1, 2.1 to 2.3 and 5.1 to 5.6 BE RECEIVED.

Yeas: (5): E. Pelosa, S. Stevenson, J. Pribil, C. Rahman, and D. Ferreira

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

4. Items for Direction

4.1 REQUESTS FOR DELEGATION STATUS - Animal Control By-Law

That the Civic Administration BE DIRECTED to prepare a staff report to be brought forward to the January 2023 Community and Protective Services Committee meeting with respect to a potential amendment to By-law PH-3, the Animal Control By-law, to permit the keeping of class 7 animals

within the City of London, under such requirements as are recommended by the Civic Administration; it being noted that a draft by-law will be included with the staff report;

it being pointed out that the following individuals gave verbal delegations, with respect to this matter:

- B. Child, Reptilia;
- L. Longo, Aird & Berlis LLP;
- Dr. R. Murphy, Reptilia;
- M. Hamers, World Animal Protection;
- M. Blosh;
- J. Van Daele;
- F. Morrison;
- J. Woodyer, Zoocheck;
- Dr. C. Warwick;
- S. Tinney, Animal Justice;
- A.E. Nash, Colorado Reptile Humane Society;
- C. Kuijpers;
- R. Laidlaw, Zoocheck;
- M. Markham; and,
- M. Lerner, Lerner Lawyers;

it being noted that communications from the following individuals, as appended to the Agenda and the Added Agenda, were received with respect to this matter:

- M. Lerner, Lerner Lawyers;
- B. Child, Reptilia;
- L. Longo, Aird & Berlis LLP;
- Dr. R. Murphy, Reptilia;
- M. Hamers, World Animal Protection;
- M. Blosh;
- J. Van Daele;
- K. Lomack;
- F. Morrison;
- J. Woodyer, Zoocheck;
- Dr. C. Warwick;
- S. Tinney, Animal Justice;
- L. White, Animal Alliance Canada;
- A.E. Nash, Colorado Reptile Humane Society;
- C. Kuijpers;
- R. Laidlaw, Zoocheck;
- M. Markham;
- Councillor P. Van Meerbergen;
- K. Smith;
- D. Brooks, Ontario SPCA and Humane Society;
- L. Jackson;
- S. Baisley;
- J. Winston;
- K. Sussman;
- B.K. MacKay; and,
- W. Brown. (2022-P14)

Motion Passed

Voting Record:

Moved by: J. Pribil

Seconded by: S. Stevenson

Motion to approve the delegation requests, as appended to the Agenda and the Added Agenda, to be heard at this meeting.

Yeas: (5): E. Pelozza, S. Stevenson, J. Pribil, C. Rahman, and D. Ferreira

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

Moved by: D. Ferreira

Seconded by: E. Pelozza

Motion that the delegations and communications BE RECEIVED and NO ACTION BE TAKEN with respect to this matter.

Yeas: (2): E. Pelozza, and D. Ferreira

Nays: (3): S. Stevenson, J. Pribil, and C. Rahman

Absent: (1): Mayor J. Morgan

Motion Failed (2 to 3)

Moved by: S. Stevenson

Seconded by: J. Pribil

That the Civic Administration BE DIRECTED to prepare a by-law to BE INTRODUCED at the Municipal Council meeting to be held on December 13, 2022 to amend By-law PH-3, the Animal Control By-law, to permit the keeping of class 7 animals within the City of London under such requirements as are recommended by the Civic Administration.

Moved by: D. Ferreira

Seconded by: E. Pelozza

That the above clause be amended to read:

That the Civic Administration BE DIRECTED to prepare a staff report to be brought forward to the January 2023 Community and Protective Services Committee meeting with respect to a potential amendment to By-law PH-3, the Animal Control By-law, to permit the keeping of class 7 animals within the City of London under such requirements as are recommended by the Civic Administration; it being noted that a draft by-law will be included with the staff report.

Yeas: (4): E. Pelozza, J. Pribil, C. Rahman, and D. Ferreira

Nays: (1): S. Stevenson

Absent: (1): Mayor J. Morgan

Motion Passed (4 to 1)

4.2 Councillor E. Pelozza - Renaming of Paul Haggis Park

Moved by: E. Pelozza

Seconded by: C. Rahman

That the following actions be taken with respect to the communication, dated November 21, 2022, from Councillor E. Pelozza and Mayor J. Morgan, related to the Renaming of Paul Haggis Park:

- a) the Civic Administration BE DIRECTED to begin removing Paul Haggis' name from the city park located at 2875 Bateman Trail and to remove all related references from the City's website; and,
- b) the Civic Administration BE DIRECTED to subsequently begin the process of renaming this location, including consultation with residents in the vicinity;

it being noted that the above-noted communication from Councillor E. Pelozo and Mayor J. Morgan, as well as the communications, as appended to the Added Agenda, from J. Dunn, London Abused Women's Centre and K. O'Brien, with respect to this matter, were received. (2022-M04A)

Yeas: (5): E. Pelozo, S. Stevenson, J. Pribil, C. Rahman, and D. Ferreira

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

4.3 2022 Parkland Conveyance and Levy By-Law CP-9 Update

Moved by: C. Rahman

Seconded by: S. Stevenson

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 29, 2022, related to an update on the 2022 Parkland Conveyance and Levy By-law CP-9:

- a) the proposed by-law, as appended to the above-noted staff report, BE INTRODUCED at the Municipal Council meeting to be held on December 13, 2022, to require the conveyance of land for park or other public recreational purposes as a condition of the development or redevelopment of land within the City of London, or the payment of money in lieu of such conveyance (the "Parkland Dedication By-law"); it being noted that the by-law will come into force and effect January 1, 2023;
- b) the Civic Administration BE DIRECTED to undertake a comprehensive review of the Parkland Conveyance and Levy By-law, as required by the COVID-19 Economic Recovery Act, 2020 and the More Homes Built Faster Act, 2022; and,
- c) the Civic Administration BE DIRECTED to undertake the next bi-annual Parkland Conveyance and Levy By-law CP-9 land values update to be completed by January 1, 2025;

it being noted that the delegation request from M. Wallace, London Development Institute, as appended to the Added Agenda, was withdrawn by Mr. Wallace. (2022-C01)

Yeas: (5): E. Pelozo, S. Stevenson, J. Pribil, C. Rahman, and D. Ferreira

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

5. Deferred Matters/Additional Business

None.

6. Confidential

Moved by: S. Stevenson

Seconded by: J. Pribil

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

6.1 Personal Matter/Identifiable Individual

A matter pertaining to identifiable individuals with respect to the 2023 Mayor's New Year's Honour List – "Sports" Category.

(ADDED) 6.2 Solicitor-Client Privilege

A matter pertaining to advice that is subject to solicitor-client privilege, including communications necessary for that purpose regarding an exemption to the Animal Control By-law.

Yeas: (5): E. Pelozza, S. Stevenson, J. Pribil, C. Rahman, and D. Ferreira

Absent: (1): Mayor J. Morgan

Motion Passed (5 to 0)

The Community and Protective Services Committee convened In Closed Session from 6:08 PM to 6:58 PM.

7. Adjournment

The meeting adjourned at 8:19 PM.

Civic Works Committee

Report

The 1st Meeting of the Civic Works Committee
November 29, 2022

PRESENT: Councillors C. Rahman (Chair), H. McAlister, P. Cuddy, S. Trosow, P. Van Meerbergen, Mayor J. Morgan

ALSO PRESENT: Councillor J. Pribil; D. MacRae, K. Mason, A. Rammeloo, A. Rozenhal, K. Scherr, J. Stanford, K. Van Lammeren, B. Westlake-Power.

ALSO PRESENT: A. Barbon, J. Bunn, M. Butlin, J. Dann, D. Freeman, M. Schulthess, L. Stewart.

The meeting was called to order at 12:00 PM with Councillor C. Rahman in the Chair; it being noted that P. Van Meerbergen was in remote attendance.

1. Call to Order

1.1 Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

1.2 Election of Vice-Chair

Moved by: S. Trosow

Seconded by: P. Cuddy

That Councillor H. McAlister BE ELECTED Vice-Chair of the Civic Works Committee for the term ending November 14, 2023.

Yeas: (4): C. Rahman, H. McAlister, P. Cuddy, and S. Trosow

Absent: (2): P. Van Meerbergen, and Mayor J. Morgan

Motion Passed (4 to 0)

2. Consent

Moved by: P. Cuddy

Seconded by: H. McAlister

That Items 2.1 to 2.6 BE APPROVED.

Yeas: (6): C. Rahman, H. McAlister, P. Cuddy, S. Trosow, P. Van Meerbergen, and Mayor J. Morgan

Motion Passed (6 to 0)

2.1 4th Report of the Environmental Stewardship and Action Community Advisory Committee

Moved by: P. Cuddy

Seconded by: H. McAlister

That the following actions be taken with respect to the 4th Report of the Environmental Stewardship and Action Community Advisory Committee, from its meeting held on November 2, 2022:

- a) the Working Group comments with respect to the Revised Notice of Planning Application for Draft Plan of Subdivision for the properties located at 3350, 3480 Morgan Avenue and 1363 Wharncliffe Road South BE FORWARDED to M. Johnson, Senior Planner, for consideration; and,
- b) clauses 1.1, 2.1, 2.2, 3.1 to 3.3 and 6.1 BE RECEIVED.

Motion Passed

2.2 5th Report of the Integrated Transportation Community Advisory Committee

Moved by: P. Cuddy
Seconded by: H. McAlister

That the following actions be taken with respect to the 5th Report of the Integrated Transportation Community Advisory Committee, from its meeting held on November 16, 2022:

a) the following actions be taken with respect to the presentation, dated November 16, 2022, from J. Kelso, AECOM, related to the Southdale Road West Phase 2 Improvements – Southdale Road/Colonel Talbot Roundabout:

- i) the Civic Administration BE REQUESTED to report back at a future meeting of the Integrated Transportation Community Advisory Committee, in a timely manner, to provide an update as to public comments received through the consultation, and any related design and/or implementation changes as a result; and,
- ii) the above-noted presentation BE RECEIVED;

b) the following actions be taken with respect to the staff report, dated March 1, 2022, related to the Mobility Master Plan Appointment of Consultant:

- i) that the Master Mobility Plan Project Team BE REQUESTED to liaise with D. Foster, Chair, Master Mobility Plan Sub-Committee, with respect to matters related to the sub-committee activity; it being noted that D. Foster will also liaise with other sub-committees of the Integrated Transportation Community Advisory Committee; and,
- ii) the above-noted staff report BE RECEIVED; and,

c) clauses 1.1, 2.1, 2.3, 3.1 to 3.4 and 6.1 BE RECEIVED.

Motion Passed

2.3 SS-2022-299 Single Source Contract Renewal: Navistar Original Equipment Manufacturer Replacement Parts

Moved by: P. Cuddy
Seconded by: H. McAlister

That, on the recommendation of the Deputy City Manager, Finance Supports, the following actions be taken with respect to the staff report, dated November 29, 2022, related to the Single Source Contract Renewal:

Navistar Original Equipment Manufacturer Replacement Parts (SS-2022-299):

- a) approval BE GIVEN to exercise the single source provisions of the Procurement of Goods and Services Policy under sections 14.4 (d) and (e) to renew the contract with Carrier Centers, 90 Enterprise Dr. London Ontario N6N 1A8 for the supply and delivery of Navistar Original Equipment Manufacturer (OEM) replacement parts on City owned trucks for a one (1) year contract with an option to renew for five (5) additional years;
- b) the negotiated price of 1% discount (net 30) off the Navistar National Pricing List for all Navistar inventoried and non-inventoried OEM parts BE ACCEPTED; it being noted that the Electronic National Price List is to be provided on a quarterly basis to the City of London Purchasing and Supply Division from Carrier Centers;
- c) the Civic Administration BE AUTHORIZED to undertake all administrative acts that are necessary in connection with this contract; and,
- d) the approval, hereby given, BE CONDITIONAL upon the Corporation entering into a formal contract or having a purchase order, or contract record relating to the subject matter of this approval. (2022-V01)

Motion Passed

2.4 Contract Amendment: RFP21-38 CNG Side Loading Waste Collection Trucks

Moved by: P. Cuddy
Seconded by: H. McAlister

That, on the recommendation of the Deputy City Manager, Finance Supports, the following actions be taken with respect to the staff report, dated November 29, 2022, related to a Contract Amendment for CNG Side Loading Waste Collection Trucks (RFP 21-38):

- a) the Supply and Delivery of Compressed Natural Gas (CNG) Split and Single Stream Side Loading Waste Collection Trucks (RFP 21-38) contract value with Vision Truck Group BE INCREASED by \$110,000.00 to \$2,415,511.00 (excluding HST) in accordance with Section 20.3 (e) of the Procurement of Goods and Services Policy;
- b) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this contract amendment; and,
- c) the funding for this project BE APPROVED as set out in the Source of Financing Report, as appended to the above-noted staff report. (2022-V01)

Motion Passed

2.5 2025 One Water Development Charges Background Study Appointment of Consultant

Moved by: P. Cuddy

Seconded by: H. McAlister

That, on the recommendation of Deputy City Manager, Environment and Infrastructure, the following actions be taken with respect to the staff report dated November 29, 2022, related to the appointment of a consultant for the 2025 One Water Development Charges Background Study:

- a) Aquafor Beech Limited BE APPOINTED as the Consulting Engineer to complete the 2025 One Water Development Charges Background Study in the amount of \$465,814.80 (excluding HST) in accordance with their proposal and Section 15.2 (e) of the City of London's Procurement of Goods and Services Policy;
- b) the financing for this project BE APPROVED as set out in the Sources of Financing Report, as appended to the above-noted staff report;
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this assignment;
- d) the approval given herein, BE CONDITIONAL upon the Corporation entering into a formal contract with the consultant for the work; and,
- e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2022-E13)

Motion Passed

2.6 Vendor of Record Contract Award: Request for Proposal RFP-2022-170 - Rapid Transit Shelter Infrastructure

Moved by: P. Cuddy

Seconded by: H. McAlister

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 29, 2022, related to an award of contract for the Request for Proposal RFP-2022-170 – Rapid Transit Shelter Infrastructure project:

- a) Enseicom BE APPOINTED to undertake engineering and prototype fabrication, at an upset amount of \$563,496.55, including contingency (excluding HST), in accordance with Section 15.2 (e) of the City of London's Procurement of Goods and Services Policy;
- b) the Civic Administration BE AUTHORIZED to appoint Enseicom as the Vendor of Record for fabrication, supply, and installation of rapid transit shelter infrastructure for periods of one (1) year for final engineering design and prototype works and three (3) years for fabrication, supply, and installation with an option for renewal based on positive performance and price;

- c) the Civic Administration BE AUTHORIZED to undertake all administrative acts that are necessary in connection with this project;
- d) the approval given herein, BE CONDITIONAL upon the Corporation entering into a formal contract with Enseicom for this work;
- e) the funding for the engineering completion and prototype works BE APPROVED as set out in the Source of Financing Report, as appended to the above-noted staff report; and,
- f) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2022-T03)

Motion Passed

3. Scheduled Items

None.

4. Items for Direction

4.1 Mobility Master Plan Update

Moved by: Mayor J. Morgan
 Seconded by: P. Cuddy

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 29, 2022, related to the development of the Mobility Master Plan:

- a) the above-noted staff report BE RECEIVED for the purpose of providing Municipal Council with an update on the progress of the consultation for the Mobility Master Plan; and,
- b) the following Vision and Guiding Principles for the development of the Mobility Master Plan BE APPROVED:

Vision Statement:

In 2050, Londoners of all identities, abilities and means will have viable mobility options to allow them to move throughout the city safely and efficiently, as well as providing connectivity to the Region. The movement of people and goods will be environmentally sustainable, affordable, and supportive of economic growth and development.

Guiding Principles:

- Environmentally Sustainable
- Equitable
- Financially Sustainable
- Healthy and Safe
- Integrated, Connected and Efficient. (2022-T03)

Yeas: (6): C. Rahman, H. McAlister, P. Cuddy, S. Trosow, P. Van Meerbergen, and Mayor J. Morgan

Motion Passed (6 to 0)

5. Deferred Matters/Additional Business

None.

6. Adjournment

The meeting adjourned at 12:36 PM.

Strategic Priorities and Policy Committee

Report

3rd Meeting of the Strategic Priorities and Policy Committee
December 6, 2022

PRESENT: Mayor J. Morgan (Chair), Councillors H. McAlister, S. Lewis, P. Cuddy, S. Stevenson, J. Pribil, S. Trosow, C. Rahman, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Franke, E. Pelosa, D. Ferreira, S. Hillier

ALSO PRESENT: L. Livingstone, A. Barbon, S. Corman, K. Dickins, S. Mathers, K. Murray, K. Scherr, C. Smith, B. Westlake-Power

Remote Attendance: B. Card, J. Davies, A. Dunbar, K. Edwards, M. Galczynski, M. Liu, T. MacBeth, H. McNeely, R. Morris, K. Pawelec, M. Schulthess, P. Yeoman

The meeting is called to order at 4:01 PM; it being noted that the following Members were in remote attendance: Mayor J. Morgan, Councillors P. Van Meerbergen and S. Hillier.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Consent

Moved by: S. Lehman
Seconded by: P. Cuddy

That items 2.1 to 2.6 BE APPROVED.

Yeas: (15): J. Morgan, H. McAlister, S. Lewis, P. Cuddy, S. Stevenson, J. Pribil, S. Trosow, C. Rahman, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Franke, E. Pelosa, D. Ferreira, and S. Hillier

Motion Passed (15 to 0)

2.1 London Community Grants Program Innovation and Capital Funding Allocations (2022) – Update

Moved by: S. Lehman
Seconded by: P. Cuddy

That, on the recommendation of the Deputy City Manager, Neighbourhood and Community-Wide Services, the report dated December 6, 2022, titled “London Community Grants Program Innovation and Capital Funding Allocations (2022) - Update”, BE RECEIVED for information.

Motion Passed

2.2 Investing in Canada Infrastructure Program Public Transit Stream (ICIP-PTS) – London Transit Commission Highbury Avenue Facility Demolition and Rebuild – Project 1

Moved by: S. Lehman
Seconded by: P. Cuddy

That, on the recommendation of the Deputy City Manager, Finance Supports and the Deputy City Manager, Environment & Infrastructure with the concurrence of the General Manager, London Transit Commission, the following actions be taken:

- a) the Civic Administration BE DIRECTED to submit London Transit Commission (LTC) Highbury Avenue Facility Demolition and Rebuild – Project 1 to the Investing in Canada Infrastructure Program Public Transit Stream (ICIP-PTS);
- b) the budget for the project BE APPROVED in accordance with the Source of Financing Report as appended to the staff report dated December 12, 2022, as Appendix “A”; and,
- c) the Civic Administration BE AUTHORIZED to carry out all budget adjustments required to establish the budget for the LTC Highbury Avenue Facility Demolition and Rebuild.

Motion Passed

2.3 Confirmation of Appointment to the Argyle Business Improvement Area

Moved by: S. Lehman
Seconded by: P. Cuddy

That the following individuals BE APPOINTED to the Argyle Business Improvement Area Board of Management for the term ending November 14, 2026:

Rob Graham, Chair, Jiffy Lube
Carol Taylor-Wilks, Vice Chair, Carol Wilks Consultants
Frank Boutzis, Treasurer, Easy Financial
Chris Metron, Warehouse Guys
Rob Aiken, Music Central
Deborah Haroun, Children’s Place
Donna Moerenhout, Razor’s Barber Shop
Lina Marie Phillips, Craklins Fish and Chips

it being noted that the Strategic Priorities and Policy Committee received a communication dated November 25, 2022 from B. Mejia, Executive Director, Argyle BIA with respect to this matter.

Motion Passed

2.4 Confirmation of Appointment to Downtown London

Moved by: S. Lehman
Seconded by: P. Cuddy

That the following individuals BE APPOINTED to the Argyle Business Improvement Area Board of Management for the term ending November 14, 2026:

Asaad Naeeli, Dos Tacos
Bonnie Wludyka, Citi Plaza
Carolyn Conron, Conron Law Professional Corp
Keith Brett, ANNDining
Kristin Neilson, Glen CORR Management Inc
Marcello Vecchio, Farhi Holdings Corporation
Michelle Giroux, Fanshawe College Downtown Campus

Mike Pottruff, London Police Service
Michaelanne Hathaway, Stache Fabric & Notions
Nick Vander Gulik, Shoppers Drug Mart – Vander Guli Pharmacy Inc
Scott Collyer, Empyrean Communications Resources LLC
Steve Pellarin, London Small Business Centre
David Ferreira, City of London Councillor

it being noted that the Strategic Priorities and Policy Committee received a communication dated November 23, 2022 from B. Maly, Executive Director, London Downtown with respect to this matter.

Motion Passed

2.5 Confirmation of Appointment to the Hyde Park Business Improvement Association

Moved by: S. Lehman
Seconded by: P. Cuddy

That the following individuals BE APPOINTED to the Hyde Park Business Improvement Association Board of Management for the term ending November 14, 2026:

Nancy Moffatt Quinn, Moffatt & Powell Rona
Vickie Balazs, Jaydancin
Terryanne Daniel, Synergy Centre
Lorean Pritchard, ReDECOR Consignment
Tom Delaney, Oxford Dodge
Kelsey Watkinson, Curley Brewing Company

it being noted that the Strategic Priorities and Policy Committee received a communication from the Hyde Park Business Improvement Association with respect to this matter.

Motion Passed

2.6 8th Report of the Diversity, Inclusion and Anti-Oppression Community Advisory Committee

Moved by: S. Lehman
Seconded by: P. Cuddy

That the 8th Report of the Diversity, Inclusion and Anti-Oppression Community Advisory Committee from its meeting held on November 10, 2022 BE RECEIVED.

Motion Passed

3. Scheduled Items

3.1 Tabling of the 2023 Annual Budget Update

Moved by: S. Lewis
Seconded by: P. Cuddy

That the following actions be taken with respect to the Draft 2023-Tax-Supported Annual Update and the Draft Water and Wastewater Treatment Budgets Annual Update:

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

b) the overview presentation, as appended to the added agenda, by the Deputy City Manager, Finance Supports with respect to the 2023 Budget Update BE RECEIVED;

it being noted that the following documents were provided to the Members, and are available on the City website: Draft Property Tax Supported Budget, 2023 Annual Update and Draft Water and Wastewater & Treatment, 2023 Annual Update.

Yeas: (15): J. Morgan, H. McAlister, S. Lewis, P. Cuddy, S. Stevenson, J. Pribil, S. Trosow, C. Rahman, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Franke, E. Pelozza, D. Ferreira, and S. Hillier

Motion Passed (15 to 0)

4. Items for Direction

4.1 Request for Delegation Status - Valerie Terejko - Bill 5 - Stopping Harassment and Abuse by Local Leaders Act, 2022

Moved by: J. Morgan
Seconded by: C. Rahman

That the Mayor BE DIRECTED to write to local MPPs, Premier Doug Ford and the Minister of Municipal Affairs and Housing, on behalf of the municipal council, in support of the proposed Bill 5; it being noted that the Association of Municipalities of Ontario will also be copied on this letter.

Yeas: (15): J. Morgan, H. McAlister, S. Lewis, P. Cuddy, S. Stevenson, J. Pribil, S. Trosow, C. Rahman, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Franke, E. Pelozza, D. Ferreira, and S. Hillier

Motion Passed (15 to 0)

Additional votes:

Moved by: S. Franke
Seconded by: A. Hopkins

That the delegation request from Valerie Terejko BE APPROVED to be heard at this time.

Yeas: (15): J. Morgan, H. McAlister, S. Lewis, P. Cuddy, S. Stevenson, J. Pribil, S. Trosow, C. Rahman, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Franke, E. Pelozza, D. Ferreira, and S. Hillier

Motion Passed (15 to 0)

4.2 City of London Corporate Growth Projections 2021-2051

Moved by: S. Franke
Seconded by: J. Morgan

That, on the recommendation of the Acting Director, Planning and Development, the following actions be taken with respect to the City of London corporate growth forecast:

a) the staff report BE RECEIVED for information;

b) the revised final report by Watson and Associates Economists entitled “Population, Housing and Employment Growth Projection Study, 2021-2051”, as appended to the staff report dated December 12, 2022 as Appendix “B”, BE RECEIVED for information;

c) the Reference Scenario outlined in the final report prepared by Watson and Associates Economists entitled “Population, Housing and Employment Growth Projection Study, 2021-2051”, as appended to the staff report dated December 12, 2022 as Appendix “B”, BE ENDORSED for use as the City of London corporate growth forecast, including but not limited to use in forthcoming *Planning Act* and *Development Charges Act* initiatives; and,

d) the Civic Administration BE DIRECTED to report back to Council, through the Strategic Priorities and Policy Committee, in advance of the Ontario Government’s deadline, on options, approaches, and necessary investments required to achieve the City of London’s assigned housing target of 47,000 new homes;

it being noted that the Strategic Priorities and Policy Committee heard a delegation from C. Mettler and S. Levin, Urban League of London (attached), M. Wallace, Executive Director, London Development Institute and A. Valastro, with respect to this matter.

Yeas: (15): J. Morgan, H. McAlister, S. Lewis, P. Cuddy, S. Stevenson, J. Pribil, S. Trosow, C. Rahman, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Franke, E. Pelosa, D. Ferreira, and S. Hillier

Motion Passed (15 to 0)

Additional votes:

Moved by: S. Franke

Seconded by: A. Hopkins

That the delegation requests BE APPROVED to be heard at this meeting.

Yeas: (15): J. Morgan, H. McAlister, S. Lewis, P. Cuddy, S. Stevenson, J. Pribil, S. Trosow, C. Rahman, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Franke, E. Pelosa, D. Ferreira, and S. Hillier

Motion Passed (15 to 0)

4.3 Application of Equity Lens for Citizen Appointment Process

Moved by: C. Rahman

Seconded by: S. Franke

That the following actions be taken with respect to the application of the Equity Tool, under the Anti-Racism and Anti-Oppression Framework, as it relates to appointments to Advisory Committee, Boards and Commissions:

a) the Civic Administration BE DIRECTED to take the necessary steps to ensure the application of the above-noted tool to recruitment and public engagement endeavours related to appointments; and,

b) a staff report BE SUBMITTED to the Governance Working Group for consideration, related to the incorporation of the Equity Tool to the appointment process.

Yeas: (14): J. Morgan, H. McAlister, S. Lewis, P. Cuddy, S. Stevenson, J. Pribil, S. Trosow, C. Rahman, S. Lehman, A. Hopkins, S. Franke, E. Pelosa, D. Ferreira, and S. Hillier

Nays: (1): P. Van Meerbergen

Motion Passed (14 to 1)

5. Deferred Matters/Additional Business

None.

6. Adjournment

Moved by: D. Ferreira

Seconded by: C. Rahman

That the meeting BE ADJOURNED.

Motion Passed

The meeting adjourned at 7:00 PM.



**URBAN LEAGUE
LONDON**

We believe that engaged and informed Londoners are the building blocks of a vital, successful, and sustainable city.



Urban Growth Projection: 2021-2051

- The Growth Projection and the scenario decided upon by council **will have big implications**
- It will inform many major undertakings and plans, including:
 - The Development Charges Study (will set rates for next five years and impact city finances)
 - London Plan - Comprehensive Review
 - Servicing Studies
 - Community Facility Master Planning Studies
 - Development applications

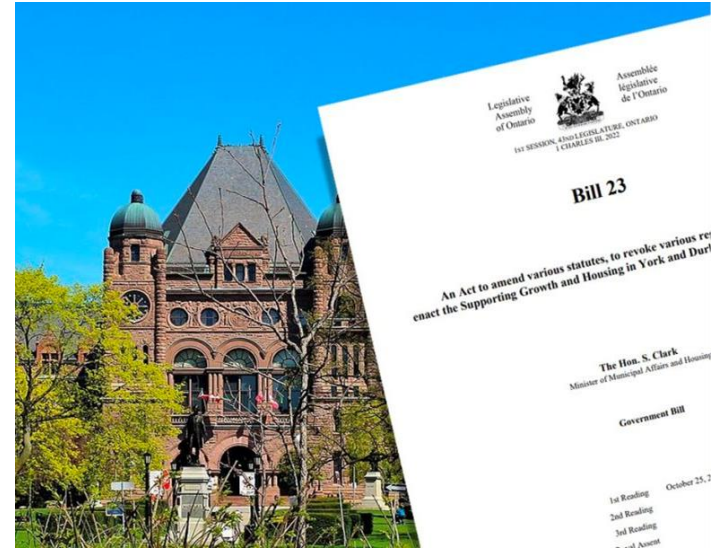


LONDON

NEIGHBOURHOODS

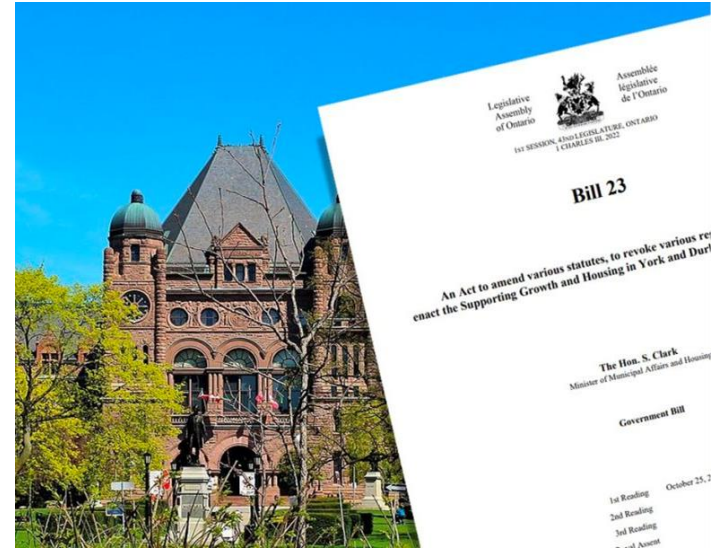
The impact of Bill 23 on Development Charges (DCs)

- City estimated to lose \$97 million in DC revenue
- Bill 23's impacts on DCs:
 - Freezing, reducing, exempting DCs municipalities can levy
 - E.g. five-year phase-in of DC rate increases
 - E.g. discount for purpose-built rentals (in addition to phase-in)
 - New regulations to set services for which land costs would no longer be recoverable from DCs– could result in significant revenue losses (i.e. if roads are excluded)



Development Charges and City Finance

- City pays for new infrastructure servicing first, revenues from DCs come later
- Any shortfalls / loss of DC revenues can only come from property taxes or other levels of gov't
 - If Province bails out municipalities, payment won't be made at building permit stage, as is current practice
 - Growth no longer pays for growth
- **Reinforces the need to adopt a fiscally conservative growth forecast**



Adopting A High Growth Scenario Is Not Necessary

- The years 2016-2021 had *historically high* growth period in housing; the Reference Scenario in the Watson report anticipates robust housing construction *beyond what was seen in 2016-2021*
 - Anomalous period, particularly due to COVID-19's impact on housing market and intra-provincial migration
 - Housing demand has significantly cooled since its peak in Feb 2022, and trending downward
 - Potential coming recession leaves a lot of uncertainty – climbing interest rates likely to put more downward pressure on demand. How long will it take for the boom to resume?
- If housing demand is much higher than a more conservative scenario, the City can address this using the **Growth Management Implementation Strategy** (yearly review) and the **Capital Budget** to fund infrastructure needs

Implications of Adopting a Higher Growth Scenario than Needed

- Could put serious strain on City finances if high scenario adopted that does not materialize (insufficient revenue collection to pay for infrastructure servicing that precedes development or delay road projects)
- Puts pressure on the Urban Growth Boundary and vital farmland and green infrastructure assets that provide a number of community services free of charge (stormwater & flood regulation, heat reduction, biodiversity, etc.)
- **Adopting a higher growth scenario may benefit land owners, but it can undercut city finances, particularly due to Bill 23. Growth will not pay for growth**
- **Builders build to meet actual demand, not what is forecasted or targeted**

Housing Growth Forecasting

Growth Option 1: 40% Housing Intensification

Growth Option 1 is premised on an annual housing intensification target of 40%, which is slightly lower than the London Plan, Official Plan (OCP)

Growth Option 2: 45% Housing Intensification

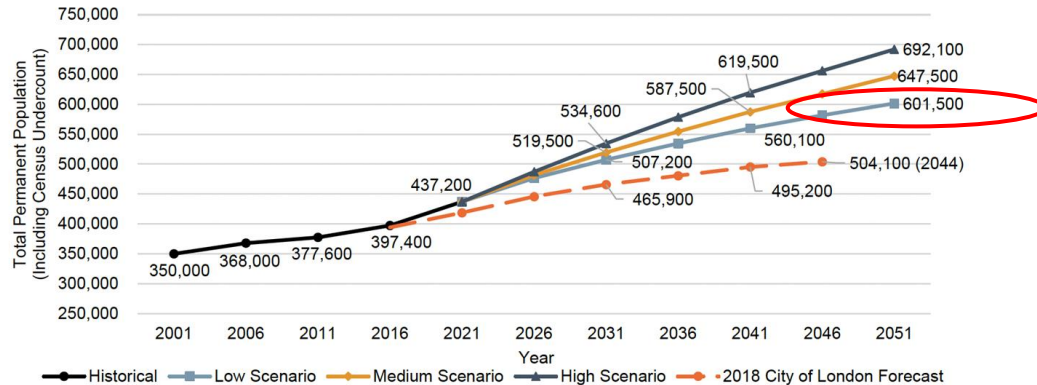
Growth Option 2 is premised on an annual housing intensification target of 45%, consistent with the City of London OCP

Growth Option 3: 50% Housing Intensification

Under Growth Option 3, the City's long-term housing intensification target has been increased to 50% over the forecast period between 2021 to 2051.

Does the lowest Growth Scenario have a downside?

Figure ES-2
City of London
Long-term Forecast Population Scenarios, 2021 to 2051



- Still significantly higher than previous projections
- Can address higher growth with other tools like GMIS, if needed
- Avoids locking us into high scenarios with potentially big financial and ecological implications during a time of great uncertainty

Bill No. 4
2023

By-law No. A.- _____ - ____

A by-law to confirm the proceedings of the
Council Meeting held on the 13th day of
December, 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 December 13, 2022.

Josh Morgan
Mayor

Michael Schulthess
City Clerk

First Reading – December 13, 2022
Second Reading – December 13, 2022
Third Reading – December 13, 2022

Bill No. 5
2023

By-law No. A.-_____ -____

A by-law to authorize the City Treasurer or Deputy Treasurer of The Corporation of the City of London to borrow certain sums to meet current expenditures of the Corporation for the year 2023.

WHEREAS the Municipal Council of The Corporation of the City of London deems it necessary to borrow monies to meet the current expenditures of the Corporation for the year 2023 pending the collection of current revenues;

AND WHEREAS under section 407 of the *Municipal Act, 2001, S.O. 2001, c.25*, as amended, the Corporation is authorized to borrow for current purposes from January 1st to September 30th in the year, 50 per cent of the total estimated revenues of the municipality as set out in the budget adopted for the year; and from October 1st to December 31st in the year, 25 per cent of the total estimated revenues of the municipality as set out in the budget adopted for the year;

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

1. The City Treasurer or Deputy Treasurer of The Corporation of the City of London (hereinafter referred to as the "Corporation") are hereby authorized to borrow from time to time from the Bank of Nova Scotia, or other person or persons, by way of promissory notes and/or the City's operating credit line and at such rate or rates of interest as they may approve, such sum or sums which together with the total of all other temporary borrowings hereunder that have not been repaid shall not exceed \$102,000,000 at any one time, to meet, until the taxes are collected, the current expenditures of the Corporation for the year 2023; provided that notwithstanding the sums authorized to be borrowed hereunder, the amount that may be borrowed hereunder at any one time, together with the total of any similar borrowings that have not been repaid, shall not, except with the approval of the Local Planning Appeal Tribunal, exceed from January 1st to September 30th in the year, 50 per cent of the total estimated revenues of the municipality as set out in the budget adopted for the year; and from October 1st to December 31st in the year, 25 per cent of the total estimated revenues of the municipality as set out in the budget adopted for the year, all as provided for in section 407 of the *Municipal Act, 2001, S.O. 2001, c.25*, as amended.
2. All promissory notes of the Corporation shall be sealed with the seal of the Corporation and signed by the Mayor, the Deputy Mayor or the Acting Mayor, and by the City Treasurer or the Deputy Treasurer; provided however, that the signature of the Mayor, the Deputy Mayor or the Acting Mayor, may be written or stamped, printed, lithographed, engraved or otherwise mechanically reproduced.
3. Promissory notes signed in accordance with this by-law and sealed with the seal of the Corporation, for the amounts from time to time borrowed under the authority hereof, and interest thereon, may be given to the Bank of Nova Scotia, its representative, or other person or persons from time to time as security for such loans.
4. The City Treasurer is authorized and directed to apply in payment of the money borrowed as aforesaid, together with the interest thereon, all the monies now or hereafter collected or received on account or realized in respect of taxes levied for 2023 and any preceding year, and all the monies collected or received from other sources excluding the sale of debentures, which may be lawfully applied for such purposes.
5. The Mayor, the Deputy Mayor or the Acting Mayor, and the City Treasurer or the Deputy Treasurer of the Corporation are authorized to execute on behalf of the Corporation, under its Corporate Seal, and delivered to the Bank of Nova Scotia, or its representative or other persons, an agreement that all or any sums borrowed for any or

all of the purposes mentioned in section 407 of the *Municipal Act, 2001, S.O. 2001, c.25*, as amended, shall, with interest thereon, be a charge upon the whole or any part or parts of the revenues of the Corporation for 2023 and for any preceding year as and when such revenues are received; provided that such charge does not defeat or effect and is subject to any prior charge then subsisting in favor of any other lender.

6. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on December 13, 2022.

Josh Morgan
Mayor

Michael Schulthess
City Clerk

First Reading – December 13, 2022
Second Reading – December 13, 2022
Third Reading – December 13, 2022

Bill No. 6
2023

By-law No. A.-_____

A by-law to authorize and approve the Purchasing and Revenue Share Agreement between Extendicare (Canada) Inc. carrying on business as SGP Purchasing Partner Network (“SGP”) and The Corporation of the City of London, commencing January 1, 2023, for the purpose of participating in a Revenue Share Program to receive a share of rebates received by the SGP on volume purchases of food products and other related services and products.

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

AND WHEREAS The Corporation of the City of London wishes to enter into a Purchasing and Revenue Agreement with Extendicare (Canada) Inc., 3000 Steeles Ave., Markham, Ontario, L3R 9W2, carrying on business as SGP Purchasing Partner Network (“SGP”), commencing January 1, 2023, for the purpose of participating in a Purchasing and Revenue Share Program to receive a share of rebates received by the SGP on volume purchases of food products and other related services and products;

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

1. The Purchasing and Revenue Share Agreement attached as Schedule “1” to this by-law, between Extendicare (Canada) Inc. carrying on business as SGP Purchasing Partner Network (“SGP”) and The Corporation of the City of London, commencing January 1, 2023, for the purpose of participating in a Purchasing and Revenue Share Program to receive a share of rebates received by the SGP on volume purchases of food products and other related services and products be authorized and approved.
2. Civic Administration be authorized to undertake all the necessary administrative acts in connection with this matter; and
3. The Mayor and City Clerk be authorized to execute the Purchasing and Revenue Share Agreement authorized and approved in section 1, above.
- 4.. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on December 13, 2022.

Josh Morgan
Mayor

Michael Schulthess
City Clerk

First Reading – December 13, 2022
Second Reading – December 13, 2022
Third Reading – December 13, 2022

SCHEDULE 1

PURCHASING AND REVENUE SHARE AGREEMENT

between

**EXTENDICARE (CANADA) INC. carrying on business as
SGP PURCHASING PARTNER NETWORK ("SGP")**

and

**The Corporation of the City of London, Ontario Canada
("Member")**

WHEREAS:

- A. SGP is a provider of group purchasing services through membership in its SGP Purchasing Partner Network Program (the "**Volume Discount Program**"), whereby members of the Volume Discount Program ("**VDP Members**") benefit from volume discounts negotiated by SGP on certain goods and services (including, but not limited to administration, clinical, food service, housekeeping, laundry, recreation and therapy, maintenance, capital equipment, furniture, and fixtures) purchased by VDP Members from vendors ("**VDP Vendors**") participating in the Volume Discount Program.
- B. Member wishes to participate in the Volume Discount Program on the terms and conditions set out in this Agreement.
- C. SGP agrees to provide Member the Volume Discount Program on the terms and conditions set out in this Agreement.
- D. Certain VDP Vendors may pay a portion of the revenue back to SGP from time to time in the form of rebates on the contract price of the goods and services purchased through the Volume Discount Program by the VDP Members.
- E. Member is entitled to participate in a revenue sharing arrangement (the "**Revenue Share Program**") by which Member is entitled to receive a share of any rebates received by SGP from a VDP Vendor calculated on the aggregate purchases by Member, its permitted affiliates and owners or operators of Participants (as hereinafter defined) of goods and services from such VDP Vendor.

Head Office: 3000 Steeles Avenue East, Markham, Ontario L3R 4T9
1-800-263-7025 • Fax: (866) 468-0777

NOW THEREFORE, in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby mutually acknowledged, the parties agree as follows:

PARTICIPANTS

- Member is only permitted to include as participants in the Volume Discount Program and Revenue Share Program long term care facilities, retirement facilities, nursing facilities, or other similar senior care facilities (collectively, “**Senior Care Facilities**”) that Member or an affiliate of Member directly or indirectly owns or manages, provided, however, at the sole discretion of SGP, other facilities that are not Senior Care Facilities may also be permitted to be included by Member as participants in the Volume Discount Program and the Revenue Share Program (each, a “**Participant**”).
- Member’s initial list of Participants consists of the following:

Name of Facility	No. of Beds
Dearness Home	243 LTC
City of London Cafeteria	0
Fanshawe Golf Course	0
Hamilton Road Senior’s Centre	0
Kiwanis Senior’s Centre	0
Storybook Gardens	0
Thames Valley Golf Course	0
Discretionary Benefits – City of London	0

*****SGP will add additional RSP Members to the Group at any time upon request from the City of London.**

A Participant shall cease to be a Participant hereunder upon it ceasing to be owned or managed as per Section 1 hereof, and Member shall provide SGP notice of such cessation no later than at the time of such cessation. Upon written request from Member and following a 30 day administrative evaluation period, SGP may, in its sole discretion, add Participants requested by Member to be so added.

VOLUME DISCOUNTS

- Member, its permitted affiliates and owners or operators of Participants (collectively, the “**Member Buying Group**”) are entitled to purchase goods and/or services in respect of Participants from VDP Vendors.

Better all together™

4. SGP shall maintain a list of the VDP Vendors and their respective prices/programs on SGP's website (www.sgpnetwork.com). Member may access such list once the form in Schedule "A" is completed and submitted to SGP.
5. The respective names of Member, its permitted affiliates and Participants shall be provided by SGP to each VDP Vendor by the Membership Start Date (as hereinafter defined) and thereafter Member Buying Group will be permitted to purchase goods and/or services in respect of Participants from VDP Vendors at the stated prices, subject only to meeting any financial or credit requirements of the VDP Vendor.
6. For greater certainty, the VDP Vendors' price list in effect for Member at any time shall be the same as the price list in effect for all other VDP Members at that time.
7. Member is not obligated to purchase any goods or services from any VDP Vendor, but Member acknowledges that all VDP Vendors will be notified by SGP of Member's enrollment in the Volume Discount Program.

TERM AND TERMINATION

8. Member's right to participate in the Volume Discount Program commences on **January 1, 2023**.
9. The term of this Agreement begins on the date hereof, will continue for a period of two (2) years following the Membership Start Date unless terminated earlier pursuant hereto, and may be renewed on the same terms and conditions for an additional three (3) one (1) year term by mutual written agreement executed not less than three months prior to the expiration of the initial term.
10. Either party may terminate this Agreement for convenience by providing 90 days' written notice to the other party.
11. Either party may terminate this Agreement with immediate effect for cause by providing written notice to the other party of such termination if the other party commits a material breach of any obligation set out in this Agreement and such breach is not capable of being cured, or if such breach is capable of being cured, the other party fails to cure such breach within 30 days of receipt of notice of such breach by the other party.

LIMITATION OF LIABILITY AND INDEMNITY

12. Member acknowledges and agrees that SGP only provides access to volume discounts on goods and services for direct purchase by Member Buying Group. SGP does not take title to, possession of or effect delivery of any product and expressly does not provide any

warranty, guarantee or representations to Member as to

- (a) the merchantability or fitness of any product available for purchase by VDP Vendors, or
 - (b) the capability or services of any VDP Vendors.
13. Except to the extent materially caused or contributed to by a breach by SGP of its obligations hereunder, Member hereby agrees to indemnify, defend, and hold harmless SGP and its affiliates, subsidiaries, directors, officers, employees, and agents from and against all claims, actions, causes of action, proceedings, damages, losses (including lost profits), liabilities, fines, penalties, costs and expenses of whatever nature (including reasonable legal fees) incurred by SGP in connection with, arising from or out of, or related to this Agreement, including, for greater certainty and without limitation, any failure or defect in the nature or delivery of the goods or services purchased from a VDP Vendor through the Volume Discount Program, or any misrepresentations made by a VDP Vendor to any entity within Member Buying Group with respect to any good or service purchased through the Volume Discount Program, and, for greater certainty, SGP shall in no way be liable to Member or any other entity or person in any way, except in respect of Member for a default by SGP hereunder, provided, however, such liability of SGP shall not exceed the portion of the Revenue Share (as hereinafter defined) received by SGP in respect of Member Buying Group's purchases pursuant to the Revenue Share Program.
14. SGP hereby agrees to indemnify and hold harmless the Member and its directors, offices, employees and agents from and against all claims, actions, causes of action, damages, losses, liabilities, costs and expenses incurred by the Member except those arising from any misrepresentations made by a VDP Vendor to the Member with respect to any good or services purchased through the Volume Discount Program.

REVENUE SHARE CALCULATION

15. Member acknowledges that not every VDP Vendor pays rebates on purchases made from it. Share of revenue from VDP Vendors ("**Revenue Share**") will be calculated and paid only in respect of actual rebates paid to SGP by VDP Vendors.
16. SGP will calculate Member's quarterly Revenue Share in the following manner:
- (a) thirty-five per cent (35%) on revenue generated from VDP Vendor rebates on contract purchases by Member Buying Group that are from one dollar (\$1.00) to three million dollars (\$3,000,000.00) in a calendar year;
 - (b) forty-five per cent (45%) on revenue generated from VDP Vendor rebates on

contract purchases by Member Buying Group that are from three million and one dollars (\$3,000,001.00) to five million dollars (\$5,000,000.00) in a calendar year; and

- (c) fifty per cent (50%) on revenue generated from VDP Vendor rebates on contract purchases by Member Buying Group that are over five million and one dollars (\$5,000,001.00) in a calendar year.

All of the foregoing figures in this Section exclude HST.

17. SGP will calculate the Revenue Share payable to Member in respect of its first calendar year based on a mutually agreed upon forecast of Member Buying Group purchases for that year (the “**First Year Purchase Forecast**”), and no additional payments or clawbacks shall apply should actual purchases for such year exceed or fail to meet the First Year Purchase Forecast such that Revenue Share payments would have been greater or less, as applicable, than those paid if actual purchase amounts had been applied.
18. SGP will calculate the Revenue Share payable to Member in respect of its second calendar year and any subsequent calendar year based on Member Buying Group’s actual purchases in the immediately preceding year, which may be prorated to reflect a full calendar year of purchases, in the event participation in the Revenue Share Program by Member in such year was less than 12 months.
19. No later than 60 days after the end of a quarter, Member shall be provided copies of Member Buying Group’s purchase history reports, and absent any dispute by Member in a timely fashion but in any event no later than 30 days from receipt of such reports as to the accuracy of a report, each of SGP and Member agree that the amounts contained in the reports shall be determinative for the purposes of calculating Member's Revenue Share. Member shall have the right to have the purchase history reports audited at its cost and expense.
20. Member's Revenue Share shall be calculated by SGP quarterly for the quarters ending March 31, June 30, September 30 and December 31.

PAYMENT OF REVENUE SHARE

21. Payment of Member’s Revenue Share is conditional upon Member:
 - (a) being in good standing under this Agreement, and
 - (b) Member being a member of the Revenue Share Program for the full quarter being paid out (other than the initial quarter, if Member joined the Revenue Share Program on a day other than the first day of that quarter, in which case

Member's Revenue Share will be calculated on a *pro rata* basis for that quarter). For clarity, a Member who ceases to be a member of the Revenue Share Program effective on a day that is not the last day of a quarter is not entitled to a Revenue Share for that quarter.

22. Member's Revenue Share shall be paid to Member on or before the end of the second calendar month following the end of the quarter calculated.

CONFIDENTIALITY

23. In this Agreement, "**Confidential Information**" of a party means any and all information of a party or, in the case of SGP, information about the Volume Discount Program, the VDP Vendors, their products and services and price lists, and other VDP Members (including to the extent such information is on the SGP website (www.sgpnetwork.com)), and, in the case of Member Buying Group, purchases under the Volume Discount Program (the "**Disclosing Party**") that has or will come into the possession or knowledge of the other party (the "**Receiving Party**") in connection with or as a result of entering into this Agreement, including information concerning the Disclosing Party's past, present or future customers, suppliers, technology, or business. Notwithstanding the foregoing, Confidential Information does not include information that is:
- (a) publicly available when it is received by or becomes known to the Receiving Party or that subsequently becomes publicly available other than through a direct or indirect act or omission of the Receiving Party (but only after it becomes publicly available);
 - (b) established by evidence to have been already known to the Receiving Party at the time of its disclosure to the Receiving Party and is not known by the Receiving Party to be the subject of an obligation of confidence of any kind;
 - (c) independently developed by the Receiving Party without any use of or reference to the Confidential Information of the Disclosing Party as established by evidence that would be acceptable to a court of competent jurisdiction; or
 - (d) received by the Receiving Party in good faith without an obligation of confidence of any kind from a third party who the Receiving Party had no reason to believe was not lawfully in possession of such information free of any obligation of confidence of any kind, but only until the Receiving Party subsequently comes to have reason to believe that such information was subject to an obligation of confidence of any kind when originally received.

24. Each party will, in its capacity as a Receiving Party:
- (a) not use or reproduce Confidential Information of the Disclosing Party for any purpose, other than as and to the extent expressly permitted under this Agreement or as may be reasonably necessary for the exercise of rights or the performance of obligations set out in this Agreement;
 - (b) not lose, disclose, provide or allow access to, transfer or otherwise make available any Confidential Information of the Disclosing Party except as expressly permitted in this Agreement; and
 - (c) take measures required to maintain the confidentiality and security of all Confidential Information of the Disclosing Party that it handles.
25. Each party may disclose Confidential Information of the other party:
- (a) if and to the extent required by a governmental or regulatory authority or otherwise as required by applicable law, provided that the party proposing to disclose must first give the other party written notice of such compelled disclosure (except where prohibited by applicable law from doing so) and must use commercially reasonable efforts, to the extent permitted by applicable law, to provide the other party with an opportunity to take such steps as it desires to challenge or contest such disclosure or seek a protective order. Thereafter, the party proposing to disclose may disclose the applicable Confidential Information, but only to the extent required by the applicable governmental or regulatory authority or applicable law and subject to any protective order that applies to such disclosure;
 - (b) to: (i) its accountants, internal and external auditors, legal counsel and other professional advisors if and to the extent that such persons need to know such Confidential Information in order to provide the applicable professional advisory services relating to such party's business; (ii) potential permitted assignees or successors of such party if and to the extent that such persons need to know such Confidential Information in connection with a potential sale, merger, amalgamation or other corporate transaction involving the business or assets of such party; and (iii) such party's personnel if and to the extent that such persons need to know such Confidential Information to perform their respective obligations under this Agreement; provided that for: (A) any person described in this Section, an express duty of confidence exists between such party and such person; or (B) any other person described in this Section, such person has entered into a written agreement with such party that includes confidentiality obligations in respect of such Confidential Information that are no less stringent

than those contained in this Section. Any breach of such duty of confidence or confidentiality obligations by any such person that would otherwise have been a breach if performed by such party, will be deemed to be a breach of this Section by such party.

26. SGP acknowledges that information over which the Member exercises control is subject to the *Municipal Freedom of Information and Protection of Privacy Act*, and local municipal by-laws and that disclosure and retention of information is subject to those, and other legal obligations.

NOTICE

27. Every notice or other communication provided for or permitted by this Agreement and all legal process in regard hereto shall be validly given, made or served, if in writing and delivered by hand, by registered mail, by facsimile or by email to the party to whom it is to be given at:

To SGP:

SGP Purchasing Partner Network
3000 Steeles Avenue East
Markham, Ontario L3R 4T9

Attention: Senior Director
Telephone: 1.800.263.7025
Facsimile: 1.866.468.0777
Email: csr@sgpnetwork.com

To Member:

The Corporation of the City of London

267 Dundas Street, 4th Floor, London, ON N6A 1H2

Attention: **Mary Ma, CSCMP**- Procurement Officer
Telephone: 519.661.CITY (2489) x 4720
Facsimile: 519.661.5030
Email: mma@london.ca

GENERAL PROVISIONS

28. Member hereby acknowledges that SGP may modify any part of the Volume Discount Program in its sole discretion, provided that SGP provides 30 days' notice to Member in advance of any such change.

Better all together™

29. Neither party shall have the right to assign, directly or indirectly, its rights and obligations under this Agreement without the prior written consent of the other party, which consent may be unreasonably withheld; provided, however, that a party may assign, directly or indirectly, its rights and obligations under this Agreement without the consent of the other party (i) to an affiliate in connection with an internal corporate reorganization, or (ii) to a third party in connection with the sale of all or substantially all of the business or assets of such party, or in the case of Extendicare (Canada) Inc., the business carried on as SGP Purchasing Partner Network, provided in each case that the assignee agrees to be bound by and assumes the obligations of the assigning party hereunder on and after the effective date of such assignment.
30. This Agreement shall be binding upon the parties hereto and their respective successors and permitted assigns.
31. All amounts stated herein are expressed in Canadian currency.
32. The parties acknowledge and agree that this Agreement may be executed in counterparts and delivered by means of facsimile or email transmission.
33. This Agreement shall be construed and enforced in accordance with the laws of the Province of Ontario.
34. If any covenant, obligation or agreement in this Agreement or the application thereof to any person or circumstances is to any extent invalid or unenforceable, the remainder of this Agreement or the application of such covenant, obligation or agreement to persons or circumstances other than those to which it is invalid or unenforceable will not be affected thereby and each covenant, obligation and agreement in this Agreement will be separately valid and enforceable to the fullest extent permitted.
35. The Schedules attached hereto form part of and shall be construed in accordance with this Agreement.
36. This Agreement constitutes the entire agreement between the parties with respect to the subject matter hereof, and there are no covenants, representations, agreements, warranties or conditions relating to this Agreement, whether express or implied, collateral or otherwise except those set out herein.
37. Nothing in this Agreement is intended to nor shall it be deemed to confer any rights or benefits on any person or entity that is not a party hereto.

[Signature page follows.]



Better all together™

IN WITNESS WHEREOF the parties hereto have executed this Agreement as of the 15th day of December 2022.

EXTENDICARE (CANADA) INC. carrying on business as SGP PURCHASING PARTNER NETWORK

Per: _____
Name: Rick Wassell
Title: Director National Sales

Per: _____
Name: Jason Horne
Title: Senior Director

I/We have authority to bind the Corporation.

The Corporation of the City of London

Per: _____
Name: Josh Morgan
Title: Mayor

Per: _____
Name: Michael Schulthess
Title: City Clerk

I/We have authority to bind the Corporation.

**SCHEDULE "A"
WEBSITE CONFIDENTIALITY FORM**

See attached.

Head Office: 3000 Steeles Avenue East, Markham, Ontario L3R 4T9
1-800-263-7025 • Fax: (866) 468-0777

SCHEDULE "A" WEBSITE CONFIDENTIALITY FORM

Dear Valued Member:

Welcome to our Website!

WEBSITE INCLUDES:

- Public domain – general SGP information
- Member domain – confidential & proprietary information
 - contracts, menu systems, supplier information/links
 - login username & password is required
 - signed authorization form returned to SGP to obtain username & password
 - immediately accessible with login & password
- Quick & convenient access to the SGP Purchasing Partner Network Program increasing your productivity
- Current information at your fingertips
- **Going Green!** We are reducing paper flow

HOW TO GET ACCESS:

It is necessary that participants understand the confidentiality of the SGP Purchasing Partner Network Program

1. To access the member domain of the SGP website, we require a signed copy of the authorization form below indicating that you understand that the SGP Purchasing Partner Network Program and information on the website is proprietary and confidential.
2. Provide the email address of the Facility Administrator/Manager who will be responsible for the compliancy of users and passwords. Please fill in the Website Confidentiality Form with all users' information and return to us. Thank you.
3. Email your completed form to:

Frances Deo

Email: csr@sqpnetwork.com

Toll Free: (800) 263-7025

If you have any questions or would like a verbal walk-through of the website, please do not hesitate to call either one of us.

Head Office: 3000 Steeles Avenue East, Markham, Ontario L3R 4T9
1-800-263-7025 • Fax: (866) 468-0777

WEBSITE CONFIDENTIALITY FORM**ACCESS TO SGP WEBSITE****AUTHORIZATION of ACKNOWLEDGEMENT
of
SGP Purchasing Partner Network Program**

I, _____, (**Name of Member**) understand that the information on the SGP website (www.sgpnetwork.com) is proprietary and confidential. This information will not be shared with NON-SGP members.

Users:

Name: _____ Email: _____ Title: _____

Name: _____ Email: _____ Title: _____

Name: _____ Email: _____ Title: _____

Name: _____ Email: _____ Title: _____

Name: _____ Email: _____ Title: _____

Name: _____ Email: _____ Title: _____

Name: _____ Email: _____ Title: _____

Name: _____ Email: _____ Title: _____

Name: _____ Email: _____ Title: _____

Name: _____ Email: _____ Title: _____

Name: _____ Email: _____ Title: _____

Name: _____ Email: _____ Title: _____



Better all together™

Name: _____ Email: _____ Title: _____

Name: _____ Email: _____ Title: _____

Name: _____ Email: _____ Title: _____

Name: _____ Email: _____ Title: _____

Name: _____ Email: _____ Title: _____

Name: _____ Email: _____ Title: _____

Name: _____ Email: _____ Title: _____

Name: _____ Email: _____ Title: _____

Name: _____ Email: _____ Title: _____

Name: _____ Email: _____ Title: _____

Name of Member

Signature:

Date:

*Head Office: 3000 Steeles Avenue East, Markham, Ontario L3R 4T9
1-800-263-7025 • (905) 470-5549 • Fax: 1-866-468-0777*

Bill No. 7
2023

By-law No. A.- _____ - ____

A by-law to approve the Automatic Aid Agreement between The Corporation of the City of London and The Corporation of the Municipality of Central Elgin; and to authorize the Mayor and Clerk to execute the Agreement.

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

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

AND WHEREAS section 10 of the *Municipal Act, 2001* provides that the City may provide any service or thing that the City considers necessary or desirable for the public, and may pass by-laws respecting same, and respecting economic, social and environmental well-being of the City, and the health, safety and well-being of persons;

AND WHEREAS section 2(5) of the *Fire Protection and Prevention Act, 1997*, S.O. 1997, c. 4 provides that a municipality may enter into an agreement to (a) provide such fire protection services as may be specified in the agreement to lands or premises that are situated outside the territorial limits of the municipality, and (b) receive such fire protection services as may be specified in the agreement from a fire department situated outside the territorial limits of the municipality;

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

1. The Automatic Aid Agreement attached as Schedule "A" to this by-law between The Corporation of the City of London and The Corporation of the Municipality of Central Elgin regarding the provision of certain fire protection services by Central Elgin to specified areas within London is hereby authorized and approved.
2. The Mayor and City Clerk are authorized to execute the Automatic Aid Agreement authorized and approved under section 1 of this by-law.
3. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on December 13, 2022

Josh Morgan
Mayor

Michael Schulthess
City Clerk

First reading – December 13, 2022
Second reading – December 13, 2022
Third reading – December 13, 2022

Schedule A:

Automatic Aid Agreement Between Central Elgin and the City of London

THIS AUTOMATIC AID Agreement effective this 1st day of January 2023.

Between:

THE CORPORATION OF THE MUNICIPALITY OF CENTRAL ELGIN
("Central Elgin")

- And -

THE CORPORATION OF THE CITY OF LONDON
("London")

WHEREAS the *Fire Protection and Prevention Act, 1997*, S.O. 1997, c.4 provides:

- i) In [subsection 2\(6\)](#) that a municipality may enter into an automatic aid Agreement to provide or receive the initial or supplemental responses to fires, rescues and emergencies;
- ii) in [subsection 2\(5\)\(a\)](#) that a municipality may enter into an Agreement to provide such fire protection services as may be specified in the Agreement to lands or premises situated outside the territorial limits of the municipality;
- iii) in [subsection 2\(5\)\(b\)](#) that a municipality may enter into an Agreement to receive such fire protection services as may be specified in the Agreement from a fire department situated outside the territorial limits of the municipality;
- iv) in [subsection 6\(5\)](#) that the fire chief may exercise all the powers assigned to him or her under this Act within the territorial limits of the municipality and within any other area in which the municipality has agreed to provide fire protection services, subject to any conditions specified in the Agreement; and,
- v) in [subsection 13\(3\)](#) that a firefighter or such other person as may be authorized by the fire chief may, without a warrant, enter on lands or premises that are outside the territorial limits of the municipality of the fire department that employs the firefighter or fire chief for the purposes of fighting a fire or of providing rescue or emergency services on such lands or premises if the council of the municipality has entered into an automatic aid Agreement or any other Agreement under which the entry is permitted;

AND WHEREAS Central Elgin and London have reached Agreement for the provision of certain Fire Protection Services by Central Elgin to specified areas within London under this Automatic Aid Agreement;

AND WHEREAS Municipal Council for each Municipality has, by by-law, authorized execution of this Automatic Aid Agreement;

NOW THEREFORE, in consideration of the payment of the sum of ONE (\$1.00) DOLLAR by each party to the other, the receipt and sufficiency of which is hereby acknowledged, and the mutual covenants herein contained, the parties hereto agree as follows:

1.0 Definitions

1.1 In this Agreement,

- i) "Fire Department" means, regardless of the proper name thereof, the fire department established by and for each of the respective parties to this Agreement;
- ii) "Designate" means the person who, in the absence of the Fire Chief, is assigned to be in charge of the activities of the Fire Department for such municipality and, in connection therewith, has the same powers and authority as the Fire Chief;
- iii) "Fire Chief" means, individually, the Chiefs of the London Fire Department and Central Elgin Fire and Emergency Services, as the context requires;
- iv) "Fire Protection Services" includes fire suppression, rescue and emergency services, but does not include for the purposes of this Agreement fire prevention, fire safety education, fire investigations, or fire inspections;
- (v) "Response Area" means a geographic area within the territorial limits of the City of London depicted and outlined in red on Schedule A1 attached hereto.

2.0 Term and Termination

Term

2.1 This Agreement shall come into force and effect on the **1st** day of **January 2023** and shall continue to and end on the **31st** day of **December 2027**, unless terminated earlier pursuant to the terms of this Agreement. Thereafter, it shall be automatically renewed at the conclusion of each term for two (2) consecutive terms of five (5) years.

Termination

2.2 Central Elgin may terminate this Agreement upon written notice to London at least twelve (12) calendar months prior to the effective date of such termination. London may terminate this Agreement upon written notice to Central Elgin at least six (6) calendar months prior to the effective date of such termination. Should the Agreement terminate prior to December 31st of any year, London's payment obligation shall be pro-rated. In the event that the Agreement is so terminated,

neither party shall have any right to claims, losses, or damages arising from the said termination of this Agreement.

3.0 Delivery of Fire Protection Services

3.1 Subject to paragraph 3.2, Central Elgin, through its Belmont Station, shall extend and provide Fire Protection Services in the Response Area.

3.2 London acknowledges that Central Elgin may be unable to extend and provide Fire Protection Services in the Response Area if response personnel, apparatus or equipment are required elsewhere in the municipality of Central Elgin or under the provisions of the Elgin County Mutual Aid Plan.

3.3 Central Elgin acknowledges that the London Fire Department will be dispatched to respond to all alarms in the Response Area, and will attend to the alarm. Central Elgin acknowledges the London Fire Department may be delayed in arriving on scene if London Fire Department is responding to other emergency events.

3.4 Central Elgin acknowledges that on the arrival of London Fire Department vehicles, London Fire Department Incident Commander will assume command and make the necessary arrangements to release command from the Central Elgin Fire Department as soon as practicable.

3.5 Central Elgin acknowledges that the London Fire Department Fire Chief maintains the rights and authorities under the *Fire Protection and Prevention Act, 1997, S.O. 1997, c.4*, as amended, with respect to investigations under that Act.

3.6 Central Elgin shall not use firefighters as defined in Part IX of the *Fire Protection and Prevention Act, 1997, S.O. 1997, c.4*, as amended, but instead shall use volunteer firefighters in delivering Fire Protection Services as contemplated by this Agreement.

4.0 Delivery of Fire Protection Not to Limit Response to Request for Mutual Aid

4.1 Notwithstanding the generality of the definition of Fire Protection Services as contained in paragraph 1.1, Central Elgin's commitment to provide such Fire Protection Services within the Response Area does not limit, restrain, or otherwise restrict the ability or intention of the Fire Department of either party hereto to provide assistance to a request for automatic aid by one party to the other for any location outside of the Response Area or any applicable territorial limits, which assistance shall be provided without additional cost to the requesting party.

5.0 Notification and Reporting

5.1 For calls for Fire Protection Services pursuant to this Agreement, Central Elgin shall ensure that its dispatch service notifies the London Fire Department Communications Division of the details within 15 seconds of dispatching Central Elgin Fire and Emergency Services - Belmont station.

5.2 When and where there is an Emergency and London Fire Department response is delayed, Central Elgin Fire Chief or designate shall provide details to the on-duty/on-call London Fire Department Platoon Chief through London Fire Department Communications Division of such Emergency within fifteen (15) minutes of Central Elgin Fire and Emergency Services first vehicle arriving on scene. For the purposes of this section "Emergency" includes but is not limited to the following:

- i) Fires with fatalities or those with injuries requiring medical attention;
- ii) Any explosion;
- iii) Fires where arson is suspected regardless of dollar loss;
- iv) Incendiary fire;
- v) Fire where the value of loss of property equals or exceeds \$10,000.00;
- vi) Fires where the cause is undetermined or suspicious in nature;
- vii) Fires of unusual origin or circumstances such as:
 - (1) Unusual fire/smoke spread or
 - (2) Involves circumstances that may result in widespread public concern (i.e. environmental hazard);
- viii) Hazardous material spill;
- ix) Motor Vehicle Collision.

5.3 Within eight (8) hours of the conclusion of the provision of Fire Protection Services, as contemplated by this Agreement, Central Elgin shall submit written reports to London's Fire Chief as required and in the form as determined by the London Fire Chief.

5.4 When requested, Central Elgin shall provide to investigating agencies information and/or witness statements, orally and/or in writing regarding the provision of Fire Protection Services pursuant to this Agreement.

6.0 Standard of Performance

6.1 Central Elgin agrees and covenants that the extension, delivery, and provision of Fire Protection Services pursuant to this Agreement shall be undertaken in a safe, proper, and prudent manner and at least to the performance standards outlined within the [Ontario Regulation 343/22: Firefighter Certification](#) and equivalent to the level of service provided by Central Elgin through their Establishing and Regulating By-Law.

7.0 Annual Review of Fire Protection by Fire Chief

7.1 On a periodic basis and at least once during each calendar year of the Term of this Agreement, the Fire Chiefs for each municipality shall meet to review and, if necessary, make recommendation to their respective Municipal Councils for amendment to this Agreement and delivery of Fire Protection Services as contemplated herein.

8.0 Service Charges

8.1.1 From January 1, 2023, until the termination of this Agreement, London shall pay Central Elgin the following amounts for the extension, delivery and provision of Fire Protection Services by Central Elgin in the Response Area:

For the year 2023 - \$ 9,227.00

For the year 2024 - \$ 9,596.00

For the year 2025 - \$ 9,980.00

For the year 2026 - \$ 10,379.00

For the year 2027 - \$ 10,794.00

8.1.2 Central Elgin will invoice London for the extension, delivery and provision of Fire Protection Services in the Response Area under paragraph 8.1.1 on or before November 30 of each year for that calendar year, and London shall pay such invoice within thirty (30) days of the date of such invoice. Central Elgin may charge interest on any outstanding balance under this paragraph in keeping with its normal invoicing policies then in effect.

9.0 Not an Agreement of Employment

9.1 Central Elgin acknowledges and agrees this Agreement shall in no way be deemed or construed to be an Agreement of Employment. Specifically, the parties agree that it is not intended by this Agreement that Central Elgin nor any person employed by, volunteering for, or associated with Central Elgin is an employee of, or has an employment relationship of any kind with London or is in any way entitled to employment benefits of any kind whatsoever from London whether under internal policies and programs of London, the *Income Tax Act*, R.S.C. 1985 c.1 (1st Supp); the *Canada Pension Act*, R.S.C. 1985, c.C-8; the *Employment Insurance Act*, S.O. 1996,c.23; the *Workplace Safety and Insurance Act*, 1997 S.O. 1997, c.26 (Schedule "A"); the *Occupational Health and Safety Act*, R.S.O. 1990, c.o.1; the *Pay Equity Act*, R. S. O. 1990, c.P.7; the *Health Insurance Act*, R.S.O. 1990, c.H.6; or any other employment related legislation, all as may be amended from time to time, or otherwise.

9.2 Notwithstanding paragraph 9.1 above, it is the sole and exclusive responsibility of Central Elgin to make its own determination as to its status under the Acts referred

to above and, in particular, to comply with the provisions of any of the aforesaid Acts, and to make any payments required thereunder.

10.0 Parties to be Saved Harmless and Indemnified

10.1 London hereby agrees to save harmless and indemnify Central Elgin, including its employees, servants, agents, representatives, and councillors and specifically including its Fire Chief and members of its Fire Department, of and from all claims, demands, losses, costs (including solicitor client costs), damages, actions, law suits, or other proceedings by whomsoever made, sustained, or prosecuted which may arise directly or indirectly from any act undertaken pursuant to the terms of this Agreement, with respect to any Fire Protection Service extended, delivered, or provided within the Response Area, except if resulting from Central Elgin's negligence or wrongful acts or omissions.

10.2 Central Elgin hereby agrees to save harmless and indemnify London, including its employees, servants, agents, representatives, and councillors and specifically including its Fire Chief and members of its Fire Department, of and from all claims, demands, losses, costs (including solicitor client costs), damages, actions, law suits, or other proceedings by whomsoever made, sustained, or prosecuted which may arise directly or indirectly from any act undertaken, or any act a prudent person would have undertaken that was not, pursuant to the terms of this Agreement, with respect to any Fire Protection Service delivered or provided within the Response Area, including: (a) any claim or finding that any of Central Elgin, Central Elgin's employees, volunteers or persons for whom Central Elgin is at law responsible are employees of, or are in any employment relationship with, London or are entitled to any Employment Benefits of any kind; or (b) any liability on the part of London, under the Income Tax Act (Canada) or any other statute (including, without limitation, any Employment Benefits statute), to make contributions, withhold or remit any monies or make any deductions from payments, or to pay any related interest or penalties, by virtue of any of the following being considered to be an employee of London, from Central Elgin; Central Elgin's employees, volunteers or others for whom Central Elgin is at law responsible in connection with the performance of Fire Protection Services or otherwise in connection with Central Elgin's business; or (c) all tickets, fines or penalties.

11.0 Insurance

11.1 London agrees that, during the Term of this Agreement, it shall arrange for and maintain general liability insurance in an amount not less than TWENTY MILLION (\$20,000,000.00) DOLLARS per occurrence as insured, thereunder and further including as additional insureds Central Elgin, its employees, servants, agents, representatives, and councillors and specifically including its Fire Chief and

members of its Fire Department, for legal liability, including but not limited to bodily injury, including death, or property damage arising out of acts or omissions related to the obligations of London under this Agreement.

- 11.2 Central Elgin agrees that, during the term of this Agreement, it shall arrange for and maintain general liability insurance in an amount not less than TWENTY MILLION (\$20,000,000.00) DOLLARS per occurrence as insured, thereunder and further including as additional insureds London, its employees, servants, agents, representatives, and councillors and specifically including its Fire Chief and members of its Fire Department, for legal liability including but not limited to bodily injury, including death, or property damage arising out of acts or omissions related to the work, services and obligations of Central Elgin under this Agreement.

12.0 Agreement to Negotiate at the End of Term

- 12.1 Prior to the expiry of a term of this Agreement, municipal representatives, including respective Fire Chiefs, may meet to discuss acceptable terms by which the extension, delivery, and provision of such Fire Protection Services may continue thereafter. Any Agreement is subject to approval by Municipal Council of each party.

13.0 Amendment

- 13.1 The parties hereto agree that any amendment to this Agreement shall be in writing, executed by authorized representatives of each of the parties, in the form of an amending Agreement.

14.0 Schedules

- 14.1 The following schedule is attached to and forms part of this Agreement:
Schedule A1 depicting Response Area and describing boundaries of Response Area.

15.0 Miscellaneous

- 15.1 Nothing in this Agreement shall entitle or enable Central Elgin to act on behalf of, or as agent for, or to assume or create any obligation on behalf of, or to make any representation, promise, and warranty or guarantee binding upon, or otherwise to bind London. Each of Central Elgin, any volunteer for Central Elgin, and London is independent and not the agent, employee, partner or joint venture of any of the others.
- 15.2 Notice
- (a) All communication between the parties with respect to the administration and operation of this Agreement shall be conducted by the following personnel:

"For Central Elgin" - Fire Chief, Central Elgin Fire and Emergency Services
The Corporation of the Municipality of Central Elgin
450 Sunset Drive
ST. THOMAS, ON N5R 5V1
Fax: (519) 631-4036

"For London" - Fire Chief, London Fire Department
The Corporation of the City of London
400 Horton Street E,
LONDON, ON N6B 1L7
Fax: (519) 661-6507-2489

- (b) Any notice or written communication between the parties other than this Agreement shall be delivered or sent by pre-paid registered mail addressed to the parties at their respective addresses listed above, or their respective facsimile numbers as noted above.
- (c) Notice shall be deemed to have been received at the date on which notice was delivered to the address as designated, or in the case of mailing, within four (4) days of the date of mailing or in the case of facsimile transmission, the day after such facsimile was transmitted.

15.3 Further Assurances

The parties shall to do or cause to be done all acts or things necessary to implement and carry into effect this Agreement to its full extent.

15.4 Successors and Assigns

This Agreement shall ensure to the benefit and be binding upon the parties and their respective successors and permitted assigns.

15.5 Gender and Number

In this Agreement, words importing the singular include the plural and *vice versa* and words importing gender include all genders.

15.6 Section Headings

The insertion of headings and the division of this Agreement into sections are for convenience of reference only and shall not affect the interpretation hereof.

15.7 Entire Agreement

This Agreement constitutes the entire Agreement between the parties pertaining to the subject matter hereof and supersedes all prior Agreements, understandings, negotiations and discussions with respect to the subject matter hereof, whether oral or written. No supplement, modification, or waiver of this Agreement shall be binding unless executed in writing by both of the parties.

15.8 Circumstances beyond the Control of Either Party

Neither party will be responsible for damage caused by delay or failure to perform under the terms of this Agreement resulting from matters beyond their control including strike, lockout or any other action arising from a labour dispute, fire, flood, act of God, war, riot or other civil insurrection, lawful act of public authority, or delay

or default caused by a common carrier which cannot be reasonably foreseen or provided against.

15.9 Severability

The invalidity or unenforceability of any provision of this Agreement or any covenant herein contained shall not affect the validity or enforceability of provision or covenant shall be deemed to be severable.

15.10 No Assignment without Consent

This Agreement is not assignable without the prior written consent of London's Fire Chief. Any attempt to assign any of the rights, duties or obligations of this Agreement without consent is void.

15.11 Applicable Law

This Agreement shall be construed in accordance with the laws of the Province of Ontario. The parties agree to attorn to the jurisdiction of the Ontario Courts.

IN WITNESS WHEREOF the parties have hereunto affixed their respective corporate seal under the hands of their duly authorized Mayor and Clerk as of the applicable date referenced below.

The Corporation of the City of London

Date: _____
Josh Morgan, Mayor

Date: _____
Michael Schulthess, City Clerk

The Corporation of the Municipality of Central Elgin

Date: _____
Andrew Sloan, Mayor

Date: _____
Dianne Wilson, Clerk

Schedule A1

Response Area



DESCRIPTION OF BOUNDARIES OF RESPONSE AREA – City of London

South half of lots 5 to 9 inclusive, Concession V:
Both sides of Westminister Drive starting from the East at the London-Thames Centre municipal boundary, proceeding in a westward direction to #1743.

Lots 5 to 9 inclusive, Concession VI:
Both sides of Scotland Drive starting from the East at the London-Thames Centre municipal boundary, proceeding in a Westward direction to #1743.

Lots 5 to 9 inclusive, Concession VII:
Both sides of Manning Drive starting from the East at the London-Thames Centre municipal boundary, proceeding in a Westward direction to #1769.

Lots 5 to 9 inclusive, Concession VIII:
Both sides of Glanworth Drive/Borden Avenue, starting from the East at #750 Borden Avenue at the London-Central Elgin municipal boundary, proceeding in a Westward direction to #1733.

Bill No. 8
2023

By-law No. CP - _____

A by-law to require the conveyance of land for park or other public recreational purposes as a condition of the development or redevelopment of land within the City of London, or the payment of money in lieu of such conveyance (the "Parkland Dedication By-law")

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

WHEREAS section 42 of the *Planning Act, R.S.O. 1990, c. P.13*, as amended, authorizes the council of a local municipality to pass by-laws requiring as a condition of development or redevelopment the conveyance of land or the payment of money to the value of the land otherwise required to be paid in lieu of such conveyance for park or other public recreational purposes;

AND WHEREAS sections 51.1 and 53 of the *Planning Act, RSO 1990, c. P.13*, as amended, authorize the council of a local municipality to require, as a condition to the approval of a plan of subdivision or as a condition of the approval of a Consent, the conveyance of land or the payment in lieu of such conveyance for park or other public recreational purposes;

AND WHEREAS The London Plan, the City of London Official Plan, contains specific policies dealing with the provision of land for park or other public recreational purposes, and the payment in lieu of a conveyance otherwise required under section 42;

AND WHEREAS sections 23.1 to 23.3 of the *Municipal Act* authorize the delegation of powers or duties of the municipality;

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

SHORT TITLE: PARKLAND DEDICATION BY-LAW

Part 1 INTERPRETATION

1.1 Definitions

In this by-law:

"**Act**" shall mean the *Planning Act, R.S.O. 1990, c. P.13*, as amended;

"**City**" shall mean The Corporation of the City of London;

"**Council**" shall mean the Council of the City;

"**Dwelling unit**" - means any property that is used or designed for use as a domestic establishment in which one or more persons may sleep and prepare and serve meals;

"**Development**" – means the construction erection, or placing of one or more buildings or structures on land or making an addition or alteration to a building or structure that has the effect of substantially increasing the size or usability thereof, or the laying out and establishing a commercial parking lot;

"**Gross Floor Area**" has the meaning given to it in the City's Zoning By-law;

"**Redevelopment**" – means the removal of a building or structure from land and the further development of the land or the substantial renovation of a building or structure and a change in the character or density of the use in connection therewith;

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

“Hazard Lands” – means those lands that could be unsafe for development due to naturally occurring processes. Generally lands located along rivers and streams, including the land covered by water, to the furthest landward limit of the flooding hazard or erosion hazard limits as defined by the *Conservation Authorities Act, R.S.O. 1990, c. C.27*;

“Other Constrained Lands” – means lands that are not constrained by flood or erosion hazards, but that contain significant natural heritage features, ecological functions, or ecological buffers that have been identified for protection through an environmental impact study, accepted by the City.

“Owner” – means the registered owner of land as listed on the provincial land registry within the Ontario Land Registry Office;

“Parkland” means land for parks and other public recreational purposes;

“Tableland” – means those lands that do not contain hazard, open space or other constrained features that would prohibit Development.

1.2 Application

This By-law shall apply to all lands within the City.

1.3 Administration

Council hereby delegates to the Deputy City Manager, Environment and Infrastructure, the power and authority to administer and apply this by-law, including but not limited to determining whether a conveyance of a portion of land or the payment of money in lieu of such conveyance shall be required as a condition to the Development or Redevelopment of lands, and if required, the amount of said conveyance or payment, in accordance with this By-law, and further allows the Deputy City Manager, Environment and Infrastructure, to sub-delegate these same powers and authority to the Manager of Park Planning and Design, or his or her designate.

Part 2 PARKLAND CONVEYANCE OR PAYMENT IN LIEU

2.1 Land - for park purposes - conveyance - calculation

Where it has been determined by the City, in its sole discretion, that a conveyance of land is required as a condition of Development or Redevelopment, the amount of land to be conveyed by the Owner to the City will be calculated in accordance with the following provisions:

1. In the case of land proposed for Development or Redevelopment for residential purposes, land in the amount of five (5%) percent of the land;
2. In the case of land proposed for Development or Redevelopment for commercial purposes, land in the amount of two percent (2%) of the land;
3. In the case of land proposed for Development or Redevelopment for Industrial purposes, Parkland dedication requirements will not be required;
4. In the case of land proposed for Development or Redevelopment for uses other than those referred in 2.1 1), 2.1 2), and 2.1 3) land in the amount of five per cent (5%) of the land; and
5. Where land is proposed for Development or Redevelopment for a mix of land uses, the Parkland conveyance will be calculated based upon the proportion of the site devoted to each use at the rates identified above, and when a mix of uses is proposed within a building, the Parkland requirement for each use will be determined proportionally to the Gross Floor Area allocated to each use.

2.1.2 Timing of Parkland conveyance

For Development or Redevelopment, the Parkland conveyance requirements will be determined at the time of development review and the amount of land will be identified as a condition of development.

2.1.3 Land - for park purposes - conveyance – Hazard Lands and Other Constrained Land

1. The City retains the right not to accept the conveyance of land that is considered not suitable or required for park and public recreation purposes including but not limited to:
 - 1) Land that has been or is to be conveyed to the City for stormwater management facilities, or for highways, roadways, walkways, or any other non-Parkland purpose;
 - 2) The size, location, grade and configuration of the parcel;
 - 3) Hazard Lands and Other Constrained Lands;
 - 4) Hydro lands, easements or other encumbrances that would restrict the City's use of the land; or
 - 5) Having unsuitable or unstable soil conditions or are contaminated as determined by an Environmental Site Assessment.
2. The lands conveyed to the City for park purposes shall be in a location, configuration and condition satisfactory to the City and subject to the following conditions:
 - 1) The lands are free and clear of all legal and other encumbrances;
 - 2) Shall be graded, serviced, and seeded, and fenced in accordance with any applicable City Standards and to the City's satisfaction.
3. Where the City determines that it will accept Hazard Lands or Other Constrained Lands representing part or all of the conveyance required, the following ratios will apply to calculate the amount of Hazard Lands or Other Constrained Lands to be conveyed:
 - 1) Hazard Land - 45 hectares of hazard land for every required 1 hectare of Tableland;
 - 2) Other Constrained Lands – 30 hectares of Other Constrained Lands for every required 1 hectare of Tableland.
4. Where a Development or Redevelopment application contains Hazard Lands or Other Constrained Lands, these lands will be excluded from the calculation of Parkland dedication as set out in Section 2.1 provided the said lands, are in some form, dedicated to the City.

2.2 Payment in lieu of land conveyance

Where the payment of money is required in lieu of a conveyance of land for Parkland, the Owner shall pay money to the City in lieu of such conveyance in accordance with section 2.2 of this By-law.

2.2.1 Calculation of payment in lieu – residential

To determine the amount of payment in lieu to be required, the following shall apply:

1. In the case of land proposed for Development or Redevelopment for residential purposes, the payment required in lieu of the conveyance of a portion of land for Parkland, shall be five percent of the value of land as determined in 2.2.2 of this By-law;
2. If Hazard Lands or Other Constrained Lands are being conveyed, the value of these lands, as determined in 2.2.2 of this By-law, will be deducted from the value of Tableland required to be conveyed, and the balance of the required conveyance shall be provided as payment in lieu.

2.2.2 Land – value – per residential dwelling type – Table 1

The value of land otherwise required to be conveyed under section 2.1 of this by-law shall be determined by multiplying the value per Dwelling unit in Column II of Table 1 for the corresponding type of residential Dwelling unit in Column I by the number of that type of Dwelling unit proposed on the land, and then adding all of the values for each type of Dwelling unit to arrive at the prevailing land value.

Table 1

Column I	Column II
Residential Units	
Up to 11.99m lot frontage	\$ 2600.00
12m -14.99m lot frontage	\$ 3300.00
15m -17.99m lot frontage	\$ 4700.00
18m or greater lot frontage	\$ 5900.00
**Where lot frontage is defined under Zoning By-law Z.-1	
Cluster detached / Semi-detached / duplex	\$ 2600.00
Multi-Unit Development less than 75 units per hectare	\$ 2200.00
Multi-Unit Development 75 units to 150 units per hectare	\$ 1250.00
Multi-Unit Development greater than 150 units per hectare	\$ 1125.00
**Where density is defined under Zoning By-law Z.-1	
Value of Constrained Land and Ratio to Tableland for the Purpose of Conveyance in Lieu	
Hazard Land	\$24,710/hectare (\$10,000/acre)
Other Constrained Lands	\$37,066/hectare (\$15,000/acre)
Ratio of hazard land to Tableland	45 to 1
Ratio of open space land to Tableland	30 to 1
Tableland to be purchased by the City for Parkland use	\$1,111,950/hectare (\$450,000/acre)

2.2.2.1 Land Values Used to Calculate Values Per Dwelling

To determine the rates in Table 1, the following land values were used:

- 1) Singles/Semi-detached/Duplex: \$1,111,950/hectare (\$450,000/acre)
- 2) Multi-Unit Development less than 75 units per hectare: \$2,162,125/hectare (\$875,000/acre)
- 3) Multi-Unit Development 75 units to 150 units per hectare: \$2,779,875/hectare (\$1,125,000/acre)
- 4) Multi-Unit Development greater than 150 units per hectare: \$5,559,750/hectare (\$2,250,000/acre)

2.2.3 Land – value – Subdivision Conveyance and Consent

The value of land otherwise required to be conveyed as an approval of a plan of subdivision in accordance with section 51.1 of the Act or as a condition of the approval of a Consent given under section 53 of the Act shall be determined using the calculation described in 2.2.2 of this By-law.

2.2.4 Land – value – Commercial and other Non-Residential

To determine the amount of payment in lieu to be required, the following shall apply:

1. In the case of land proposed for Development or Redevelopment for commercial purposes, the payment required in lieu of the conveyance of a portion of land for Parkland, shall be two percent of the value of land as determined in 2.2.3 of this By-law;
2. In the case of land proposed for Development or Redevelopment for industrial purposes, no payment in lieu will be required.
3. In the case of land proposed for Development or Redevelopment for the purpose of anything other than residential, commercial, or industrial, the payment required in lieu of the conveyance of a portion of land for Parkland, shall be five percent of the value of land as determined in 2.2.3 of this By-law.
4. The value of land otherwise required to be conveyed under section 2.1 of this by-law for commercial and other non-residential purposes shall be determined by a registered property appraiser as of the day before the day the Building permit is issued in respect of the Development or Redevelopment or, if more than one Building permit is required for the development or redevelopment, as of the day before the day the first permit is issued.
5. Where land is proposed for Development or Redevelopment for a mix of land uses, the payment in lieu will be calculated based upon the proportion of the site devoted to each use at the rates identified above, and when a mix of uses is proposed within a building, the payment in lieu for each use will be determined proportionally to the Gross Floor Area allocated to each use. Commercial gross floor area will be required at the rate of one Dwelling unit for each 100.0 square metres (1,076 sq. ft.) of Gross Floor Area devoted to non-residential uses and included in the density calculation for the lands and provided as per the residential unit rates as stated in Table 1.

2.2.5 Timing of Payment in Lieu

No person shall construct a building on the land proposed for Development or Redevelopment unless the payment of money in-lieu has been made or arrangements, that are satisfactory to the City, have been made for the payment.

2.2.6 Payment of Parkland - Over Dedication

Where Parkland in excess of the required dedication under Section 2.1 is included in a development application, the City may choose to purchase this land at the average, City-wide Tableland rate described in Table 1.

2.3 Reduction for previous conveyance or payment in lieu

2.3.1 If land has been conveyed or is required to be conveyed to a municipality for park or other public purposes or a payment in lieu has been received by the municipality or is owing to it under this section or a condition imposed under section 51.1 or 53, no additional conveyance or payment in respect of the land subject to the earlier conveyance or payment may be required by a municipality in respect of subsequent development or redevelopment unless,

- (a) there is a change in the proposed Development or Redevelopment which would increase the density of development; or
- (b) land originally proposed for Development or Redevelopment for commercial or industrial purposes is now proposed for Development or Redevelopment for other purposes.

2.3.2 If there is a change under clause 2.3.1 (a) or (b), the land that has been conveyed or is required to be conveyed or the payment of money that has been received or that is owing, as the case may be, shall be included in determining the amount of land or payment of money in lieu of it that may subsequently be required under this section on the development, further development or redevelopment of the lands or part of them in respect of which the original conveyance or payment was made.

2.4 Application - to Ontario Land Tribunal - dispute

In the event of a dispute between the City and an Owner of land on the value of land, either party may apply to the Tribunal to have the value determined and the Tribunal shall, in accordance as nearly as may be with the Expropriations Act, determine the value of the land and, if a payment has been made under protest, the Tribunal may order that a refund be made to the Owner.

Part 3 GENERAL

3.1 Severability

If any provision or part of this By-law is declared by any court or tribunal of competent jurisdiction to be illegal or inoperative, in whole, in part, or in certain circumstances, the balance of the By-law, or its application in other circumstances, shall not be affected and shall continue to be in full force and effect.

3.2 Other powers not affected

Nothing in this By-law is intended to or has the effect of restricting or derogating from the authority of council to require a conveyance for Parkland or payment of money in lieu thereof as a condition of the approval of a plan of subdivision in accordance with section 51.1 of the *Act*, or as a condition of the approval of a consent given under section 53(12) of the *Act*.

Part 4 FORCE AND EFFECT

4.1 Previous By-law - repeal

By-law CP-9 and all amendments to such by-law are hereby repealed, effective January 1, 2023.

4.2 Effective date

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

PASSED in Open Council on December 13, 2022.

Josh Morgan
Mayor

Michael Schulthess
City Clerk

First Reading – December 13, 2022
Second Reading – December 13, 2022
Third Reading – December 13, 2022

Bill No. 9
2023

By-law No. C.P.-1512()- _

A by-law to amend The Official Plan relating to
4452 Wellington Road South.

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

1. Amendment No. ____ to The Official Plan, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. This by-law shall come into effect in accordance with subsection 17(27) of the *Planning Act, R.S.O. 1990, c.P.13*.

PASSED in Open Council on December 13, 2022.

Josh Morgan
Mayor

Michael Schulthess
City Clerk

First Reading – December 13, 2022
Second Reading – December 13, 2022
Third Reading – December 13, 2022

AMENDMENT NO.
to the
OFFICIAL PLAN FOR THE CITY OF LONDON (2016)

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to 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 to amend section 1565_5 of The Official 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.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 4452 Wellington Road South in the City of London.

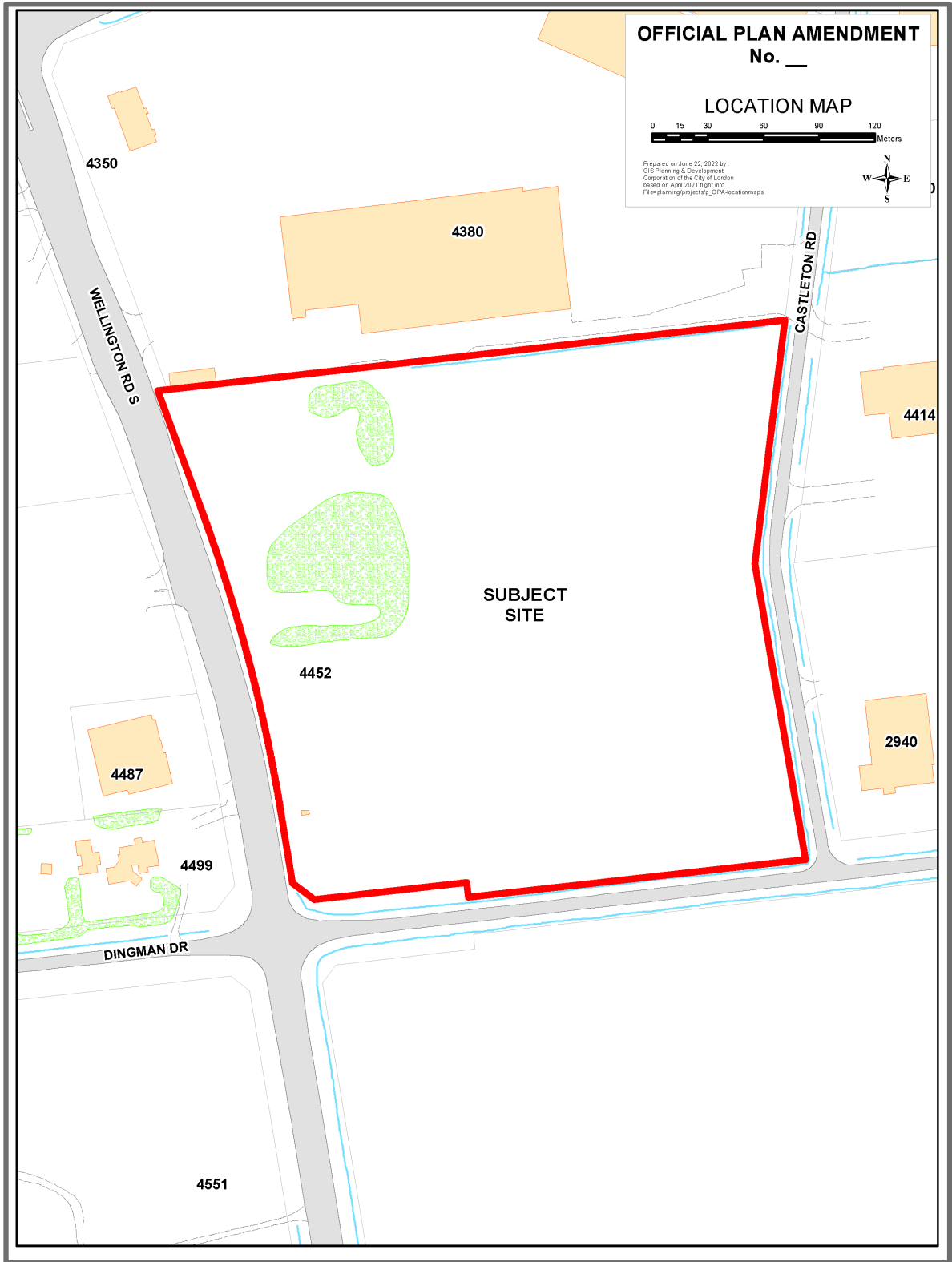
C. BASIS OF THE AMENDMENT

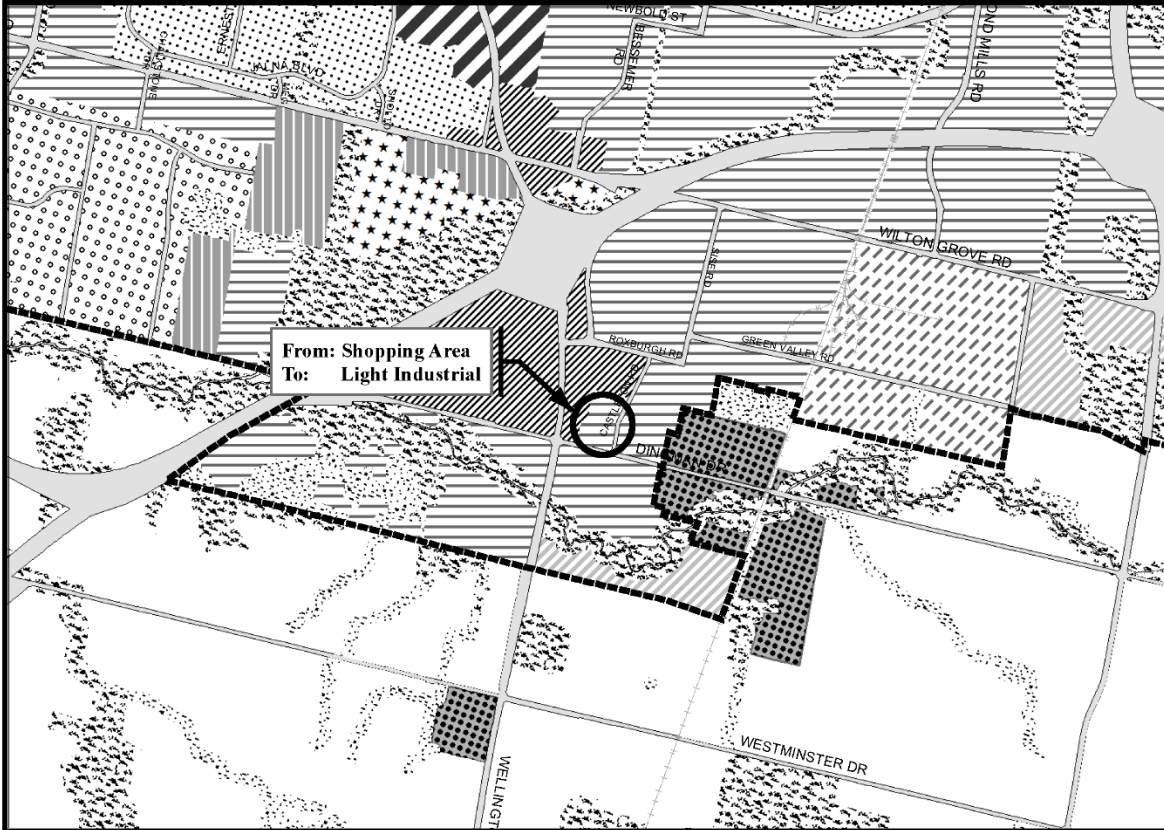
The recommended amendment is consistent with the PPS and the in-force policies of The Official Plan and the Southwest Area Secondary Plan. The recommended amendment facilitates the development of a site within the Wellington Road/ Highway 401 Neighbourhood. while retaining a portion of the sight for future commercial uses. The recommended use will contribute to the supply of employment lands and industrial uses within the area and is intended to support the transport of goods while being in in close proximity (1 kilometre) to Highway 401, allowing easy access for the proposed transport terminal.

D. THE AMENDMENT

The Official Plan is hereby amended as follows:

1. Map 1 – Place Types, of The Official Plan is amended by redesignating a portion of the subject lands, as indicated on “Schedule 1” attached hereto from a Shopping Area Place Type to a Light Industrial Place Type.
2. Section 1565_5 of The Official Plan, List of Secondary Plans - Southwest Area Secondary Plan, Schedule 4 Southwest Area Land Use Plan, and Schedule 17 Wellington Rd/Hwy 401 Land Use Designations is amended by redesignating a portion of the subject lands, as indicated on “Schedule 2” attached hereto from Commercial to Industrial.



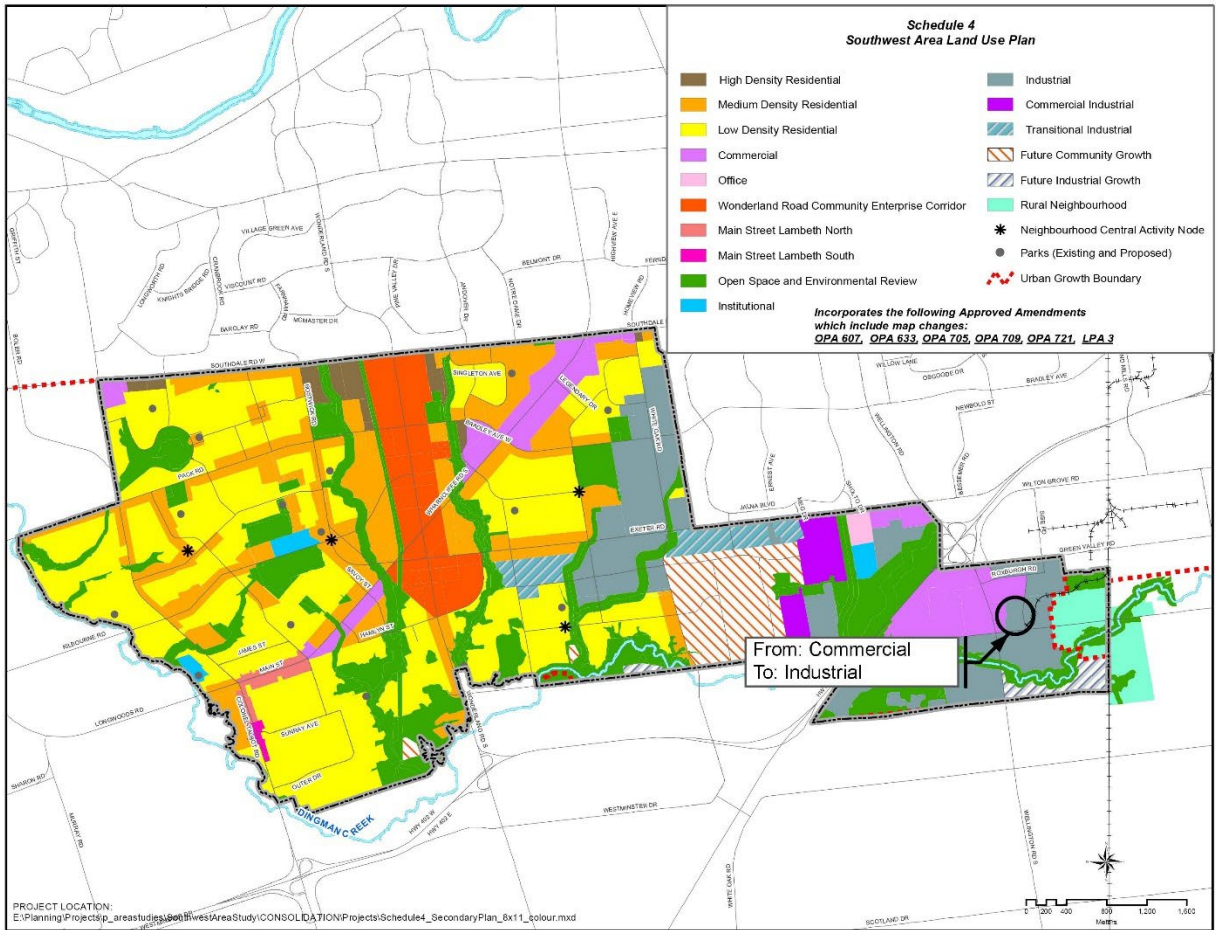


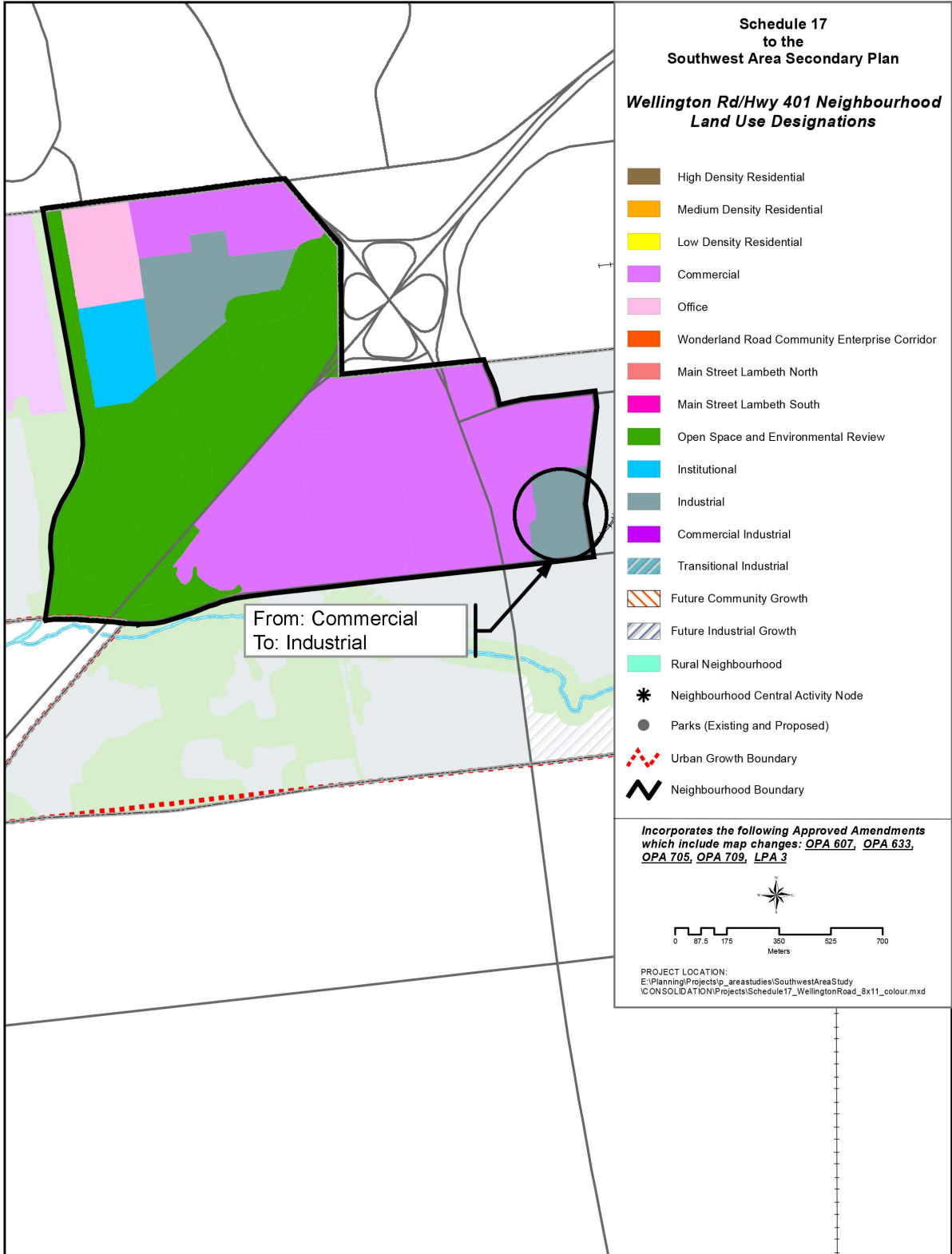
Legend

- | | | | | | |
|--|------------------------|--|--------------------------|--|-----------------------------------------|
| | Downtown | | Future Community Growth | | Environmental Review |
| | Transit Village | | Heavy Industrial | | Farmland |
| | Shopping Area | | Light Industrial | | Rural Neighbourhood |
| | Rapid Transit Corridor | | Future Industrial Growth | | Waste Management Resource Recovery Area |
| | Urban Corridor | | Commercial Industrial | | Urban Growth Boundary |
| | Main Street | | Institutional | | |
| | Neighbourhood | | Green Space | | |

This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

<p align="center">SCHEDULE 1 TO</p> <p>OFFICIAL AMENDMENT NO. _____</p> <p align="center">PREPARED BY: Planning & Development</p>	<p align="center"> Scale 1:30,000 Meters </p>	<p>FILE NUMBER: OZ-9497</p> <p>PLANNER: NP</p> <p>TECHNICIAN: RC</p> <p>DATE: 9/7/2022</p>
--------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------





Bill No. 10
2023

By-law No. C.P.-1512()-__

A by-law to amend The Official Plan relating to
952 Southdale Road West.

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

1. Amendment No. ____ to The Official Plan, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. This by-law shall come into effect in accordance with subsection 17(27) of the *Planning Act, R.S.O. 1990, c.P.13*.

PASSED in Open Council on December 13, 2022.

Josh Morgan
Mayor

Michael Schulthess
City Clerk

First Reading – December 13, 2022
Second Reading – December 13, 2022
Third Reading – December 13, 2022

AMENDMENT NO.
to the
OFFICIAL PLAN FOR THE CITY OF LONDON (2016)

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to change the designation of a portion of the subject lands from a Green Space Place Type to a Neighbourhoods Place Type, and a Neighbourhoods Place Type to a Green Space Place Type on Map 1 – Place Types, and to modify the Provincially Significant Wetland on Map 5 – Natural Heritage.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 952 Southdale Road West in the City of London.

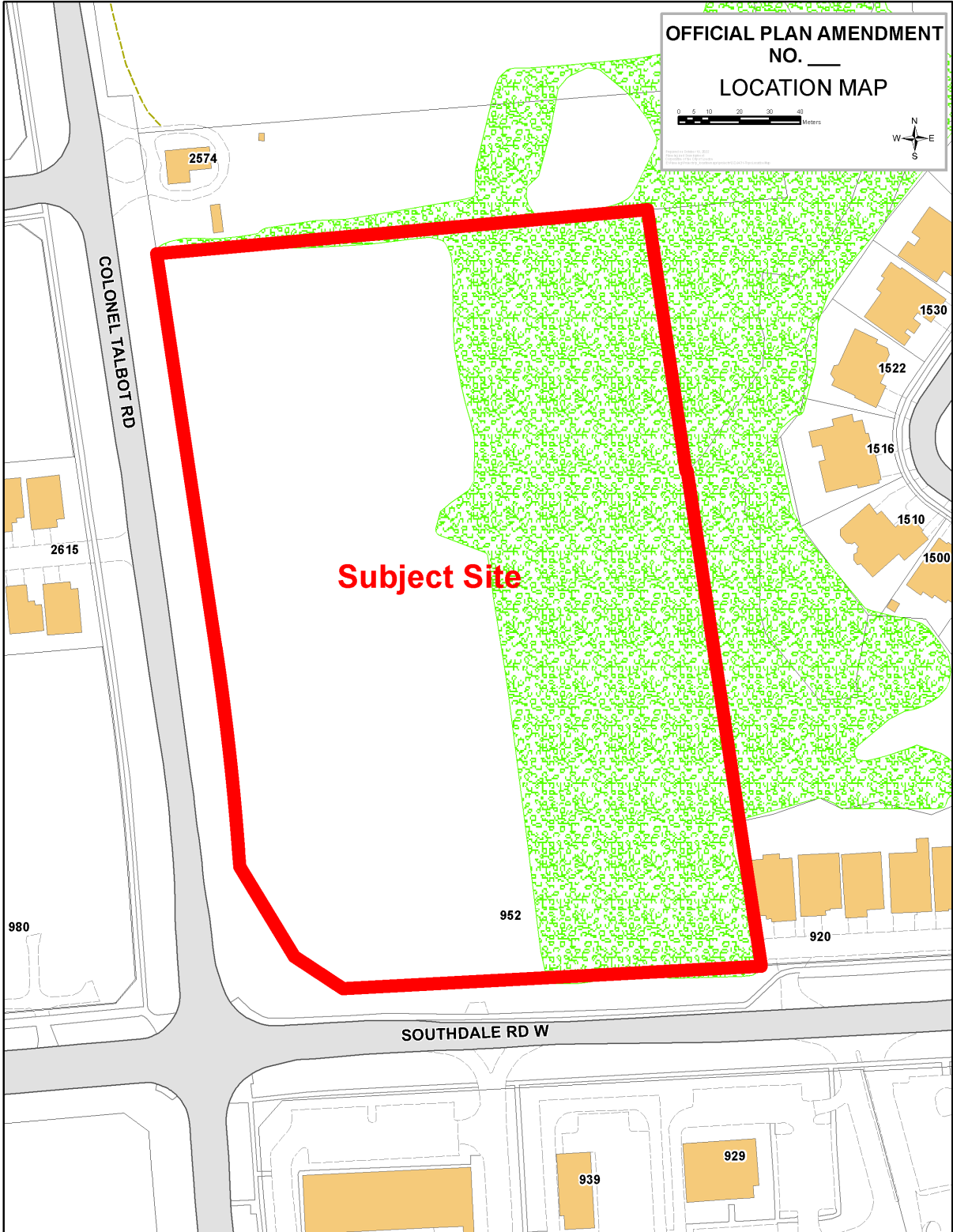
C. BASIS OF THE AMENDMENT

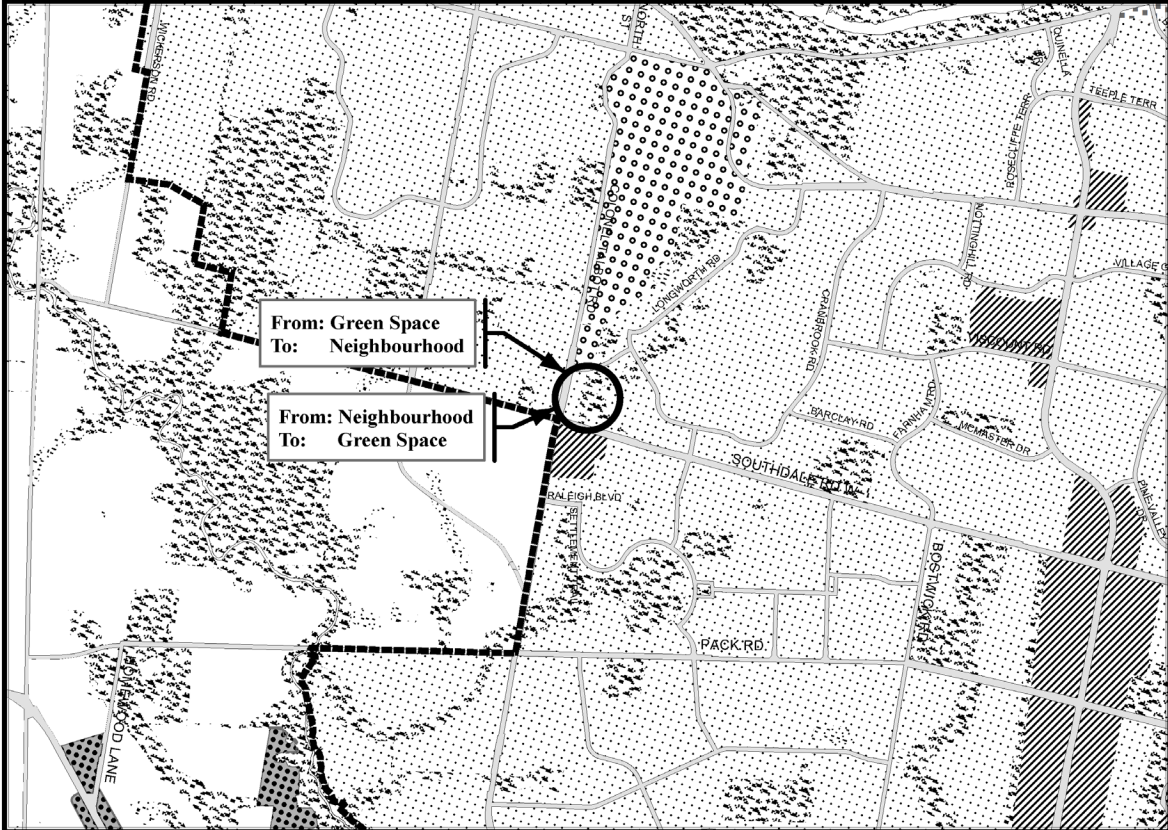
The recommended amendment is consistent with the Provincial Policy Statement, 2020 and conforms to the in-force policies of The Official Plan, including but not limited to the Key Directions, Neighbourhoods Place Type, Specific Policy 1070C, Shopping Area Place Type, and the Natural Heritage Features and Hazards policies, providing for the protection of significant environmental features, and implementing recommended buffers.

D. THE AMENDMENT

The Official Plan is hereby amended as follows:

1. Map 1 – Place Types, of The Official Plan is amended by redesignating a portion of the subject lands, as indicated on “Schedule 1” attached hereto from a Green Space Place Type to a Neighbourhoods Place Type, and a Neighbourhoods Place Type to a Green Space Place Type.
2. Map 5 – Natural Heritage, of The Official Plan is amended, as indicated on “Schedule 2” attached hereto, by modifying the Provincially Significant Wetland.



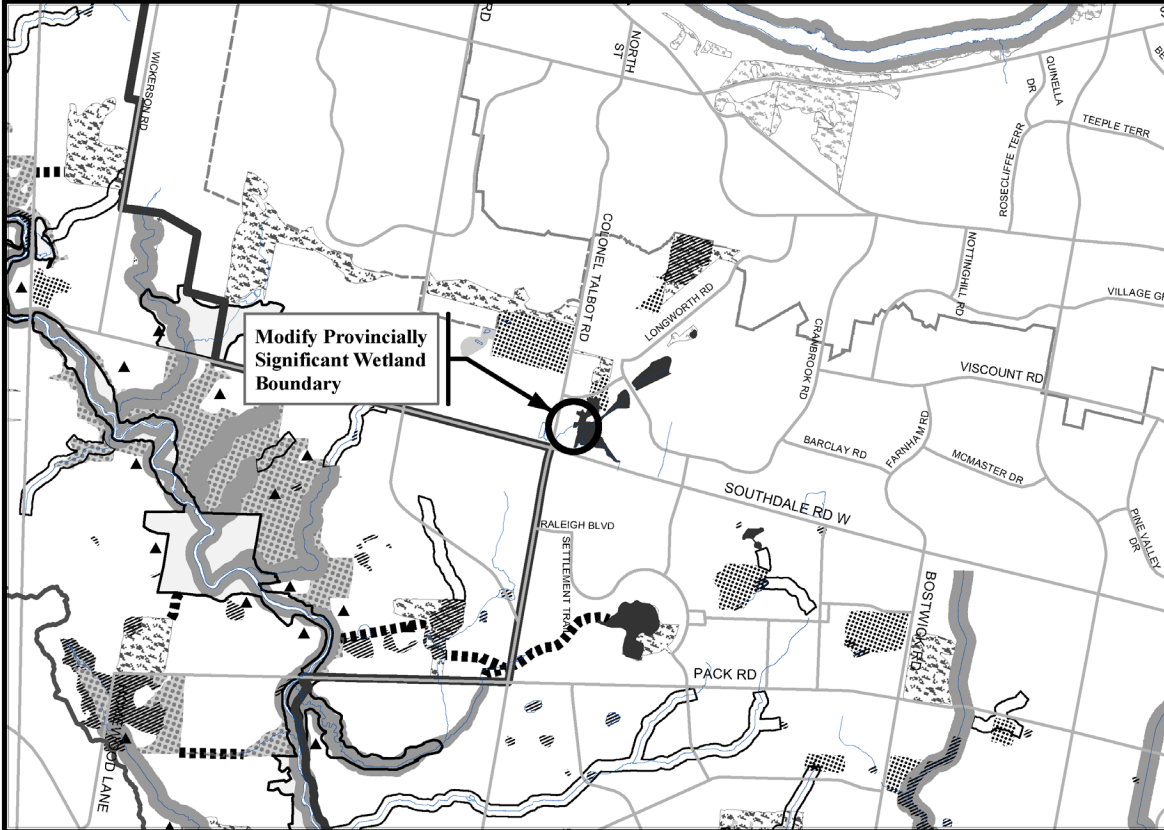


Legend

- | | | |
|------------------------|--------------------------|-----------------------------------------|
| Downtown | Future Community Growth | Environmental Review |
| Transit Village | Heavy Industrial | Farmland |
| Shopping Area | Light Industrial | Rural Neighbourhood |
| Rapid Transit Corridor | Future Industrial Growth | Waste Management Resource Recovery Area |
| Urban Corridor | Commercial Industrial | Urban Growth Boundary |
| Main Street | Institutional | |
| Neighbourhood | Green Space | |

This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

<p align="center">SCHEDULE 1 TO</p> <p>OFFICIAL AMENDMENT NO. _____</p> <p align="center">PREPARED BY: Planning & Development</p>	<p align="center"> Scale 1:30,000 Meters </p>	<p>FILE NUMBER: OZ-9431</p> <p>PLANNER: NP</p> <p>TECHNICIAN: RC</p> <p>DATE: 10/14/2022</p>
---------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------



NATURAL HERITAGE SYSTEM

- Provincially Significant Wetlands
- Wetlands
- Unevaluated Wetlands
- Significant Woodlands
- Woodlands
- Significant Valley Lands
- Valley Lands

- Areas of Natural and Scientific Interest
- Environmentally Significant Areas (ESA)
- Potential ESAs
- Upland Corridors
- Potential Naturalization Areas
- Unevaluated Vegetation Patches

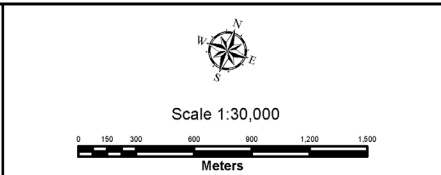
Base Map Features

- Railways
- Water Courses/Ponds
- Streets (see Map 3)
- Conservation Authority Boundary
- Subwatershed Boundary
- Subject to Site Specific Appeals (LPAT Appeal PL170100)

This is an excerpt from the Planning Division's working consolidation of Map 5 - Natural Heritage of the London Plan, with added notations.

**SCHEDULE 2
TO
OFFICIAL AMENDMENT NO. _____**

PREPARED BY: Planning & Development



FILE NUMBER: OZ-9431
PLANNER: NP
TECHNICIAN: RC
DATE: 10/14/2022

Bill No. 11
2023

By-law No. CPOL.-227()-___

A by-law to amend By-law No. CPOL.-227-479 as amended, being “A by-law to revoke and repeal Council policy related to Travel & Business Expenses and replace it with a new Council policy entitled Travel & Business Expenses” to repeal and replace Schedule A.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-227-479, as amended, being “A by-law to revoke and repeal Council policy related to Travel & Business Expenses and replace it with a new Council policy entitled Travel & Business Expenses”, to update various Policy provisions;

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

1. By-law No. CPOL.-227-479, as amended, being “A by-law to revoke and repeal Council policy related to Travel & Business Expenses and replace it with a new Council policy entitled Travel & Business Expenses” is hereby amended by repealing and replacing Schedule “A” with the attached new Schedule “A”.
2. This by-law shall come into force and effect on January 1, 2023.

PASSED in Open Council on December 13, 2022.

Josh Morgan
Mayor

Michael Schulthess
City Clerk

First Reading – December 13, 2022
Second Reading – December 13, 2022
Third Reading – December 13, 2022

Schedule “A”

Policy Name: Travel and Business Expenses

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-227-479); Amended July 24, 2018 (By-law No. CPOL.-227(a)-451)

Last Review Date: December 7, 2021

Service Area Lead: Director, Financial Services

1. Policy Statement

This policy addresses the methods and procedures by which the groups outlined below will be governed when attending to business related to their respective governing bodies, including but not limited to conferences, conventions, seminars, as well as business and business entertainment expenses either within the City limits or beyond; and provides for the associated compensation entitlements.

2. Definitions

2.1 **Accommodation** - commercial lodging facilities such as hotels, motels, corporate residences or apartments.

2.2 **City** - shall be used in this policy to mean The Corporation of the City of London

2.3 **City Business** - attending an event as a representative of the City, to derive a benefit for the City, or to advance the interests of the City.

2.4 **Expense Review Officer (ERO)** - shall mean the person responsible for administering this policy, having budgetary control over the general ledger account to be expensed, and having authority over the Officials/Staff incurring the expenditure; as defined in Section II below.

2.5 **Expense Reports** - shall include both manual forms (e.g. Travel Advance / Expense Form) and corporate purchasing card statements, as applicable.

2.6 **Governing Body** - shall mean the City Council or a local board or commission.

2.7 **Local Mileage** - defined as travel within the city limits of London, Ontario.

2.8 **Officials** - shall mean a Member of the City Council or an elected or appointed member of the governing body of a local board or commission or an advisory committee of the City Council.

2.9 **Per Diem** - an allowance to cover out-of-pocket expenses exclusive of accommodation or transportation. This allowance is intended to include meals, taxes, and gratuities related to travel.

2.10 **Receipt** - original document showing the name of the vendor, as well as the date, amount and description of the expenditure paid by the Officials/Staff.

2.11 **Staff** - shall mean an employee of the City of London or a staff member of a local board or commission.

2.12 **Travel** - is defined as going beyond the city limits of London, Ontario.

3. Applicability

This policy applies to:

- Members of City Council
- Employees of the City of London
- Elected/Appointed Officials

Other members and administrators shall be governed by whatever policies are set from time to time by their respective governing bodies, provided that the said policies do not exceed those contained within this policy.

It is understood that authority for the expenditure of funds for any and all expenses covered by this policy extends only to the extent of the financial limitations imposed by the annual (current) budgets of the respective governing bodies.

It is understood where an active contract and/or collective bargaining agreement is in place that addresses items contained within this policy that the terms of the contract/collective bargaining agreement will be followed.

Any question involving the meaning or application of this policy is to be submitted to the City Treasurer or designate for clarification.

Where this policy contradicts an existing policy or corporate practice, the issue will be forwarded to the City Treasurer or designate for a final binding decision. The issue and decision will be documented to be placed into further revisions of this policy.

4. The Policy

4.1 Expense Review Officer

The following are designated "Expense Review Officers" (ERO) for the jurisdictions referred to and shall be responsible for administering this policy within their particular areas of jurisdiction, addressing any justifiable exceptions; and for auditing and processing all expense reports in accordance with this policy, while maintaining the right to request additional explanations, documentation or justification of any or all of the expense reports:

Jurisdiction	ERO
Mayor	City Clerk or designate
Members of City Council	City Clerk or designate
Appointed Members of Advisory Committees	City Clerk or designate
City Manager	Mayor
Senior administrative official of each of the local boards or commissions	The chair of the respective local board or commission
Deputy City Managers	City Manager or designate
City of London Employees	Deputy City Managers or designates

4.2 Appeal Committee

The City Council and each local board or commission shall appoint an Appeal Committee for the purpose of dealing with disputes. The Appeal Committee shall be comprised of the senior administrative official, and the ERO of the governing body. Decisions of the Appeal Committee shall be final.

If the individual with a dispute is the senior administrative official; the City Treasurer will serve as part of the Appeal Committee.

4.3 Release of Expense Information

All expense information is considered to be public information and shall be made available, upon request, by the ERO. Annually, prior to March 31, the City Treasurer or designate will submit to the City Council, a list of expenses incurred during the previous calendar year for the members of City Council, all City of London staff at level SME-02 or above, elected and appointed officials and members of the Senior Administration of the following local boards and commissions: London Transit Commission, London Convention Centre Corporation; London Public Library Board and the London Police Services Board.

4.4 Responsibilities

Officials / Staff Role

The Officials/Staff are responsible for adhering to the provisions of this policy, in addition to the completion of the expense report and submitting it for approval. Supporting documentation, as outlined in this policy, must be attached to the expense report. To avoid duplicate payments and to facilitate appropriate reviews; copies of credit card/interact slips, and credit card statements are not acceptable as receipts; however, may be required to provide proof of purchase.

ERO Role

The ERO is responsible for reviewing and authorizing the expense report. Under no circumstances may an ERO authorize expenses incurred on their own behalf.

The ERO's signature indicates that:

- The expense is a legitimate business expense; and funds are available within the approved budget;
- The purchasing method does not violate the purchasing policy;
- Appropriate supporting documentation, as outlined in this policy, is attached; and,
- The expense has been charged to the correct cost centre and expense code.

The ERO is responsible for pre-approving individual travel and business expenses expected to be reimbursed at an amount greater than \$3,000 and to approve local mileage claims in excess of \$1,000 (City Council members are not entitled to claim local mileage).

Finance Role

Approved expense reports are to be forwarded to Financial Services / Accounts Payable for processing on a timely basis. Finance and/or Audit may conduct reviews at any time, without notice, to assess compliance with this policy. Failure to comply may result in corrective and/or disciplinary action up to and including dismissal.

4.5 General

4.5.1 Travel, business and local mileage expenditures are to be based on sound judgment and proper regard for economy.

4.5.2 Where travel and business expense payments are made using a corporate purchasing card; all provisions within this policy and the corporate purchasing card policy must be followed.

4.5.3 Travel, business and local mileage expenditures are subject to examination by City administration and/or the City's external auditors and must be completed with care, accuracy and supported by the appropriate forms, invoices and/or receipts.

4.5.4 Where an individual travel expense is expected to be reimbursed at an amount greater than \$3,000; a Travel Expense Authorization Form must be completed and approved by the ERO in advance of the date of travel. The Travel Expense Authorization Form must be attached to the expense report for submission to Finance.

4.5.5 When more than one traveller is attending the same event, all attendees must where practical/possible:

- i) Coordinate travel arrangements
- ii) Take advantage of group rates
- iii) Individually submit a separate expense report for reimbursement

4.5.6 When personal and business travel is combined, only documented expenses directly related to the business portion are reimbursable. Travel and related expenses will not be reimbursed for spouse and/or other guests.

4.5.7 When attending a course, conference, or seminar an outline/itinerary must be provided.

4.5.8 Where travel is delayed or cancelled due to circumstances beyond the traveller's control, effort must be made to notify the ERO immediately; the individual should attempt to secure complimentary lodging and/or meals where available. Any additional expense resulting from the delay or cancellation may require justification and be subject to review.

4.5.9 Expense reports must be submitted within sixty days from return to work from travel or the date from which the business expense was incurred. Consideration for year-end timelines should be taken into account at the end of the year.

4.5.10 The City will not reimburse for any personal items lost.

4.5.11 Where a staff member's primary place of business is in a Municipality other than the City of London; for the purposes of this policy:

- i) Local travel/local mileage will be within the limits of the Municipality where their work is conducted (for example: if the staff member conducts business in Toronto then local travel and mileage will be within the city limits of Toronto)
- ii) Per diem - an overnight stay in association with a one-day meeting or business event out-of-town is justified depending on the start and end times of the meeting and that the distance required to be travelled exceeds 150 kilometres from their primary place of business

All other items in this policy are applicable as outlined.

4.6 Travel

4.6.1 AUTHORIZED TRAVEL

- a) Officials are entitled to receive reimbursement for expenses while attending the following:
 - i) Annual conferences of municipal associations of which the governing body is a member;
 - ii) Board or executive committee meetings, committee meetings, associated meetings with federal or provincial ministries, workshops and seminars, provided the official is a director, committee or task force member within the sponsoring organization;
 - iii) Annual conferences or board meetings of any organization on which an official sits as a director/committee member representing the governing body and where the governing body is entitled to voting delegate status because of its membership;
 - iv) Out-of-town business as a representative of the City or of a local board or commission, provided that prior approval has been received from the governing body; and,
 - v) One conference in addition to those mentioned in (i) and (iii) above in any given year, provided that the said conference has a direct relationship to municipal concerns or interests, and subject to the approval of the governing body and the availability of funds in the budget.
- b) Staff are entitled to receive reimbursement for expenses while attending the following:

- i) Annual conferences of municipal associations of which the governing body is a member;
- ii) Board or executive committee meetings, committee meetings, associated meetings with federal or provincial ministries, workshops and seminars, provided the staff member is a director, committee or task force member within the sponsoring organization;
- iii) Annual conferences or board meetings of any organization on which a staff member sits as a director/committee member representing the governing body or is part of a professional association or membership;
- iv) Out-of-town business as a representative of the City or of a local board or commission provided that prior approval has been obtained;
- v) Out-of-town business to meet with peers to discuss best practices; and,
- vi) Out-of-town training courses provided that such training is of benefit to the staff member's position or necessary to retain licensing/designations and that prior approval has been obtained.

4.6.2. TRAVEL ADVANCES

- a) Travel advance requests must be made to the appropriate ERO at least one week prior to departure for domestic travel and two weeks prior to international travel (where the advance is required to be in US funds).
- b) The amount advanced will be calculated by the ERO, based on the estimated expenses associated with each individual circumstance.
- c) No advance will be provided for amounts less than \$200.00. Per Diem amounts will be advanced in Canadian Funds only.
- d) Travel Advances resulting in \$0.00 balances (advance = actual travel costs), or amounts owed back to the City, must be reconciled. For amounts owed back to the City, payment (reimbursement) must be made within sixty days from the date of return from travel. The cashier's receipt must be attached to the final expense report.
- e) Any Officials/Staff that has an outstanding travel claim that is not submitted to Finance within sixty days of the date of return from travel will not be allowed any further advances for travel until the outstanding advance has been settled.

4.6.3 REGISTRATION FEES

Registration fees for attendance at a convention, conference, seminar, workshop or annual meeting will be reimbursed in full by the governing body upon submission of an invoice from the appropriate organization and an official receipt indicating payment.

4.6.4 TRAVEL ALLOWANCES

- a) Per Diem Allowance
 - i) The per diem rate shall be as established by the governing body from time to time, provided that, in the case of a local board or commission, it shall not exceed that established by the City Council for elected and appointed officials.

The per diem rate will be paid in Canadian funds. An Officials/Staff who receives a per diem allowance may not claim additional personal expenses. To simplify reporting, receipts are not required for per diem expenses.

A corporate purchasing card should not be used to purchase expenses covered under the per diem allowance.

- ii) The per diem allowance is intended to cover the following normal daily expenses:
- meals and snacks
 - gratuities
 - non-alcoholic beverages
- iii) The per diem rate of \$75 will be applied to a twenty-four-hour travel period. At the discretion of the ERO, a partial per diem may be paid to cover costs associated with partial travel day. (Proration will be based on actual departure/arrival times as outlined in section 4.6.4. (a)(iv) below). Where meals have been provided, the per diem rate will be reduced by the amount reflected below:

Breakfast	\$15.00
Lunch	\$25.00
Dinner	\$35.00

- iv) Where a partial day per diem is applicable the following proration will be applied:

Breakfast	\$15.00 - If an employee is required to depart before 6:00 a.m.
Lunch	\$25.00 - If an employee is required to depart before 12:00 noon.
Dinner	\$35.00 - If an employee is required to return home after 6:00 p.m.

No other expenses will be reimbursed; receipts are not required for per diem expenses.

b) Transportation

- i) Officials and Staff may choose their own method of transportation on the understanding that the most direct route, the most economical and most practical method must be used. The loss of productive time must be minimized.

ii) Air

Economy class airfare is normally to be used; however, business class may be authorized by the ERO if:

- less expensive seats are not available, or
- the departure time is not acceptable, or
- the individual is travelling on a continuous flight in excess of five hours

The cost of an additional night(s) accommodation may be reimbursed if it is required in order to take advantage of a discount airfare, provided that the cost of the extra accommodation is not greater than the savings realized from the discounted airfare.

iii) Rail

With prior approval from their ERO, Officials and Staff may be reimbursed for business class rail transportation, provided that they actually travel business class, and provided that the trip extends over a normal meal period (breakfast, lunch or dinner). Otherwise, only economy rail transportation costs will be reimbursed. The per diem will be reduced by the amounts noted in section 4.6.4. (a)(iv).

iv) Private vehicles

Private vehicles may be used by Officials and Staff for out-of-town transportation when it is the most economical and practical method of

travel. The mileage rate, approved by the governing body from time to time, will be reimbursed provided that, in the case of a local board or commission, the said rate shall not exceed the mileage rate established from time to time by the City Council for elected and appointed officials.

- Expenses relating to personal vehicles such as maintenance, repairs, insurance premiums (standard or extra), accident deductibles or tickets, etc. will not be reimbursed.
- 407 ETR charges are a reimbursable expense (receipt/proof of payment is required)
- Please refer to section 4.8. Appendix A regarding insurance requirements for use of personal vehicles on City business.

v) City vehicles

Use of a City vehicle where available is encouraged. Fuel will be reimbursed with supporting receipts.

vi) Rental vehicles

Rental vehicles may be used by Officials and Staff where it is demonstrated that this method of transportation is more economical and practical than the use of taxis, limousines, etc. The most economical size of vehicle must be used, depending on the requirements of the occasion and the number of passengers.

The rental contract must be registered under the name “Corporation of the City of London – Applicant Name.”

Officials/Staff who rent vehicles in their own name become contractually responsible for meeting the terms of the contract, including any loss or damage of the vehicle. Please refer to the section 4.9. Appendix B (excerpt from the Risk Management Manual) for further details regarding insurance coverage.

vii) Taxis/Limos

Officials and Staff may be reimbursed for the actual costs of taxicabs, airport limousines, buses or equivalents for transportation between the individual's home or workplace and the designated transportation terminal as well as between the transportation terminal and the hotel or other destination point. Reimbursement will also be made for actual and reasonable costs incurred for such vehicles on approved City business whether within the City of London or at an approved location.

c) Local/Out of Town Mileage

i) Local Mileage

Local mileage expenses cover all individuals that this policy applies to with the exception of: a) Members of Council who have local mileage expenses provided for in the Council Members' Expense Account Policy b) Any Official or Staff (other than those in #1 above) who receive a monthly vehicle allowance.

The mileage rate, approved by the governing body, will be reimbursed for local travel. Officials and Staff must complete the Car Allowance Statement (Form #0086 on City Connect/Cit-eforms) and submit the form to Accounts Payable at the minimum of a quarterly basis. The Car Allowance Statements will be delivered to payroll weekly for reimbursement on the next available payroll direct deposit.

ii) Out of Town mileage

The mileage rate, approved by the governing body, will be reimbursed for out-of-town travel. Officials and Staff must complete the Accounts Payable Voucher – Travel Advance/Expense Report (Form #0627) and submit the form to Accounts Payable

- When more than one Officials/Staff is travelling in the same motor vehicle, only the owner of the said vehicle is entitled to reimbursement for mileage expenses as provided by this policy.

Officials/Staff, excluding Council Members, that are provided with a vehicle allowance are only entitled to an out-of-town mileage reimbursement when the travel exceeds 200 kilometres.

Council Members that are provided with a monthly transportation allowance, as provided for in the Council Members' Expense Account Policy, are entitled to an out-of-town mileage reimbursement for the full distance travelled when the distanced travelled exceeds 150 kilometres.

d) Accommodation

- An overnight stay in association with a one-day meeting or business event out-of-town is justified depending on the scheduled start and end times of the meeting and that the distance required to be travelled exceeds 150 kilometres.
- The name of "The City of London" or of the appropriate governing body must appear on all hotel (room) registrations and in each case available government or corporate rates should be requested. Individuals may be reimbursed for either single or double room base rates (including applicable taxes) depending on individual circumstances.
- With approval from the appropriate ERO, hospitality accommodation, such as suites, parlours, etc. may be obtained when necessary for entertainment or hosting purposes.

If an Officials/Staff chooses to stay overnight with friends or relatives while on business related to the governing body instead of at a hotel, accommodation expenses will not be reimbursed, however the per diem allowance will still apply as required.

- In the event of travel cancellation, the Officials/Staff may be held responsible and not be reimbursed for 'no show' charges resulting from failure to cancel a hotel reservation.

e) Telephone Calls

Officials and Staff will be reimbursed for all telephone calls (local or long distance) that are directly related to City business.

f) Spousal Expenses

Officials and Staff shall be responsible for all additional expenses incurred as a result of a spouse or companion travelling with them, save and except the cost of accommodation as referred to in section 4.6.4. (d) above.

g) Parking Expenses

- Officials and Staff will be reimbursed for the cost of parking their motor vehicle at a transportation terminal while they are out-of-town on business, subject to the submission of appropriate receipts and provided that the cost of the parking does not exceed the cost of ground transportation from their home or place of business to the transportation terminal. Loss or damage to

the vehicle, while parked, shall not be the responsibility of the governing body.

- ii) Officials and Staff will be reimbursed for the cost of parking their motor vehicle overnight while they are out-of-town on business, subject to the submission of appropriate receipts. Loss or damage to the vehicle, while parked, shall not be the responsibility of the governing body.

4.6.5. TRAVEL EXPENSE REPORTS

- a) Officials and Staff are responsible for filing their respective travel expense reports with their respective ERO within sixty days of their return to office from an out-of-town event or from the date of the business expense incurred as covered by this policy.
- b) Original individual detailed receipts must be filed with the expense report for all travel expenses not covered by the per diem allowance and for all hotel (room) accommodations. To avoid duplicate payments, copies, credit card slips, statements and/or Interac payment slips are not acceptable as receipts, however, may be required to provide proof of payment.
- c) Any funds owed to the governing body as a result of cash advances or claims for expenses of a personal nature not reimbursed by this policy, etc. shall be submitted to the City. A receipt should be attached to the travel expense report. Any funds owing to the City beyond a sixty-day period from the date of return from an out-of-town event may be deducted from the individual's next pay cheque.

4.6.6. FOREIGN EXCHANGE

All claims shall be reimbursed in Canadian Funds.

The exchange rate used in calculation of the reimbursement will be the Bank of Canada rate during the travel period except in the following circumstances:

- If the Officials/Staff provide evidence of the rate obtained at the time of travel, such as bank/currency exchange office or ATM receipts; or,
- In cases where a credit card has been used, the rate used on the credit card purchase(s) will be used for those purchases only. A copy of the credit card statement must be submitted.

4.7 Business Expenditures

4.7.1 Corporate Purchasing Cards

Where payments are made using a corporate purchasing card for items covered under this section of the policy; all provisions within this policy and the corporate purchasing card policy must be followed.

4.7.2 Hosting (City and/or Non-City employees in attendance)

- a) On occasions when it becomes necessary for an Officials/Staff to host or entertain individuals relating to the advancement of the affairs of the City, such hosting or entertaining shall not be extended solely to an individual(s) who is employed by the City or solely to the spouse or companion of the Officials or Staff member, unless the individual, spouse or companion is attending in an official or business related capacity. In such cases, all expenses must be accompanied by receipts plus a written explanation setting out the following:
 - the purpose for the hosting and the particular circumstances;
 - the names and the positions held of the person(s) hosted;
 - the location at which the hosting took place.

- b) Hospitality such as beverages, meals, tours or other entertainment is only to be provided to Officials/Staff that have been identified by prior approval to act as hosts to guests of the City.
- c) Reasonable expenses associated with the hosting of business contacts, such as business lunches or dinners, may be reimbursed when the expense is considered to be necessary for the advancement of the interests of the City (Officials or Staff members alone are not considered “business contacts”). The request for reimbursement must include the purpose of the hosting, and the name(s) of the individual(s) hosted.

With pre-approval from the ERO, alcoholic beverages purchased during these business events may be reimbursed. It is the responsibility of the ERO to determine whether the expense should be reimbursed, given the particular circumstances. Officials/Staff must be mindful of the fact that entertainment expenses in particular must be able to withstand public scrutiny.

- d) When two or more Officials or Staff members are present for a business/hosting event, the highest-ranking person present must pay for the expenditure and prepare the respective expense report. If this is not feasible, the resultant expense report must still be approved by the ERO of the highest-ranking person present.

4.7.3 Meals In-town (Only Officials/Staff in Attendance)

- a) It may be necessary for Officials or Staff to conduct City business over a meal, or an Officials or Staff may incur meal expenses in conjunction with attending a function on City business. It is the responsibility of the ERO to determine whether the meal expense should be reimbursed, given the particular circumstances. Receipts must be detailed and include a description of the purpose of the meal and a list of all persons in attendance.

Alcohol will not be reimbursed.

- b) When two or more Officials or Staff are present for a meal in-town, the highest-ranking person present must pay for the expenditure and prepare the respective expense report. If this is not feasible, the resultant expense report must still be approved by the ERO of the highest-ranking person present.

4.7.4 Business Expenditures (Non-City Staff in Attendance)

Expenses associated with events such as committee meetings, award banquets, a political speech/address or other business-related events where the purchase of a ticket or meal is required; will be reimbursed when such expense is considered to have a direct relationship to municipal concerns or interests. Additional reasonable expenses related to these types of events may be reimbursed. Official receipts must be provided.

4.7.5 Working Meetings/Life Events (Only Officials/Staff Present)

- a) Non-alcoholic beverages and snacks may be offered to Officials or Staff required to work through "breaks" (otherwise called "coffee breaks"). Such hospitality should be restricted to occasions where the dispersal of participants during a break period is not desirable (e.g., training workshops). Managerial discretion and due regard for economy should be used in identifying such occasions.
- b) Non-alcoholic refreshments, meals, or both may be offered to Officials or Staff required to work through meal hours. Such hospitality should be restricted to occasions where the dispersal of participants during the meal hour is not desirable. Managerial discretion and due regard for economy should be used in identifying such occasions.

- c) Expenses will be reimbursed for employee events such as: team building events, general staff appreciation or celebrations, recognition of project milestones, or recognition of the extra efforts of employees. It is the responsibility of the ERO to exercise good judgment to ensure that the expense is warranted and reasonable, and that the type of event or award is appropriate for the purpose. Officials and Staff must be mindful of the fact that entertainment expenses in particular must be able to withstand public scrutiny.
- d) Expenses associated with functions for departing staff may NOT be charged to a Service Area's budget. All expenses related to this type of function are the responsibility of those hosting the function.
- e) Cash awards are considered taxable benefits under income tax regulations.
- f) It is NOT permissible to use City funds to purchase flowers or gifts in recognition of any individual or group of individuals unless required within the business context in such circumstances as:
 - i) In the event of the death of an employee, an employee's spouse or an employee's child, Human Resources may purchase flowers on behalf of the City. Where a donation is requested in lieu of flowers, Human Resources may make a contribution up to a maximum of \$100.00. Any flowers or donations shall be clearly marked as having come from the "Municipal Council and Staff of The Corporation of the City of London".
 - ii) In the event of the death of a current Member of Council, a current Member of Council's spouse or a current Member of Council's child, the City Clerk may purchase flowers on behalf of the City. Where a donation is requested in lieu of flowers, the City Clerk may make a contribution up to a maximum of \$100.00. Any flowers or donations shall be clearly marked as having come from the "Municipal Council and Staff of The Corporation of the City of London".
 - iii) In the event of the death of a current local Member of Parliament or current local Member of the Legislative Assembly of Ontario, the City Clerk may purchase flowers on behalf of the City. Where a donation is requested in lieu of flowers, the City Clerk may make a contribution up to a maximum of \$100.00. Any flowers or donations shall be clearly marked as having come from the "Municipal Council and Staff of The Corporation of the City of London".
 - iv) Gifts for employees in keeping with the Council and Corporate Policies and Procedures related to the Employee Service Recognition Program.

4.7.6 Attending Public Functions

When Officials/Staff are officially requested to attend functions at public expense at which there are guests who are not Officials/Staff, the number of Officials/Staff must not exceed the number needed to conduct City business.

Expenses incurred at or for political fundraising events where the Officials/Staff have been requested to attend are not reimbursable.

4.8 Appendix A - Risk Management Policy - Insurance coverage for personal vehicles used for City business

Purpose

From time to time, it is necessary for City staff to use a personal vehicle on City business. This policy establishes the requirements of City employees, who receive travel expense reimbursement, are aware of expectations and insurance requirements when using a personal vehicle while on City business.

Policy

4.8.1. Automobile Liability Insurance Coverage

The Ontario Insurance Act directs that passengers injured during an automobile accident shall file their claim with their own insurance company. If they do not hold a policy, they can file a claim against the policy of their spouse or parent(s) or guardian(s). When a passenger has no access to any other insurance policy, they can make a claim against the insurance policy covering the vehicle that they were a passenger in.

- a) The City purchases “Non-Owned Automobile Liability” insurance. This provides coverage for legal liability arising out of automobile accidents while an employee is using their vehicle for City business. (It does not provide insurance for vehicles operated by employees under contract for snow ploughing.)

Non-Owned Auto protects the City against claims arising out of the use by employees of their own personal vehicles. It does not protect the owner of the vehicle who must by law carry owner's insurance. If the owner's policy does not cover part or all of a claim when a vehicle is operated on behalf of the City, this 'non-owned' policy provides insurance to the City.

4.8.2 Employees who use their vehicles on City business must maintain a minimum of \$1,000,000.00 automobile liability and statutory accident benefits insurance coverage as required under the Ontario Insurance Act.

- a) Injury/Incident Reporting Procedures

Employees will report all automobile accidents that occur while on City business to their Director/Manager as soon as possible.

- b) The Director/Manager will inform People Services/Human Resources of injuries involving City employees and Risk Management of injuries to non-employees. The Director/Manager will also complete the appropriate WSIB and Automobile Accident report forms as appropriate.

4.9 Appendix B - Rental Vehicle Risk Management

4.9.1. INSURANCE ON RENTED VEHICLES GUIDELINES

When vehicles are rented for business purposes, they *must be rented in employer's name* in order that the blanket auto insurance policy provides coverage. This is because the *renter's own insurance policy* responds first to claims by injured claimants. Employees who rent vehicles in their own name become contractually responsible for meeting the terms of the contract, including any loss or damage of the vehicle. For example, when an accident arises out of the use or operation of a leased or rented vehicle the priority of those responsible for costs is:

- a) The renter's own automobile insurance policy,
- b) Next is the policy of the driver of the vehicle, (for example, if you rented a vehicle but let a friend drive it), and
- c) The policy of the vehicle owner (the rental company).

4.9.2 PHYSICAL DAMAGE TO RENTED VEHICLES

The Collision Damage Waiver (CDW) on short-term vehicle rental contracts should be declined as the City has adequate insurance for the risk. Rental car agencies normally charge in between \$10.00 and \$20.00 per day in addition to the daily rental charge. In the case of the City and insured Boards, it is not necessary to purchase insurance for physical damage to the vehicles rented when the vehicles rented are valued at less than \$100,000.00.

4.9.3 RESTRICTIONS ON USE

Rental agreements all contain restrictions on certain uses and drivers that, if violated, may affect insurance coverage, and make the renter fully responsible for the loss. Renters should pay particular attention to the following typical rental agency restrictions:

- no driver under age 21
- no driver under the influence of alcohol or drugs
- no use inconsistent with normal business travel (see detailed list in rental agreement)

4.9.4 PERSONAL USE OF RENTAL AUTOS

These guidelines and procedures apply only to vehicles rented for use on the business of the City or insured Board.

4.9.5 REPORTING REQUIREMENTS

All accidents must be reported promptly to the rental agency, to the local police and to Risk Management. See Automobile Accident Report - Form No. 1005.

Last modified: November 16, 2022

Bill No. 12
2023

By-law No. L.S.P.-

A by-law to authorize and approve an application to expropriate land in the City of London, in the County of Middlesex, for the Wellington Gateway Project.

WHEREAS The Corporation of the City of London has made application to the Council of The Corporation of the City of London for approval to expropriate lands for the Wellington Gateway Project;

THEREFORE The Corporation of the City of London, as the expropriating authority, enacts as follows:

1. An application be made by The Corporation of the City of London as Expropriating Authority, to the Council of The Corporation of the City of London as approving authority, for approval to expropriate lands for the Wellington Gateway Project; which land is more particularly described in attached Appendix "A" of this by-law.
2. The Corporation of the City of London as Expropriating Authority serve and publish notice of the application referred to in section 1 of this by-law in the form attached hereto as Appendix "B", being the "Notice of Application for Approval to Expropriate Lands," in accordance with the requirements of the *Expropriations Act*.
3. The Corporation of the City of London as Expropriating Authority forward to the Chief Enquiry Officer, any requests for a hearing that may be received in connection with the notice of this expropriation and report such to the Council of The Corporation of the City of London for its information.
4. The Civic Administration be hereby authorized to carry out all necessary administrative actions in respect of the said expropriation.
5. This by-law comes into force on the day it is passed.

PASSED in Open Council on December 13, 2022.

Josh Morgan
Mayor

Michael Schulthess
City Clerk

First Reading – December 13, 2022
Second Reading – December 13, 2022
Third Reading – December 13, 2022

APPENDIX "A"

To By-law L.S.P.-_____

DESCRIPTION OF LANDS TO BE EXPROPRIATED FOR THE WELLINGTON GATEWAY PROJECT

Fee Simple:

Parcel 1:

Part of Lot 1, South of South Street East in the City of London, County of Middlesex designated as Part 4 on Plan 33R-21309 being part of PIN 08330-0003(LT)

Parcel 2:

Part of Lot 1, South of South Street East in the City of London, County of Middlesex designated as Part 3 on Plan 33R-21309 being part of PIN 08330-0002(LT)

Limited Interest (Easement):

Parcel 3:

Part of Lot 1, South of South Street East in the City of London, County of Middlesex designated as Part 5 on Plan 33R-21309 being part of PIN 08330-0003(LT)

Parcel 4:

Part of Lot 1, South of South Street East in the City of London, County of Middlesex designated as Part 2 on Plan 33R-21309 being part of PIN 08330-0002(LT)

Parcel 5:

Part of Lot 1, South of South Street East in the City of London, County of Middlesex designated as Part 1 on Plan 33R-21309 being part of PIN 08330-0001(LT)

APPENDIX "B"

To By-law L.S.P.- _____

EXPROPRIATIONS ACT, R.S.O. 1990, CHAPTER E.26

NOTICE OF APPLICATION FOR APPROVAL TO EXPROPRIATE LAND
Expropriations Act

IN THE MATTER OF an application by The Corporation of the City of London for approval to expropriate lands being Part of Part of Lot 1, Southeast South Street, As in 656872 & 657885; London, being Part of PIN 08330-0003; Part of Lot 1, Southeast South Street, As in 732712; London, being Part of PIN 08330-0002; AND Part of Lot 1, Southeast South Street, As in 620497; London, being Part of PIN 08330-0001 for the purpose of the Wellington Gateway Project.

NOTICE IS HEREBY GIVEN that application has been made for approval to expropriate the following lands described as follows:

Fee Simple:

Parcel 1: Part of Lot 1, South of South Street East in the City of London, County of Middlesex designated as Part 4 on Plan 33R-21309 being part of PIN 08330-0003(LT)

Parcel 2: Part of Lot 1, South of South Street East in the City of London, County of Middlesex designated as Part 3 on Plan 33R-21309 being part of PIN 08330-0002(LT)

Limited Interest (Easement):

Parcel 3: Part of Lot 1, South of South Street East in the City of London, County of Middlesex designated as Part 5 on Plan 33R-21309 being part of PIN 08330-0003(LT)

Parcel 4: Part of Lot 1, South of South Street East in the City of London, County of Middlesex designated as Part 2 on Plan 33R-21309 being part of PIN 08330-0002(LT)

Parcel 5: Part of Lot 1, South of South Street East in the City of London, County of Middlesex designated as Part 1 on Plan 33R-21309 being part of PIN 08330-0001(LT)

Any owner of land in respect of which notice is given who desires an inquiry into whether the taking of such land is fair, sound and reasonably necessary in the achievement of the objectives of the expropriating authority shall so notify the approving authority in writing,

- a) in the case of a registered owner, served personally or by registered mail within thirty days after the registered owner is served with the notice, or, when the registered owner is served by publication, within thirty days after the first publication of the notice;
- b) in the case of an owner who is not a registered owner, within thirty days after the first publication of the notice.

The approving authority is:

The Municipal Council of The Corporation of the City of London
300 Dufferin Avenue
P.O. Box 5035
London ON N6A 4L9

The expropriating authority is:

THE CORPORATION OF THE CITY OF LONDON

MICHAEL SCHULTHESS, CITY CLERK

Notes:

1. The Expropriations Act, R.S.O. 1990, Chapter E.26, provides that:
 - (a) where a hearing is requested, it shall be referred to the Ontario Lands Tribunal for a hearing by a single member of the Tribunal;
 - (b) the Tribunal,
 - (i) shall inquire into whether the taking of the lands or any part of the lands of an owner is fair, sound and reasonably necessary in the achievement of the objectives of the expropriating authority, and
 - (ii) may recommend to the approving authority that a party to the inquiry be paid a fixed amount for the party's cost of the hearing and the approving authority may in its discretion to order the expropriating authority to pay the recommended costs.

2. "Owner" and "registered owner" are defined in the Act as follows:

“owner” includes a mortgagee, tenant, execution creditor, a person entitled to a limited estate or interest in land, a guardian of property, and a guardian, executor, administrator or trustee in whom land is vested;

“registered owner” means an owner of land whose interest in the land is defined and whose name is specified in an instrument in the proper land registry or sheriff's office, and includes a person shown as a tenant of land on the last revised assessment roll;

3. The parties to a hearing are,
 - (a) the expropriating authority;
 - (b) each owner who notifies the approving authority that the owner desires a hearing in respect of the lands intended to be expropriated; and
 - (c) any owner added as a party by the Tribunal whose land the Tribunal determines would be affected by the expropriation or any modification of the expropriation

This notice first published on the _____ day of _____, 2022.

Bill No. 13
2023

By-law No. L.S.P.- _____ - ____

A by-law to designate 634 Commissioners Road West to be of cultural heritage value or interest.

WHEREAS pursuant to the *Ontario Heritage Act, R.S.O. 1990, c. 0.18*, the Council of a municipality may by by-law designate a property including buildings and structures thereon to be of cultural heritage value or interest;

AND WHEREAS notice of intention to so designate the property known as 634 Commissioners Road West has been duly published and served and no notice of objection to such designation has been received;

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

1. The real property at 634 Commissioners Road West, more particularly described in Schedule "A" attached hereto, is designated as being of cultural heritage value or interest for the reasons set out in Schedule "B" attached hereto.
2. The City Clerk is authorized to cause a copy of this by-law to be registered upon the title to the property described in Schedule "A" hereto in the proper Land Registry Office.
3. The City Clerk is authorized to cause a copy of this by-law to be served upon the owner of the aforesaid property and upon the Ontario Heritage Trust and to cause notice of this by-law to be published once in a newspaper of general circulation in The City of London, to the satisfaction of the City Clerk, and to enter the description of the aforesaid property, the name and address of its registered owner, and designation statement explaining the cultural heritage value or interest of the property and a description of the heritage attributes of the property in the Register of all properties designated under the *Ontario Heritage Act*.
4. This by-law shall come into force and be deemed to come into force in accordance with Section 29(12) and 29(18) of the *Ontario Heritage Act, R.S.O. 1990*.

PASSED in Open Council on December 13, 2022.

Josh Morgan
Mayor

Michael Schulthess
City Clerk

First Reading – December 13, 2022
Second Reading – December 13, 2022
Third Reading – December 13, 2022

SCHEDULE "A"
To By-law No. L.S.P.- _____

Legal Description

PT N 1/2 LT 38 CON 1 AS IN 236820
EXCEPT 236821, 236960, 262640, 262456; T/W 296062

SCHEDULE “B”
To By-law No. L.S.P.- _____

Statement for Designation

Description of Property

The property at 634 Commissioners Road West is located in the City of London approximately 43 metres east of the intersection of Nottingham Road and Commissioners Road West. The property contains a built resource located on a generously sized lot landscaped with a lawn, pool, shrubs, and intermediate and mature deciduous and coniferous trees. The built resource was constructed *circa* 1870 and is an example of an Ontario vernacular structure with Georgian and Italianate design influences.

Statement of Cultural Heritage Value or Interest

The property at 634 Commissioners Road West is of significant cultural heritage value or interest because of its physical or design values and its historical or associative values.

The built resource at 634 Commissioners Road West demonstrates design value as a representative Ontario vernacular frame structure built *circa* 1870. The built resource contains a blend of Georgian and Italianate design elements popular in Ontario during the mid- to late- 19th century. The blend of these two styles together, and use of locally available materials including stone, brick, and timber, gives the built resource on the property a vernacular character. Components of the built resource that contain both Georgian and Italianate design elements include the hip roof, square plan, symmetrical main elevation, and pediment window and door surrounds. The segmental arch windows and wide soffits are more typical to the Italianate style. Residences that contain both Georgian and Italianate design features were common in Ontario during the mid- to late- 19th century. These types of residences were viewed as containing the tradition and conservatism of the Georgian style while incorporating some more contemporary design elements associated with the Italianate style.

The property demonstrates historical and associative value through its connection with the Kilbourn, Teeple, and Jarvis families. These three families were related by marriage and farmed on Lot 38, Concession 1 between about 1815 and 1905. Both the Kilbourn and Teeple families were part of the initial wave of settlers to Westminster Township from the United States in the decades after the American Revolution. Both families also participated in the War of 1812. The built resource at 634 Commissioners Road West was likely constructed by Robert Jarvis *circa* 1870. The naming of Jarvis Street – which is located about 300 metres north of 634 Commissioners Road West – is associated with the Jarvis family. Together, these three families contributed to the pattern of settlement along Commissioners Road during the 19th century.

Heritage Attributes

Heritage attributes which support and contribute to the cultural heritage value or interest of this property include:

- Representative example of a mid- to late- 19th century Ontario vernacular structure with Georgian and Italianate design elements, including:
 - Two storey structure with square plan
 - Hip roof with red brick chimney, lightning rods, and wide soffits
 - Symmetrical main (north) elevation with three bays
 - Segmental arch 2/2 windows with wood frames and wood pediment style surrounds
 - Wood shutters on the north, east, and west elevations
 - Main entrance with wood door, classically inspired columns, sidelights, transom, and pediment style door surround
 - Basement wood frame windows with segmental arch openings and buff brick voussoirs
 - Buff brick and fieldstone foundation

The attached contemporary garage (south and east elevation), small rear addition (south elevation), and contemporary enclosed porch (east elevation) are not considered to be heritage attributes

Bill No.14
2023

By-law No. S.- ____ - ____

A by-law to assume certain works and services
in the City of London. (North Longwoods
Phase 3A; 33M-582)

WHEREAS the Deputy City Manager, Environment and Infrastructure of
The Corporation of the City of London has reported that works and services have been
constructed to their satisfaction in North Longwoods Phase 3A;

AND WHEREAS it is deemed expedient to assume the said works and
services;

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

1. The Corporation of the City of London assumes the following works and
services, namely:

North Longwoods Phase 3A; 33M-582
Legend Developments

Emilycarr Lane – All

2. The warranty period for the works and services in the subdivision referred
to in Section 1 of this by-law is for the period of November 21, 2022 to November 21,
2023.

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

PASSED in Open Council on December 13, 2022.

Josh Morgan
Mayor

Michael Schulthess
City Clerk

First Reading – December 13, 2022
Second Reading – December 13, 2022
Third Reading – December 13, 2022

Bill No. 15
2023

By-law No. Z.-1-23_____

A by-law to amend By-law No. Z.-1 to rezone
an area of land located at 3195, 3207 White
Oak Road and 2927 Petty Road

WHEREAS Whiterock Village Inc. has applied to rezone an area of land
located at 3195, 3207 White Oak Road and 2927 Petty Road, as shown on the map
attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning
applicable to lands located at 3195, 3207 White Oak Road and 2927 Petty Road,
as shown on the attached map, comprising part of Key Map No. 111, from an
Urban Reserve UR4 and Holding Urban Reserve UR4 Special Provision h-
94*UR4(11) Zone to a Residential Special Provision R5 (R5-7()) Zone.
- 2) Section Number 9.4 of the Residential R5 (R5-7) Zone is amended by
adding the following Special Provision:

R5-7() 3195, 3207 White Oak Road and 2927 Petty Road

a) Regulation[s]

- | | | |
|------|-------------------------------|--------------------------------------------|
| i) | Height | 12.0m (maximum) |
| ii) | Exterior Side Yard | 1.2m (minimum)
3.0m (maximum) |
| iii) | Rear Yard Second Storey Decks | 4.1m (minimum) |
| iv) | Rear Yard Depth | 6.0m North Interior
Side Yard (minimum) |

The inclusion in this By-law of imperial measure along with metric measure is for the
purpose of convenience only and the metric measure governs in case of any
discrepancy between the two measures.

This By-law shall come into force and be deemed to come into force in accordance with
Section 34 of the *Planning Act, R.S.O. 1990, c. P13*, either upon the date of the
passage of this by-law or as otherwise provided by the said section.

PASSED in Open Council on December 13, 2022.

Josh Morgan
Mayor

Michael Schulthess
City Clerk

First Reading – December 13, 2022
Second Reading – December 13, 2022
Third Reading – December 13, 2022

AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)



File Number: Z-9350
 Planner: SM
 Date Prepared: 2022/01/05
 Technician: RC
 By-Law No: Z.-1-

SUBJECT SITE 

1:1,250

0 5 10 20 30 40 Meters



Geodatabase

Bill No. 16
2023

By-law No. Z.-1-23_____

A by-law to amend By-law No. Z.-1 to rezone
an area of land located at 2846 and 2870
Tokala Trail.

WHEREAS Foxwood Developments (London) Inc. has applied to rezone
an area of land located at 2846 and 2870 Tokala Trail, as shown on the map attached
to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning
applicable to lands located at 2846 and 2870 Tokala Trail, as shown on the
attached map comprising part of Key Map No. A101, from a Holding Residential
R5 / Neighbourhood Facility (h*h-71*h-100*h-108*R5-7 / NF1) Zone and Urban
Reserve (UR3) Zone to a Residential R5 Special Provision (R5-7(_)) Zone and a
Holding Residential R5 Special Provision (h-18*R5-7(_)) Zone.

- 2) Section Number 9.4 of the Residential R5 (R5-7) Zone is amended by
adding the following Special Provision:

R5-7(_) 2846 and 2870 Tokala Trail

a) Regulations

i) Density (Maximum)	70 units per hectare
-------------------------	----------------------

The inclusion in this By-law of imperial measure along with metric measure is for the
purpose of convenience only and the metric measure governs in case of any
discrepancy between the two measures.

This By-law shall come into force and be deemed to come into force in accordance with
Section 34 of the *Planning Act, R.S.O. 1990, c. P13*, either upon the date of the
passage of this by-law or as otherwise provided by the said section.

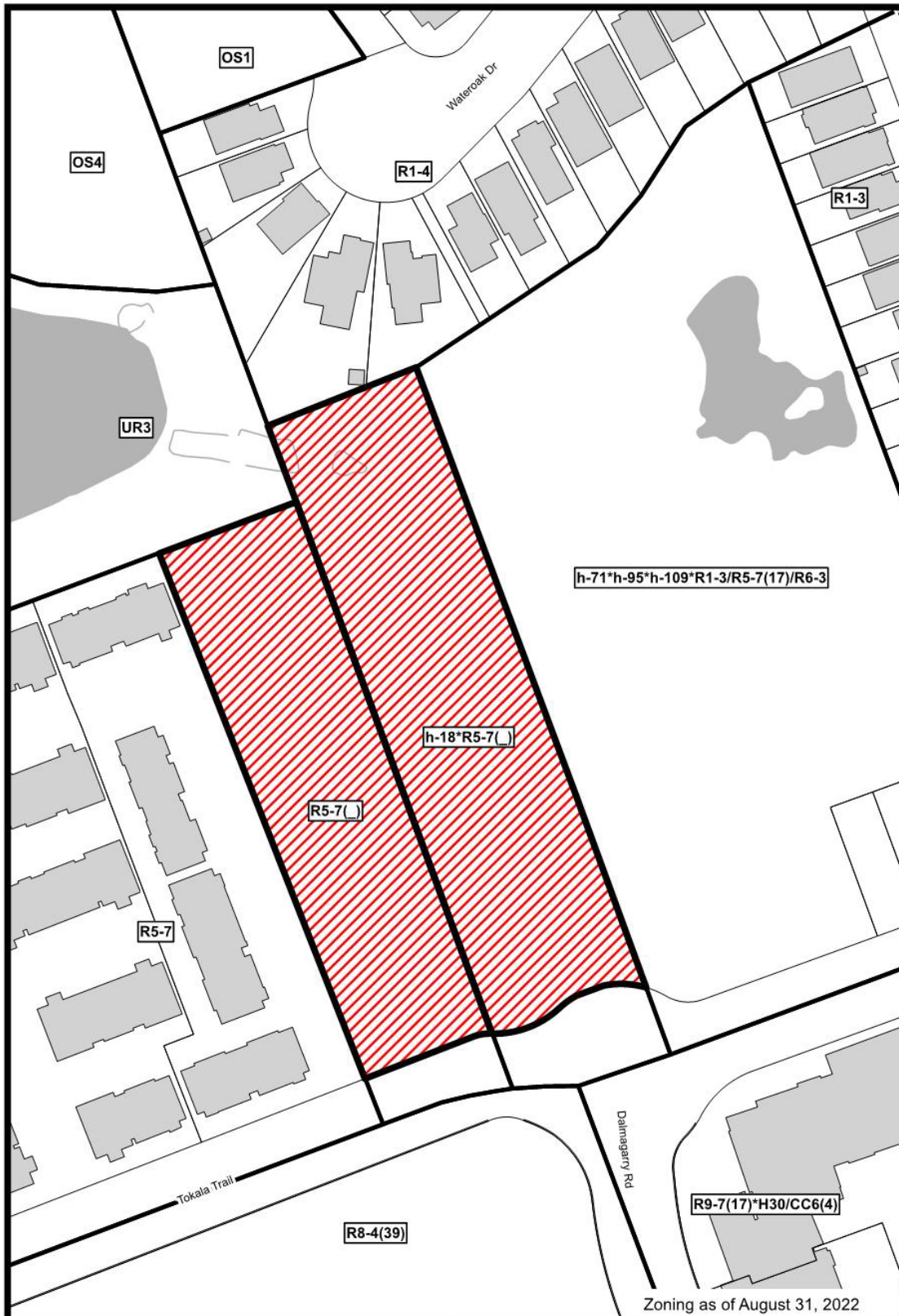
PASSED in Open Council on December 13, 2022.

Josh Morgan
Mayor

Michael Schulthess
City Clerk

First Reading – December 13, 2022
Second Reading – December 13, 2022
Third Reading – December 13, 2022

AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)



File Number: Z-9523
 Planner: EB
 Date Prepared: 2022/10/05
 Technician: JI
 By-Law No: Z.-1-

SUBJECT SITE 

1:1,200

0 5 10 20 30 40 Meters



Geodatabase

Bill No. 17
2023

By-law No. Z.-1-23_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 870-922 Medway Park Drive.

WHEREAS Dillon Consulting Limited has applied to rezone an area of land located at 870-922 Medway Park Drive, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 870-922 Medway Park Drive, as shown on the attached map comprising part of Key Map No. A101, from a Holding Restricted Office (h-17*RO2) Zone to a Holding Residential R5 Special Provision (h-17*R5-7(_)) Zone.
- 2) Section Number 9.4 of the Residential R5 (R5-7) Zone is amended by adding the following Special Provision:

R5-7(_) 870-922 Medway Park Drive

a) Regulations

- | | | |
|-------|------------------------------------------------------------|-------------|
| i) | Front Yard Depth
(Minimum) | 1.5 metres |
| ii) | Front Yard Depth
(Maximum) | 10.0 metres |
| iii) | Rear Yard Depth
(Minimum) | 5.0 metres |
| iv) | West Interior Side Yard Depth
(Minimum) | 6.0 metres |
| v) | East Interior Side Yard Depth
(Minimum) | 5.0 metres |
| vi) | Rear Yard Second Storey Deck
(Minimum) | 2.5 metres |
| vii) | East Interior Side Yard
Second Storey Deck
(Minimum) | 2.5 metres |
| viii) | West Interior Side Yard
Second Storey Deck
(Minimum) | 3.5 metres |

The inclusion in this By-law of imperial measure along with metric measure is for the purpose of convenience only and the metric measure governs in case of any discrepancy between the two measures.

This By-law shall come into force and be deemed to come into force in accordance with Section 34 of the *Planning Act, R.S.O. 1990, c. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

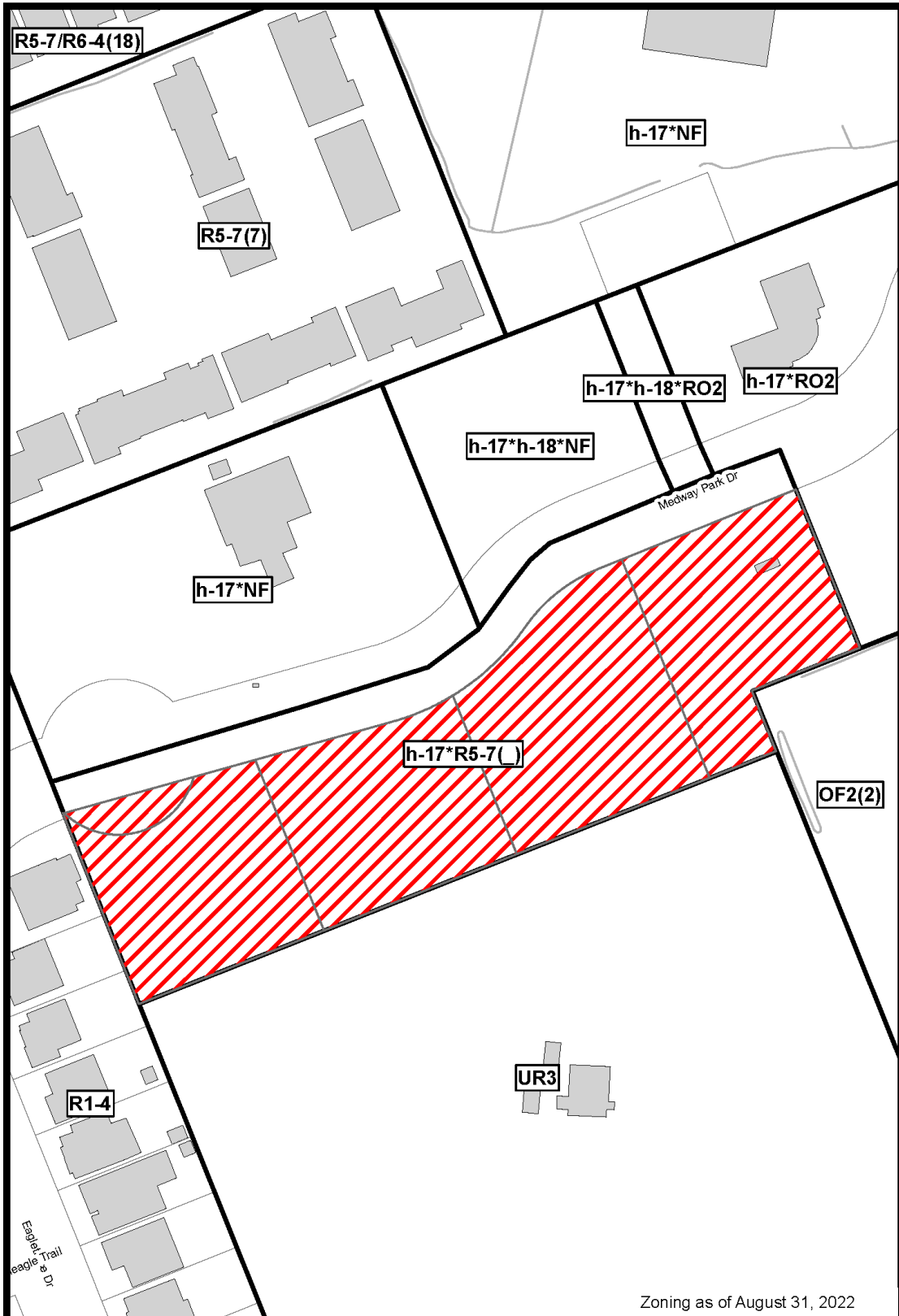
PASSED in Open Council on December 13, 2022

Josh Morgan
Mayor


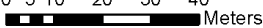

Michael Schulthess
City Clerk

First Reading – December 13, 2022
Second Reading – December 13, 2022
Third Reading – December 13, 2022

AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)



Zoning as of August 31, 2022

<p>File Number: Z-9533 Planner: MV Date Prepared: 2022/10/25 Technician: JI By-Law No: Z.-1-</p>	<p>SUBJECT SITE </p> <p>1:1,200</p> <p>0 5 10 20 30 40 Meters </p> <p></p>
---------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Geodatabase

Bill No. 18
2023

By-law No. Z.-1-23_____

A by-law to amend By-law No. Z.-1 to rezone
an area of land located at 338 Boler Road.

WHEREAS Alma Village Inc. has applied to rezone an area of land
located at 338 Boler Road as shown on the map attached to this by-law, as set out
below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning
applicable to lands located at 338 Boler Road, as shown on the attached map
comprising part of Key Map No. A106, from a Residential R2 (R2-1) Zone to a
Residential R3 Special Provision (R3-1(_)) Zone.
- 2) Section Number 7.4 of the Residential R3 (R3-1) Zone is amended by
adding the following Special Provision:

R3-1() 338 Boler Road

a) Regulation[s]

- | | | |
|-----|------------------------------------------------------|------------|
| i) | Front Yard Depth
(minimum) | 1.2 metres |
| ii) | Rear & Interior
Parking Area Setback
(minimum) | 1.5 metres |

The inclusion in this By-law of imperial measure along with metric measure is for the
purpose of convenience only and the metric measure governs in case of any
discrepancy between the two measures.

This By-law shall come into force and be deemed to come into force in accordance with
Section 34 of the *Planning Act, R.S.O. 1990, c. P13*, either upon the date of the
passage of this by-law or as otherwise provided by the said section.

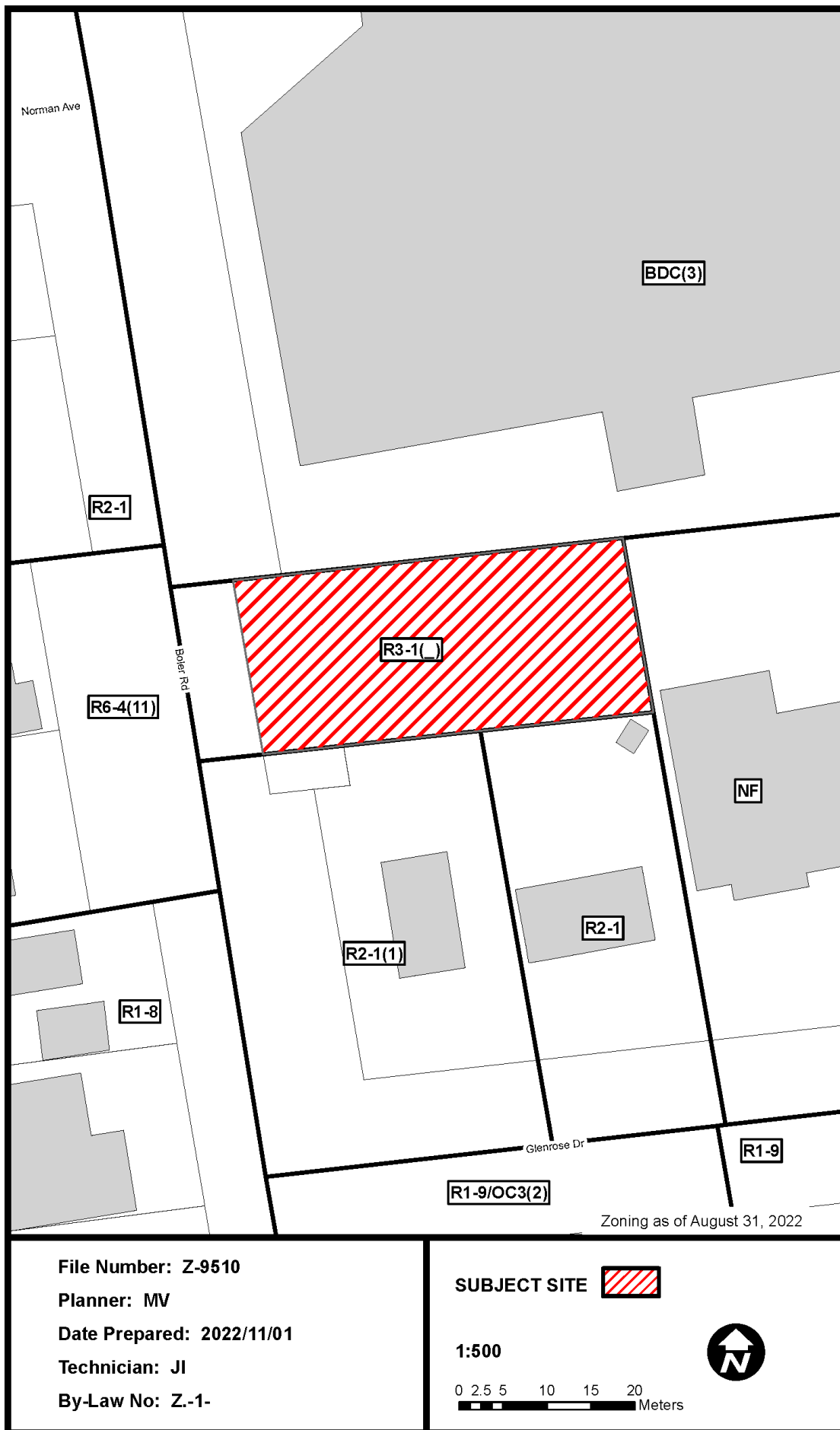
PASSED in Open Council on December 13, 2022

Josh Morgan
Mayor


Michael Schulthess
City Clerk

First Reading – December 13, 2022
Second Reading – December 13, 2022
Third Reading – December 13, 2022

AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)



File Number: Z-9510
 Planner: MV
 Date Prepared: 2022/11/01
 Technician: JI
 By-Law No: Z.-1-

SUBJECT SITE 
 1:500
 0 2.5 5 10 15 20 Meters



Geodatabase

Bill No. 19
2023

By-law No. Z.-1-23_____

A by-law to amend By-law No. Z.-1 to rezone
an area of land located at 6092 Pack Road.

WHEREAS Magnificent Homes and Royal Premier Homes have applied to rezone an area of land located at 6092 Pack Road, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 6092 Pack Road, as shown on the attached map comprising part of Key Map No. A110, from an Urban Reserve (UR3) Zone to a Holding Residential R6 Special Provision (h*R6-5(_)) Zone.
- 2) Section 10.4 of the Residential R6 (R6-5) Zone is amended by adding the following Special Provision:

R6-5(_)	6092 Pack Road	
a)	Prohibited Uses	
i)	Apartment building	
b)	Regulations	
i)	Front Yard Depth for development 3 storeys or less (Minimum)	13.3 metres (51.8 feet)
ii)	Front Yard Depth for development 4 storeys in height. (Minimum)	15.8 metres (51.8 feet)
iii)	Interior Side Yard Depth for new development one to two storeys in height where the end wall of a unit contains no windows to habitable rooms (Minimum)	1.8 metres (5.9 feet)
iv)	Interior Side Yard Depth for new development over two storeys end wall of a unit contains no windows to habitable rooms (Minimum)	3.0 metres (9.8 feet)
v)	Interior Side Yard Depth for new development where the wall of a unit contains windows to habitable rooms (Minimum)	6.0 metres (19.7 feet)
vi)	Separation Distance for new development, 3 storeys or less, from an Existing single detached dwelling on the same lot, save and except the garage. (Minimum)	3.9 metres (16.4 feet)

- | | | |
|-------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|
| vii) | Separation Distance for new development, 4 storeys in height, from Existing single detached dwelling on the same lot, save and except the garage.
(Minimum) | 5.0 metres
(16.4 feet) |
| viii) | New residential uses are restricted to only one side yard from Existing single detached dwelling but in no case permitted on both sides | |
| ix) | Density
(Maximum) | 45 units per hectare |

The inclusion in this By-law of imperial measure along with metric measure is for the purpose of convenience only and the metric measure governs in case of any discrepancy between the two measures.

This By-law shall come into force and be deemed to come into force in accordance with Section 34 of the *Planning Act, R.S.O. 1990, c. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

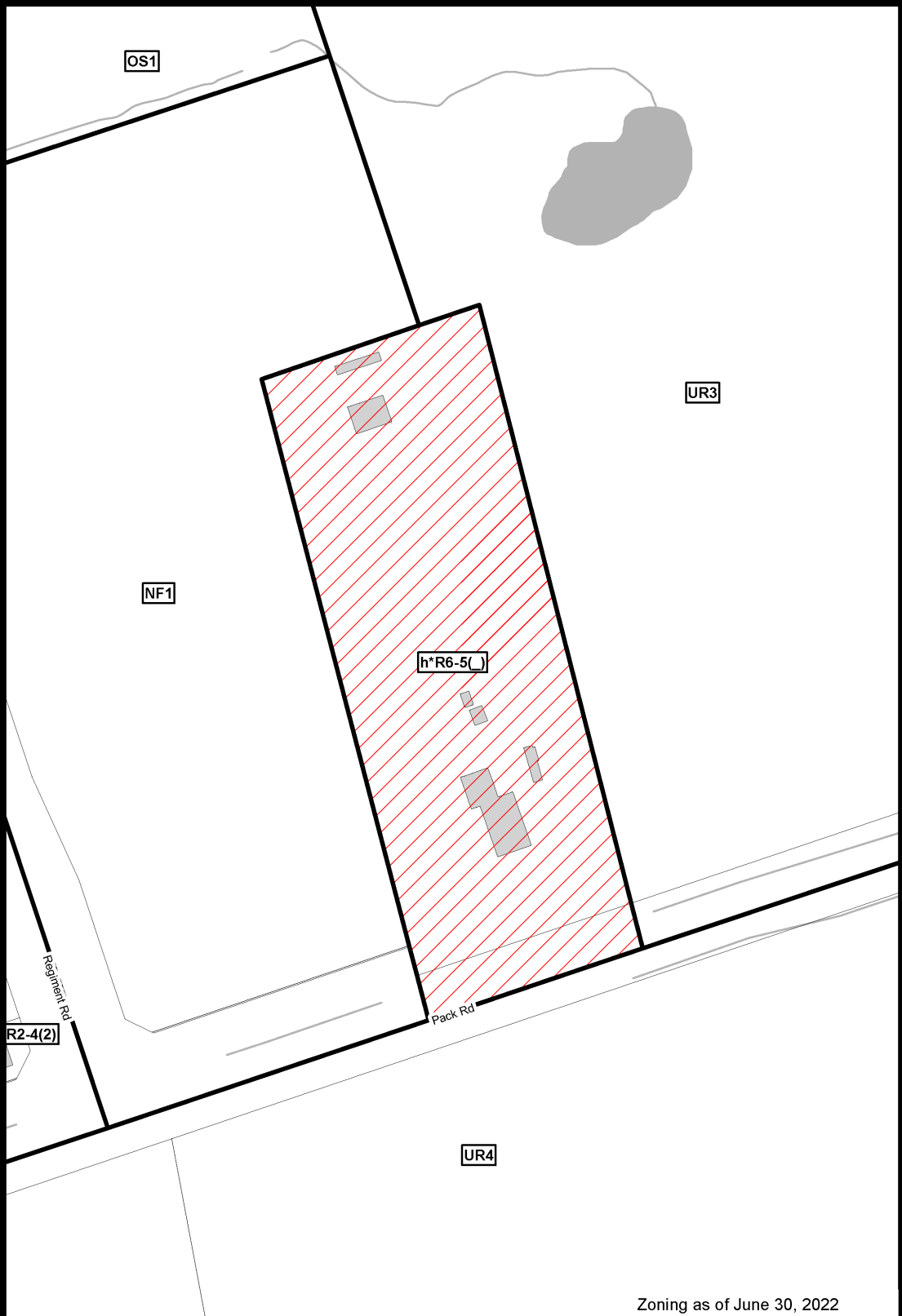
PASSED in Open Council on December 13, 2022.

Josh Morgan
Mayor


Michael Schulthess
City Clerk

First Reading – December 13, 2022
Second Reading – December 13, 2022
Third Reading – December 13, 2022


AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)




File Number: Z-9493
 Planner: SF
 Date Prepared: 2022/07/29
 Technician: RC
 By-Law No: Z.-1-

SUBJECT SITE 

1:1,250

0 5 10 20 30 40 Meters 



Geodatabase

Bill No. 20
2023

By-law No. Z.-1-23_____

A by-law to amend By-law No. Z.-1 to rezone
an area of land located at 931-1225 Southdale
Road East.

WHEREAS London & Middlesex Community Housing has applied to
rezone an area of land located at Southdale Road East as shown on the map attached
to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning
applicable to lands located at 931-1225 Southdale Road East, as shown on the
attached map, from a Residential R5 (R5-5) and Compound Residential R5 and
Daycare (R5-5*DC) Zone to a Special Provision Residential R8 (R8-4(_)) Zone.
- 2) Section Number 12.4 Special Provisions of the Residential R8 Zone is
amended by adding the following Special Provisions:

R8-4(_) 931-1225 Southdale Road East

a) Additional Permitted Uses

- i) Townhouses
- ii) Day Care Centre
- iii) Community Centre
- iv) Institution
- v) Assembly Hall
- vi) Conference Facilities
- vii) Studio

b) Regulation[s]

- i) Exterior Side Yard (min) 1.0m
- ii) Height (max) 18.0m
- iii) Gross Floor Area for All 500sq.m
Non-Residential Uses (max)
- iv) Balconies and Architectural 0.0m from lot line
Projections
- v) Accessory Structures – Permitted in Front and Exterior Side Yards
with a minimum setback of 0.0m from all lot lines

The inclusion in this By-law of imperial measure along with metric measure is for the
purpose of convenience only and the metric measure governs in case of any
discrepancy between the two measures.

This By-law shall come into force and be deemed to come into force in accordance with
Section 34 of the *Planning Act, R.S.O. 1990, c. P13*, either upon the date of the
passage of this by-law or as otherwise provided by the said section.

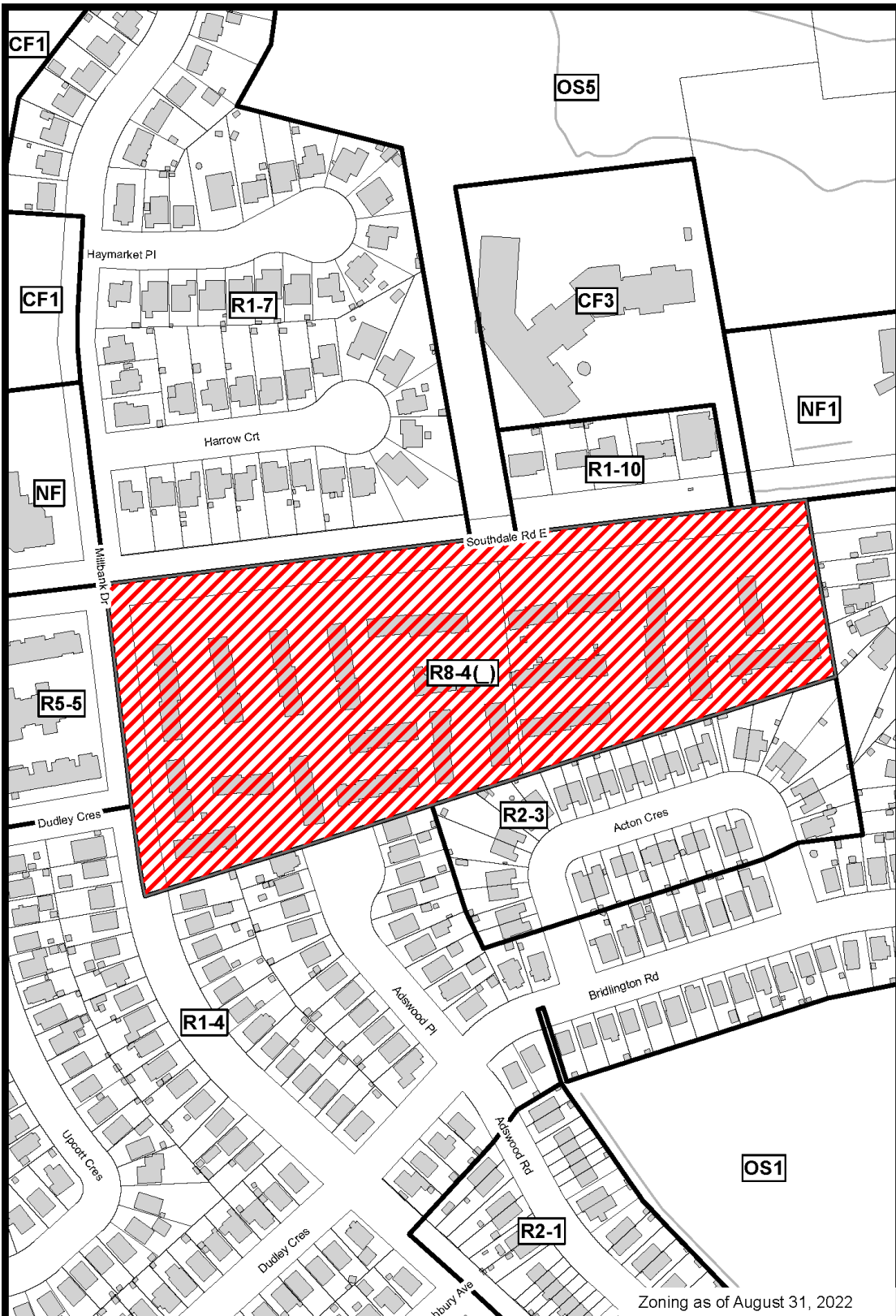
PASSED in Open Council on December 13, 2022.



Josh Morgan
Mayor

Michael Schulthess
City Clerk

First Reading – December 13, 2022
Second Reading – December 13, 2022
Third Reading – December 13, 2022

AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)



<p>File Number: Z-9544 Planner: LM Date Prepared: 2022/10/25 Technician: JI By-Law No: Z.-1-</p>	<p>SUBJECT SITE </p> <p>1:2,500</p> <p>0 12.525 50 75 100 Meters</p> 
---------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Geodatabase

Bill No. 21
2023

By-law No. Z.-1-23_____

A by-law to amend By-law No. Z.-1 to rezone
an area of land located at 307 Sunningdale
Road East.

WHEREAS Margrit Johnson has applied to rezone an area of land located
at 307 Sunningdale Road East, as shown on the map attached to this by-law, as set out
below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning
applicable to lands located at 307 Sunningdale Road East, as shown on the
attached map comprising part of Key Map No. A102, from a Residential R1 (R1-17)
Zone, a Holding Residential R1 (h-2*R1-17) Zone and an Open Space (OS5) Zone
to a Residential R6 (R6-3(_)) Special Provision Zone and an Open Space (OS5)
Zone.
- 2) Section Number 10.4 of the Residential R6-3 Zone is amended by adding
the following Special Provision:

R6-3() 307 Sunningdale Road East

a) Regulations

- | | | |
|------|---------------------------------------------------------------------------------------------|--------------------------|
| i) | Density
(Maximum) | 25 units per hectare |
| ii) | For the purpose of this by-law the front lot line shall be interpreted
as Skyline Avenue | |
| iii) | Main Building Setback
From Existing Imperial
Oil Pipeline
(Minimum) | 20 metres (65 feet) |
| iv) | East Interior Side Yard
Setback within first 17.8m
of lot depth (minimum) | 6 metres (19.66 feet) |
| | East Interior Side Yard
Setback between 17.8m
and 30.6m of lot depth
(minimum) | 9.7 metres (31.8 feet) |
| | East Interior Side Yard
Setback between 30.6m
and 50.2m of lot depth
(minimum) | 10 metres (32.8 feet) |
| | East Interior Side Yard
Setback beyond 50.2m
of lot depth (minimum) | 11.1 metres (36.42 feet) |
| | West Interior Side Yard
Setback within first 16.8m
of lot depth (minimum) | 9.5 metres (31.17 feet) |
| | West Interior Side Yard
Setback between 16.8m
and 28.6m of lot depth | 7.0 metres (22.97 feet) |

	(minimum)	
	West Interior Side Yard Setback between 28.6 and 42.4m of lot depth (minimum)	9.0 metres (29.53 feet)
	West Interior Side Yard Setback beyond 42.4m of lot depth (minimum)	7.6 metres (24.93 feet)
v)	No part of any required interior side yard shall be used for any purpose other than landscaped open space excluding swimming pools, but decks or patios may be permitted.	
vi)	North Exterior Yard Setback, and Parking Area Setback (North)	8.0 metres (min.); 11.0 metres (max.) 11.2 metres (min.)

The inclusion in this By-law of imperial measure along with metric measure us for the purpose of convenience only and the metric measure governs in case of any discrepancy between the two measures.

This By-law shall come into force and be deemed to come into force in accordance with Section 34 of the *Planning Act, R.S.O. 1990, c. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

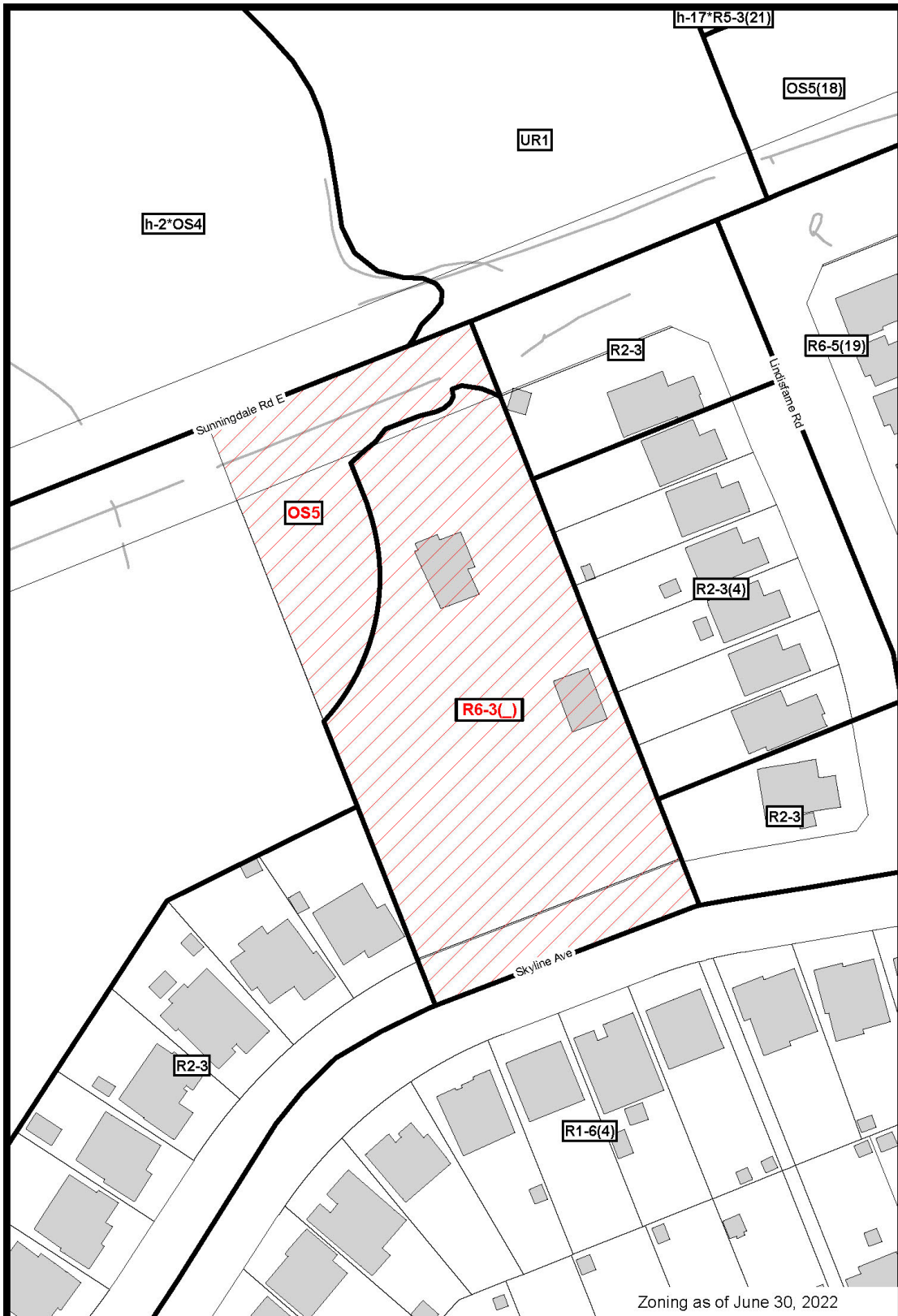
PASSED in Open Council on December 13, 2022.

Josh Morgan
Mayor

Michael Schulthess
City Clerk

First Reading – December 13, 2022
Second Reading – December 13, 2022
Third Reading – December 13, 2022

AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)



File Number: Z-9498
 Planner: ID
 Date Prepared: 2022/07/27
 Technician: RC
 By-Law No: Z.-1-

SUBJECT SITE 

1:1,000

0 5 10 20 30 40 Meters



Geodatabase

Bill No. 22
2023

By-law No. Z.-1-23_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 4452 Wellington Road South.

WHEREAS MHBC Planning on behalf of 2858637 Ontario Inc. have applied to rezone an area of land located at 4452 Wellington Road South, as shown on the map attached to this by-law, as set out below;

AND WHEREAS upon approval of Official Plan Amendment Number _____ this rezoning will conform to The Official Plan;

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

1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 4452 Wellington Road, as shown on the attached map comprising part of Key Map No. A112, 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.

The inclusion in this By-law of imperial measure along with metric measure is for the purpose of convenience only and the metric measure governs in case of any discrepancy between the two measures.

This By-law shall come into force and be deemed to come into force in accordance with Section 34 of the *Planning Act, R.S.O. 1990, c. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

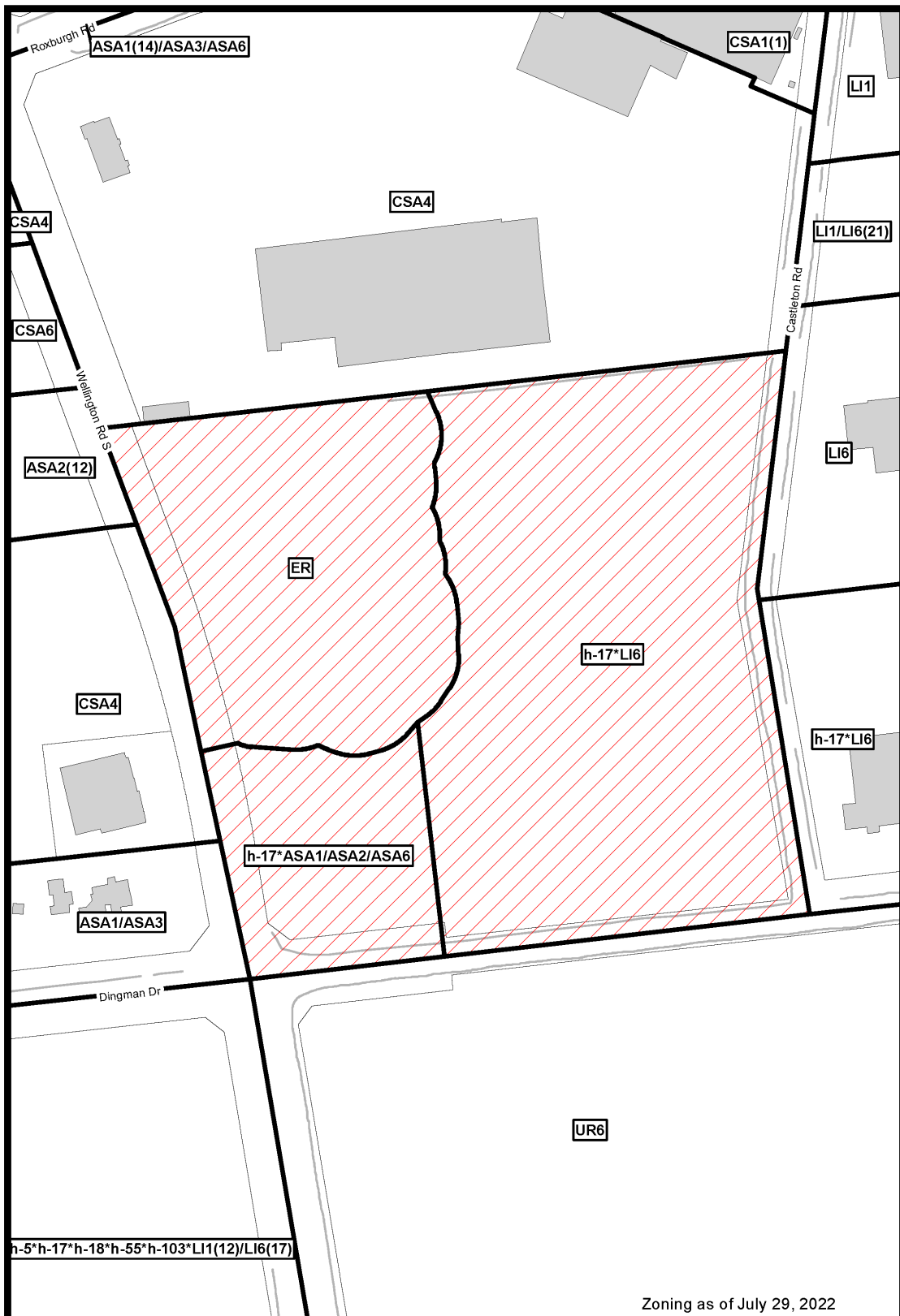
PASSED in Open Council on December 13, 2022.


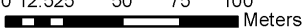

Josh Morgan
Mayor

Michael Schulthess
City Clerk

First Reading – December 13, 2022
Second Reading – December 13, 2022
Third Reading – December 13, 2022

AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)



<p>File Number: OZ-9497 Planner: NP Date Prepared: 2022/09/07 Technician: RC By-Law No: Z.-1-</p>	<p>SUBJECT SITE </p> <p>1:2,500</p> <p>0 12.525 50 75 100 Meters </p> <p></p>
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Geodatabase

Bill No. 23
2023

By-law No. Z.-1-23_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 952 Southdale Road West.

WHEREAS 1739626 Ontario Limited have applied to rezone an area of land located at 952 Southdale Road West, as shown on the map attached to this by-law, as set out below;

AND WHEREAS upon approval of Official Plan Amendment Number _____ this rezoning will conform to The Official Plan;

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

1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 952 Southdale, as shown on the attached map comprising part of Key Map No. A106, from an Urban Reserve (UR2) Zone, to a Holding Residential R8 Special Provision (h*h-129*R8-4(_)) Zone, a Holding Residential R8 Special Provision (h*R8-4(_)) Zone, a Holding Community Shopping Area Special Provision (h*h-129*CSA1(_)) Zone, a Holding Community Shopping Area Special Provision (h*CSA1(_)) Zone, and an Open Space (OS5) Zone.

2) Section Number 12.4 of the Residential R8 (R8-4) Zone is amended by adding the following Special Provision:

R8-4(_) 952 Southdale Road West

a) Regulations

- i) Front and Exterior Side Yard Depth (Minimum) 3.0 metres (9.8 feet)
- ii) Interior Side Yard Depth Abutting the Commercial Zone to the South (Minimum) 10.5 metres (34.5 feet)
- iii) Density 97 units per hectare
- iv) The definition of 'STACKED TOWNHOUSE' permits units to be stacked three (3) units high, to a maximum height of 13.0 metres (42.7 feet), or three storeys.
- v) The lot line which abuts Colonel Talbot Road shall be interpreted as the front lot line.

3) Section Number 22.4 of the Community Shopping Area (CSA1) Zone is amended by adding the following Special Provision:

CSA1(_) 952 Southdale Road West

a) Regulations

- i) Front and Exterior Side Yard Depth (Minimum) 1.0 metres (3.3 feet)
- ii) Front and Exterior Side Yard Depth (Maximum) 3.0 metres (9.8 feet)

- | | | |
|-------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| iii) | Rear Yard Depth
(Minimum) | 2.0 metres (6.6 feet) |
| iv) | Height
(Maximum) | the lesser of 13.0 metres,
or 3 storeys |
| v) | Gross Floor Area
for All Permitted Uses
(Maximum) | 5000.0 square metres
(53,819.6 square feet) |
| vi) | Gross Floor Area
for All Office Uses
(Maximum) | 660 square metres
(53,819.6 square feet),
limited to the second floor |
| vii) | Gross Floor Area
for all Supermarket uses
(Maximum) | 3,251.6 square metres
(35,000 square feet) |
| viii) | The primary functional entrance of individual commercial units
with frontage on Colonel Talbot Road and/or Southdale Road
West shall be oriented to the adjacent street. Supermarkets
shall be exempt from this provision. | |
| ix) | Parking Area Setback
(Minimum) | 0.5 metres (1.6 feet) |

The inclusion in this By-law of imperial measure along with metric measure is for the purpose of convenience only and the metric measure governs in case of any discrepancy between the two measures.

This By-law shall come into force and be deemed to come into force in accordance with Section 34 of the *Planning Act, R.S.O. 1990, c. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

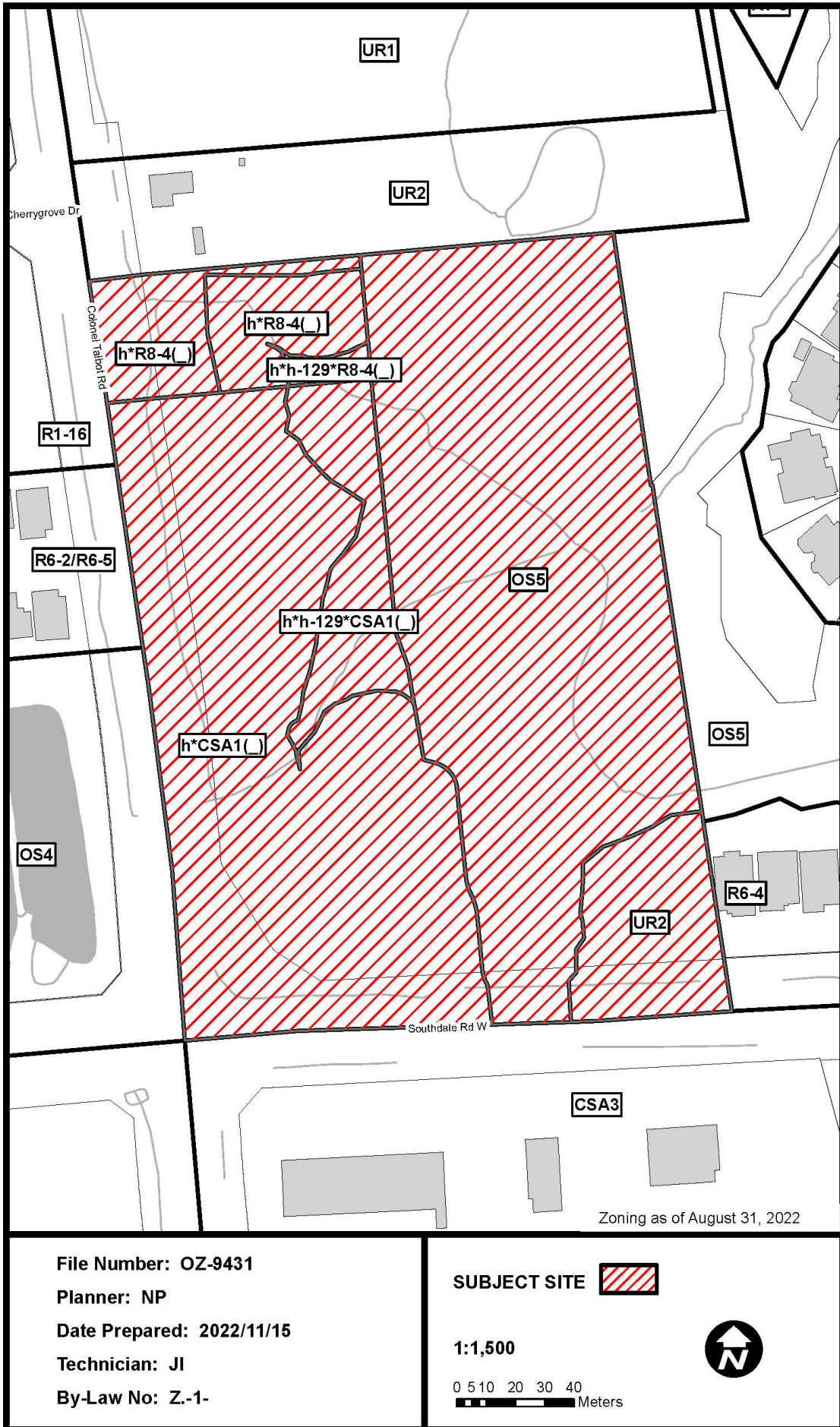
PASSED in Open Council on December 13, 2022.

Josh Morgan
Mayor

Michael Schulthess
City Clerk

First Reading – December 13, 2022
Second Reading – December 13, 2022
Third Reading – December 13, 2022

AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)



Geodatabase