



London
CANADA

COUNCIL MINUTES 15TH MEETING

May 2, 2017

The Council meets in Regular Session in the Council Chambers this day at 4:00 PM.

PRESENT: Mayor M. Brown and Councillors M. van Holst, B. Armstrong, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, S. Turner, H.L. Usher and T. Park; and C. Saunders (City Clerk).

ABSENT: Councillors M. Salih and J. Zaifman.

ALSO PRESENT: M. Hayward, B. Card, B. Coxhead, S. Datars Bere, J.M. Fleming, T. Grawey, L. Livingstone, V. McAlea Major, D. Munteer, M. Ribera, L. Rowe, C. Smith, S. Spring, J. Stanford, B. Warner and B. Westlake-Power.

At the beginning of the Meeting all Members are present except Councillors M. Salih, S. Turner and J. Zaifman.

I DISCLOSURES OF PECUNIARY INTEREST

Councillor S. Turner discloses a pecuniary interest in clause 4 of the 8th Report of the Planning & Environment Committee, having to do with a review of impacts from industrial sources (odour), as well as clauses 8 and 10 of the 5th Report of the Community and Protective Services Committee, having to do with the tobacco industry anti-contraband tobacco campaign and open air burning, respectively, by indicating that his employer, the Middlesex London Health Unit, has a regulatory capacity in each of these matters.

II RECOGNITIONS

None.

III REVIEW OF CONFIDENTIAL MATTERS TO BE CONSIDERED IN PUBLIC

None.

IV COUNCIL, IN CLOSED SESSION

Motion made by Councillor H.L. Usher and seconded by Councillor J. Morgan to Approve that Council rise and go into Council, In Closed Session, for the purpose of considering the following matters:

- a) A matter pertaining to advice that is subject to solicitor-client privilege, including communications necessary for that purpose, as it relates to the BMO Centre. (C1/5/CPSC)
- b) A matter pertaining to litigation or potential litigation with respect to inter-municipal agreements between the City of London and the County of Middlesex, and advice that is subject to solicitor-client privilege, including communications necessary for that purpose, pertaining to inter-municipal agreements between the City of London and the County of Middlesex. (C1/4/AC)

Motion Passed

YEAS: M. Brown, M. van Holst, B. Armstrong, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, H.L. Usher, T. Park (12)

The Council rises and goes into the Council, in Closed Session, at 4:05 PM, with Mayor M. Brown in the Chair and all Members present except Councillors M. Salih, S. Turner and J. Zaifman.

The Council, in Closed Session, rises at 4:45 PM and Council reconvenes at 4:47 PM, with Mayor M. Brown in the Chair and all Members present except Councillors M. Salih, M. Cassidy and J. Zaifman.

V CONFIRMATION AND SIGNING OF THE MINUTES OF THE TWELFTH , THIRTEENTH AND FOURTEENTH MEETINGS HELD ON APRIL 18, APRIL 21 AND MAY 1 2017 RESPECTIVELY

Motion made by Councillor B. Armstrong and seconded by Councillor T. Park to Approve the Minutes of the Twelfth, Thirteenth and Fourteenth meetings held on April 18 and 21, and May 1, 2017, respectively.

Motion Passed

YEAS: M. Brown, M. van Holst, B. Armstrong, J. Helmer, P. Squire, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, S. Turner, H.L. Usher, T. Park (12)

At 4:49 PM, Councillor M. Cassidy enters the meeting.

VI COMMUNICATIONS AND PETITIONS

Motion made by Councillor T. Park and seconded by Councillor J. Helmer to Approve receipt and referral of the following communication, as noted on the Agenda:

1. Roberto Mannella, Chair, Trees and Forests Advisory Committee - The 4th Report of the Trees and Forests Advisory Committee

(Refer to the Planning and Environment Stage for Consideration with Clause 10 of the 8th Report of the Planning and Environment Committee)

Motion Passed

YEAS: M. Brown, M. van Holst, B. Armstrong, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, S. Turner, H.L. Usher, T. Park (13)

VII MOTIONS OF WHICH NOTICE IS GIVEN

None.

VIII REPORTS

8th Report of the Planning and Environment Committee
Councillor T. Park presents.

Motion made by Councillor T. Park to Approve clauses 1 to 3, 5 to 12 and clause 14.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. 5th Report of the Advisory Committee on the Environment

That the following actions be taken with respect to the 5th Report of the Advisory Committee on the Environment from its meeting held on April 5, 2017:

- a) the following actions be taken with respect to the Waste Sub-Committee Report, from its meeting held on March 29, 2017:
 - i) the Civic Administration BE REQUESTED to copy the Advisory Committee on the Environment (ACE) on all reports and/or committee submissions with respect to the Waste Management Working Group, in order for the ACE to review and provide comments, where applicable; it being noted that waste management is directly identified/relevant to the mandate of the ACE; and,
 - ii) Diabetes Canada BE INVITED to a future meeting of the ACE to present their proposal on how to increase textile recycling in London;

- b) a community public education event related to “Resilient Cities” BE APPROVED; it being noted that item 17 on the approved 2017 ACE Work Plan is to host a community education event; and,
- c) clauses 1 to 7 BE RECEIVED.

- 3. Property located at 807 Colborne Street (Fire Hall No. 4) (Relates to Bill No. 189)

That, on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the proposed by-law appended to the staff report dated April 24, 2017, to designate the property located at 807 Colborne Street to be of cultural heritage value or interest BE INTRODUCED at the Municipal Council meeting to be held on May 2, 2017; it being noted that this matter has been considered by the London Advisory Committee on Heritage and public notice with respect to the designation has been completed in compliance with the requirements of the Ontario Heritage Act. (2017-R01)

- 5. Property located at 530 Sunningdale Road East (Powell Subdivision Phase 4) (H-8758) (Relates to Bill No. 191)

That, on the recommendation of the Senior Planner, Development Services, based on the application by 2047790 Ontario Inc., relating to lands located at 530 Sunningdale Road East, as shown on the draft-approved plan of subdivision (File No. 39T-15504), Powell Subdivision Phase 4, the proposed by-law appended to the staff report dated April 24, 2017, BE INTRODUCED at the Municipal Council meeting to be held on May 2, 2017 to amend Zoning By-law Z.-1, (in conformity with the Official Plan), to change the zoning of the lands FROM a Holding Residential R1 (h*R1-5) Zone TO a Residential R1 (R1-5) Zone to remove the holding (h) provision. (2017-D09)

- 6. Property located at 801 Sarnia Road (H-8736) (Relates to Bill No. 192)

That, on the recommendation of the Senior Planner, Development Services, based on the application of Western Prestige Village, relating to the property located at 801 Sarnia Road, the proposed by-law appended to the staff report dated April 24, 2017, BE INTRODUCED at the Municipal Council meeting to be held on May 2, 2017 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning FROM a Holding Residential R6 Special Provision (h.*h-34*h-65*R6-5 (52)) Zone and a Holding Residential R8* Bonus (h-*h-34*h-65*R8-4*B-40) Zone TO a Residential R6 Special Provision (R6-5 (52)) Zone and a Residential R8* Bonus (R8-4*B-40) Zone, to remove the “h.*h-34 and “h-65” holding provisions. (2019-D09)

- 7. Properties located at 550 and 554 Bluebell Road (P-8765) (Relates to Bill No. 188)

That, on the recommendation of the Planner II, Development Services, the following actions be taken with respect to the application by RSC Holdings Ltd., to exempt lands from Part Lot Control:

- a) pursuant to subsection 50(7) of the Planning Act, R.S.O. 1990, c. P.13, the proposed by-law appended to the staff report dated April 24, 2017, BE INTRODUCED at the Municipal Council meeting to be held on May 2, 2017 to exempt Lot 105 in Registered Plan 33M-463 from the Part Lot Control provisions of subsection 50(7) of the Planning Act, for a period not to exceed ninety (90) days; and,
- b) the applicant BE ADVISED that the cost of registration of this by-law is to be borne by the applicant, in accordance with City policy. (2017-D25)

- 8. Property located at 4166 Scotland Drive (Relates to Bill No. 193)

That, on the recommendation of the Senior Planner, Development Services, based on the application of Hyde Park Equipment Ltd., relating to the property located at 4166 Scotland Drive, the proposed by-law appended to the staff report dated April 24, 2017, BE INTRODUCED at the Municipal Council meeting to be held on May 2, 2017 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning FROM a Holding Agricultural Commercial (h-18.AGC1) Zone TO an Agricultural Commercial (AGC1) Zone, to remove the “h-18” holding provision. (2017-D09)

9. Property located at 10 Hawthorne Road (Z-8723) (Relates to Bill No. 194)

That, on the recommendation of the Managing Director, Planning and City Planner, with respect to the application by IBI Group, on behalf of 2100495 Ontario Inc., relating to the property located at 10 Hawthorne Road, the proposed by-law appended to the staff report dated April 24, 2017, BE INTRODUCED at the Municipal Council meeting to be held on May 2, 2017 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM a Convenience Commercial (CC) Zone TO a Convenience Commercial Special Provision (CC6(_)) Zone;

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

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

- the recommended amendment is consistent with the 2014 Provincial Policy Statement which promotes healthy, liveable and safe communities, as well as economic development and competitiveness, by accommodating an appropriate range and mix of land uses;
- the recommended amendment is consistent with the permitted uses contemplated in the Low Density Residential designation in the Official Plan;
- the recommended amendment will facilitate the reuse of the existing commercial building and re-tenanting of vacant space by a prospective tenant, contributing to the vitality of the neighbourhood, and improving the ability of the subject property to attract new tenants in the future;
- the recommended expanded range of convenience commercial uses can function at the same neighbourhood-scale as the existing convenience commercial uses to maintain an acceptable level of compatibility with the surrounding land uses; and,
- the subject property, the existing commercial building, and surface parking area are an appropriate size to accommodate the recommended expanded range of convenience commercial uses without causing any serious adverse impacts for surrounding land uses. (2017-D09)

10. 4th Report of the Trees and Forests Advisory Committee

That the following actions be taken with respect to the 4th Report of the Trees and Forests Advisory Committee from its meeting held on March 22, 2017:

- a) the following actions be taken with respect to the Draft Planting Strategy:
- i) the Civic Administration BE REQUESTED to provide a copy of all future documents pertaining to the implementation of the draft tree planting strategy to the Trees and Forests Advisory Committee for review and comment;
 - ii) the Chair or designate of the Trees and Forests Advisory Committee BE DIRECTED to request delegation status at the Planning and Environment Committee meeting, when the proposed draft planting strategy is presented; and,
 - iii) it BE NOTED that the Trees and Forests Advisory Committee (TFAC) supports and recommends the adoption of the strategy as presented to TFAC;

it being noted that verbal updates from A. Macpherson, Manager, Environmental and Parks Planning and S. Rowlands, Urban Forestry Planner, with respect to the Draft Planting Strategy, were received; and,

- b) clauses 1 to 5 and 7 to 11, BE RECEIVED;

it being noted that the Planning and Environment Committee reviewed and received a communication dated April 20, 2017 from R. Mannella, Chair, Trees and Forests Advisory Committee, withdrawing his delegation status at this meeting.

11. Properties located at 555-557 Ridout Street North (TZ-8673) (Relates to Bill No. 195)

Planner, the following actions be taken with respect to the application of Ontario 2049401 Ltd, relating to the properties located at 555-557 Ridout Street North:

- a) the proposed by-law appended to the staff report dated April 24, 2017, BE INTRODUCED at the Municipal Council meeting to be held on May 2, 2017, to amend Zoning By-law Z.-1, (in conformity with the Official Plan), by extending the Temporary Use "T-68" Zone for a period not exceeding eighteen (18) months;

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

- the recommended Zoning By-law amendment is consistent with, and will serve to implement, the policies of the Provincial Policy Statement, 2014 which promote infrastructure efficiencies and an appropriate range and mix of land uses;
- the recommended Zoning By-law amendment is consistent with, and serves to implement the Temporary Use By-law policies of Section 19 of the City of London Official Plan;
- the recommended Zoning By-law amendment will provide for the continuation of an existing real estate agency use for a temporary period of eighteen (18) months while background studies for the future redevelopment of the lands are undertaken and the necessary planning approvals are sought; and,
- the recommended Zoning By-law amendment serves to restrict the number of vehicles that may park on the site. The recommended Zoning By-law amendment further serves to restrict front yard parking and permit parking in the interior side yard or rear yard of 557 Ridout Street North in response to local concerns;

- b) the request to amend Zoning By-law Z.-1 to extend the Temporary Use "T-68" Zone to permit the existing Real Estate Agency for an additional three (3) year period BE REFUSED for the following reasons:

- i) the applicant's timelines for the redevelopment of the site have been adjusted such that an extension of the Temporary Use "T68" Zone for an additional three years (3) is no longer considered necessary; and,
- ii) the applicant has indicated that an extension of the temporary use zone for a period of eighteen (18) to twenty-four (24) months is sufficient time to undertake the necessary background studies for the redevelopment of the lands and secure the necessary planning approvals;

it being further noted that the Planning and Environment Committee reviewed and received a communication dated April 20, 2017, from A.M. Valastro, 133 John Street, with respect to this matter;

it being pointed out that at the public participation meeting associated with these matters, the individual indicated on the ~~attached~~ public participation meeting record made an oral submission regarding these matters. (2017-D09)

12. Low-rise Residential Development in Existing Neighbourhoods (Infill Study) (Z-8701) (Relates to Bill No. 196)

That, on the recommendation of the Managing Director, Planning and City Planner, in response to the Council resolution adopted at its session held in January, 2016, the following actions be taken relating to concerns regarding low density redevelopment and infill projects within mature neighbourhoods:

- a) the proposed by-law appended to the staff report dated April 24, 2017 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on May 2, 2017 to amend the Zoning By-law Z.-1, (in conformity with the Official Plan), by amending Section 4.23 to add regulations for front and exterior side yard setback, garage width maximum, side yard setbacks and building depth for the Residential (R1, R2 and R3) Zone variations within the Primary Transit Area as shown in Schedule "A" of Appendix "A";
- b) the Streetscape Character Analysis Template shown in Appendix "C" appended to the staff report dated April 24, 2017, BE ENDORSED at the Municipal Council meeting to be held on May 2, 2017 and be used in evaluating proposals for Residential Intensification under Section 3.2.3 of the Official Plan and, when in effect, the

residential intensification policies of the London Plan; and,

- c) the Civic Administration BE DIRECTED to monitor new development SUBJECT TO these new regulations for a period of one year and to report back on the outcomes and any required further changes;

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

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

- a number of new residential dwellings and major residential building additions have been constructed within existing mature neighbourhoods that are incompatible with existing neighbourhood/streetscape character and do not represent good planning;
- a number of new residential dwellings and major residential building additions that have been identified as incompatible, are not considered intensification under Official Plan policy (3.2.3) or London Plan policy (938) in that they do not result in the addition of a residential unit and are not subject to the controls that would otherwise be obtained through such intensification policies to ensure development fits well within existing neighbourhoods;
- it has been demonstrated that the current regulations of the Zoning By-law applicable to low density zones are not always sufficient to ensure new residential development and major additions are compatible with the character of the neighbourhood/streetscape; and,
- for new development considered intensification and subject to Site Plan review, the content requirements and evaluation criteria for Neighbourhood Character Statement and Compatibility Reports (1989 Official Plan) and Planning and Design Reports (London Plan) are not sufficiently clear in the current report template submitted during applications. (2017-D09)

14. Property located at 1156 Dundas Street - Brownfield CIP Incentives

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application made under the Community Improvement Plan for Brownfield Incentives and the business case submission received from McCormick Villages Inc. ("McCormick"), relating to the property located at 1156 Dundas Street:

- a) a total expenditure of up to a maximum of \$2,500,000 in municipal brownfield financial incentives BE APPROVED and allocated under the following three programs in the Community Improvement Plan (CIP) for Brownfield Incentives:
- i) provide a rebate equivalent to 50% of the Development Charges that are required to be paid by McCormick Villages Inc. on the project;
 - ii) provide tax increment equivalent grants on the municipal component of property taxes for up to three years post development; and,
 - iii) provide for cancellation of 25% of municipal property taxes for up to three years during the rehabilitation period and development period, as defined in the CIP;
- b) the Civic Administration BE DIRECTED to introduce a by-law at a future Municipal Council meeting after the draft Property Tax Assistance by-law has been reviewed by the Ministry of Finance, which will provide for the cancellation of 25% of matching Education taxes by the Province during the rehabilitation and development period; it being noted that this separate request is subject to evaluation and approval by the Minister of Finance;
- c) the Civic Administration BE DIRECTED to process the brownfield incentive application to provide for eligibility for tax increment equivalent grants for up to three years for the development project under the Brownfields CIP and up to the full 10 year term of the Tax Increment Grant Program of the Heritage CIP for the project;
- d) the applicant BE REQUIRED to enter into an agreement with The Corporation of the City of London outlining the relevant terms and conditions for the incentives that have been approved by the Municipal Council under the Brownfield CIP;

it being noted that the Agreement between the The Corporation of the City of London and McCormick Villages Inc. will be transferable and binding on any subsequent property owner(s);

it being further noted that the Planning and Environment Committee received verbal delegations from:

- J. Gaudet, Planner/Development Coordinator, Sierra Construction and The Villages of Sally Creek Inc. – (See ~~attached~~ presentation.)
- K. Barendregt, Englobe – explaining the costs for the site remediation. (2017-D19)

Motion Passed

YEAS: M. Brown, M. van Holst, B. Armstrong, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, S. Turner, H.L. Usher, T. Park (13)

Motion made by Councillor T. Park to Approve clause 4.

4. Review of Impacts from Industrial Sources (Focus on Odour) and Potential Municipal Actions (South of Highway 401)

That, on the recommendation of the Managing Director, Development and Compliance Services and Chief Building Official and the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the impacts from industrial sources south of Highway 401 with a focus on odour, and the potential remedial actions to be undertaken by the City of London with respect to those impacts:

- a) a public participation meeting BE HELD at the June 15, 2017 Planning and Environment Committee meeting to receive input from interested parties; and,
- b) the Managing Director, Development and Compliance Services and Chief Building Official's and the Managing Director, Environmental and Engineering Services and City Engineer's report dated April 24, 2017 entitled "Update and Next Steps – Review of Impacts from Industrial Sources (focus on odour) and Potential Municipal Actions (primarily south of Highway 401)" BE FORWARDED to the Advisory Committee on the Environment for its information;

it being noted that the Planning and Environment Committee reviewed and received a petition signed by approximately 142 individuals with respect to this matter; it being further noted that the petition is on file in the City Clerk's Office. (2017-E05)

Motion Passed

YEAS: M. Brown, M. van Holst, B. Armstrong, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, H.L. Usher, T. Park (12)

RECUSED: S. Turner (1)

Motion made by Councillor T. Park to Approve clause 13.

13. Public Engagement Process for the Evaluation of Community Improvement Plan Incentives

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the service review of the City's Community Improvement Plans (CIPs) and associated incentive programs:

- a) the Residential Development Charges Programs for Downtown and Old East Village Community Improvement Plan Project Areas BE AMENDED to require the payment of the residential development charge at the time of building permit ("up front") by the Applicant, and provide a phased grant-back program to re-pay the residential development charge; it being noted that this program change will generate an estimated \$620,000 of operating savings per year and \$6,000,000 of one-time savings;
- b) the City-wide Industrial Development Charge Program BE AMENDED to distinguish between targeted and non-targeted industrial uses to provide a maximum development charge rebate of \$250,000 equal to 50% of the development charge for the first \$500,000 for non-targeted industrial uses;
- c) the Rehabilitation and Redevelopment Tax Grant Programs for the Downtown and Old East Village Community Improvement Plan Project Areas BE AMENDED to increase the value of the grants for the retention and rehabilitation of properties designated

under the *Ontario Heritage Act*,

- d) the Rehabilitation and Redevelopment Tax Grant Program, as amended in part c) above, BE PROVIDED for eligible properties located in the SoHo Community Improvement Plan Project Area; it being noted that this program was previously approved as part of the SoHo Community Improvement Plan, but not funded;
- e) the Upgrade to Building Code Loan and Grant Programs for the Downtown, Old East Village and SoHo Community Improvement Plan Project Areas BE AMENDED to increase the value of the loans available under these programs up to \$200,000 capped at 50% of the completed eligible improvements;
- f) the Upgrade to Building Code Loan and Grant Programs for Downtown and the Old East Village Community Improvement Plan Project Areas BE AMENDED to re-activate the “Forgivable Loan” programs for targeted uses within defined areas of the Downtown and Old East Village CIP project areas for a period up to three years;
- g) the Façade Improvement Loan and Grant Programs for Downtown, Old East Village and SoHo Community Improvement Plan Project Areas BE AMENDED to increase the value of the loans available under these programs up to \$50,000 capped at 50% of the completed eligible improvements;
- h) the Façade Improvement Loan and Grant Programs for Downtown and Old East Village Community Improvement Plan Project Areas BE AMENDED to re-activate the “Forgivable Loan” programs for targeted uses within defined areas of the Downtown and Old East Village CIP project areas for a period up to three years;
- i) Industrial Corridor Enhancement Grant Program BE FUNDED up to \$40,000 per year for eligible properties located within the Highway 401/402 Corridor; it being noted that this program was previously approved as part of the Industrial Lands Community Improvement Plan, but not funded;
- j) the Civic Administration BE DIRECTED to amend the Downtown Community Improvement Plan to expand the Community Improvement Plan Project Area boundary to include the Richmond Row area, and that the following programs be provided in the Richmond Row area:
 - i) Façade Improvement Loan Program; and,
 - ii) Building Code Loan Program;
- k) a portion of the savings generated by the Community Improvement Plan amendments described in part a) above BE IDENTIFIED to potentially fund the following new programs pending the conclusion and the Municipal Council adoption of the Hamilton Road and Lambeth Community Improvement Plans:
 - i) Façade Improvement Loan Program (Hamilton Road and Lambeth); and,
 - ii) Building Code Loan Program (Hamilton Road);
- l) that \$200,000 of annual net savings generated as a result of this service review of the Community Improvement Plan program BE DIRECTED to address the budgeted savings target for the 2016-2019 multi-year budget;
- m) the Civic Administration BE DIRECTED to consider Forgivable Loan Programs for the SoHo, Hamilton Road and Lambeth Community Improvement Plan Project Areas as part of the 2024-2027 Multi-year Budget process;
- n) that Community Improvement Plans for the following Community Improvement Plan Project Areas BE AMENDED to include performance measures and indicators of success to align with current City policies and Council strategic directions:
 - i) Airport Area Community Improvement Plan;
 - ii) Brownfield Community Improvement Plan;
 - iii) Downtown Area Community Improvement Plan (including the “Richmond Row” expansion area);
 - iv) Heritage Community Improvement Plan;
 - v) Industrial Community Improvement Plan;
 - vi) Old East Village Community Improvement Plan; and
 - vii) SoHo Area Community Improvement Plan;

- o) as part of the monitoring of the revised incentive programs, the Civic Administration BE DIRECTED to report back on the experience of mid-rise and/or smaller scale residential development accessing the residential development charges grant program;

it being noted that the program changes recommended above (a) through i) above) will come into effect on January 1, 2018 following the preparation of new program guidelines for these programs; and,

it being further noted that these amended programs (identified in recommendations a) through i) above) will expire no later than December 31, 2023 pending a Municipal Council review of the program results to be provided prior to the adoption of the 2024-2027 Multi-year Budget, and that the review identify interim funding for any programs recommended to be carried forward to ensure that there is not a gap in program delivery;

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

- a communication dated April 20, 2017, from S. Ford, General Partner, Dancor Construction Limited; and,
- a communication dated April 21, 2017, from J. MacDonald, CEO and General Manager, Downtown London;

it being pointed out that at the public participation meeting associated with these matters, the individuals indicated on the ~~attached~~ public participation meeting record made oral submissions regarding these matters. (2017-D19)

Motion Passed

YEAS: M. Brown, M. van Holst, B. Armstrong, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, S. Turner, H.L. Usher, T. Park (13)

Motion made by Councillor T. Park to Approve clause 15.

15. Property located at 100 Fullarton Street, 475-501 Talbot Street and 93-95 Dufferin Ave - Brownfield Incentives

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the brownfield incentive application from Rygar Properties Inc. ("Rygar"), relating to the properties located at 100 Fullarton Street, 475-501 Talbot Street and 93-95 Dufferin Avenue:

- a) a total expenditure of up to \$2,735,007 in municipal brownfield financial incentives BE APPROVED and allocated under the following two programs in the Community Improvement Plan (CIP) for Brownfield Incentives:
- i) provide a rebate equivalent to 50% of the Development Charges that are required to be paid by Rygar on the commercial component of the project; and,
 - ii) provide tax increment equivalent grants on the municipal component of property taxes for up to three years post development of each phase of the project;

it being noted that no grants will be provided until the work is completed and receipts are obtained showing the actual cost of the remediation work;

- b) the Civic Administration BE DIRECTED to process the brownfield incentive application to provide for eligibility for tax increment equivalent grants for up to three years for each phase of the development project under the Brownfields CIP and up to the full 10 year term of the Rehabilitation and Redevelopment Tax Grant Program of the Downtown CIP for each phase of the project;
- c) the applicant BE REQUIRED to enter into an agreement with The Corporation of the City of London outlining the relevant terms and conditions for the incentives that have been approved by the Municipal Council under the Brownfield CIP;

it being noted that the maximum value of brownfield incentives provided by the City of London will not exceed the total value of eligible remediation costs incurred by the property owner;

it being further noted that the agreement between The Corporation of the City of London and

Rygar will be transferable and binding on any subsequent property owner(s);

it being also noted that the Planning and Environment Committee received verbal delegations from:

- R. Blackwell, Stantec Consulting – providing an overview of the contamination of the site; and, indicating that all brownfield sites are not equal and it is hard to compare two sites; advising that both Stantec and ESP worked on the Medallion sites in 2006 and the Ministry has amended the regulations significantly since then; pointing out that the Tricar site across the street from them had clean soil.
- B. Chu, EXP Services Inc. – indicating that trucking clean soil from one site to another is a common practice; however, if the site is contaminated they are required to clean it up as per the *Environmental Protection Act*; referring to the site plan that shows sixty bore holes and fourteen monitoring holes to identify and delineate the impacted and contaminated areas; noting that contamination was identified at various locations and various depths.
- J. Rodgers, Rygar Properties Inc. – hoping that this helps explain the difference between clean fill and contaminated soil; indicating that this is very important as financing a site with contamination on it and cleaning up contamination is extremely difficult. (2017-D19)

The motion to Approve part a) of clause 15 is put.

Motion Passed

YEAS: M. Brown, M. van Holst, B. Armstrong, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, H.L. Usher, T. Park (11)

NAYS: J. Helmer, S. Turner (2)

The motion to Approve remainder of clause 15 is put.

Motion Passed

YEAS: M. Brown, M. van Holst, B. Armstrong, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, H.L. Usher, T. Park (12)

NAYS: S. Turner (1)

5th Report of the Community and Protective Services Committee
Councillor H.L. Usher presents.

Motion made by Councillor H.L. Usher to Approve clauses 1 to 16, excluding clauses 4, 7, 8 and 10.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. 4th Report of the London Housing Advisory Committee

That it BE NOTED that the 4th Report of the London Housing Advisory Committee, from its meeting held on April 12, 2017, was received.

3. Community Action Program for Children (CAPC) Funding in London: 2017-2020 (Relates to Bill Nos. 183, 184 and 185)

That, on the recommendation of the Managing Director of Neighbourhood, Children & Fire Services, the following actions be taken with respect to Community Action Program for Children (CAPC) funding in London, 2017 to 2020:

- a) the proposed by-law, as appended to the staff report dated April 25, 2017, BE INTRODUCED at the Municipal Council meeting to be held on May 2, 2017 to:
 - i) approve the Contribution Agreement, as appended to the above-noted staff report, between The Corporation of the City of London and Her Majesty the Queen in Right of Canada ("Canada"), for the continuation of funding from 2017-2020 in the total amount of \$753,000 to support the Community Action

- ii) Program for Children (CAPC) in London; delegate to the Managing Director of Neighbourhood, Children and Fire Services the authority to authorize and approve such further and other documents that may be required in furtherance of the above-noted Agreement, and that do not require additional funding or are provided for in the City's approved budget, and that do not increase the indebtedness of The Corporation of the City of London; and,
 - iii) authorize the Mayor and the City Clerk to execute the above-noted Contribution Agreement;
- b) the proposed by-law, as appended to the staff report dated April 25, 2017, BE INTRODUCED at the Municipal Council meeting to be held on May 2, 2017 to:
 - i) approve the Contribution Agreement, as appended to the above-noted staff report, between The Corporation of the City of London and Merrymount Children's Centre, for the continuation of funding from 2017-2020 up to the amount of \$193,500 to support the Community Action Program for Children (CAPC) in London;
 - ii) delegate to the Managing Director of Neighbourhood, Children and Fire Services, or written designate, the authority to authorize and approve such further and other documents that may be required in furtherance of the Agreement, and that do not require additional funding or are provided for in the City's approved budget, and that do not increase the indebtedness of The Corporation of the City of London; and,
 - iii) authorize the Mayor and the City Clerk to execute the above-noted Contribution Agreement;
- c) the proposed by-law, as appended to the above-noted staff report, BE INTRODUCED at the Municipal Council meeting to be held on May 2, 2017 to:
 - i) approve a Contribution Agreement, as appended to the above-noted staff report, between The Corporation of the City of London and South London Neighbourhood Resource Centre, for the continuation of funding from 2017-2020 up to the amount of \$559,500 to support the Community Action Program for Children (CAPC) in London;
 - ii) delegate to the Managing Director of Neighbourhood, Children and Fire Services, or written designate, the authority to authorize and approve such further and other documents that may be required in furtherance of the Agreement, and that do not require additional funding or are provided for in the City's approved budget, and that do not increase the indebtedness of The Corporation of the City of London; and,
 - iii) authorize the Mayor and the City Clerk to execute the above-noted Contribution Agreement.

5. Supporting the Community Response to Syrian Newcomers - Update on Potential Survey Questions or Other Means of Gathering Information

That, on the recommendation of the Managing Director of Housing, Social Services and Dearthness Home, the report related to Supporting the Community Response to Syrian Newcomers – Update on Potential Survey Questions or Other Means of Gathering Information, dated April 25, 2017, BE RECEIVED.

6. Agreement with the Province of Ontario to Support the Development of an Immigration Strategy (Relates to Bill No. 186)

That, on the recommendation of the Managing Director of Housing, Social Services and Dearthness Home, the proposed by-law, as appended to the staff report dated April 25, 2017, BE INTRODUCED at the Municipal Council meeting of May 2, 2017, to:

- a) approve the agreement between The Corporation of the City of London and Her Majesty the Queen in Right of Ontario, as represented by the Minister of Citizenship and Immigration, to obtain Provincial funding of \$20,000 to support the financing of research to aid in the creation, implementation and evaluation of London's new Immigration Strategy; and,

- b) authorize the Mayor and the City Clerk to execute the above-noted Agreement.

9. Community Diversity and Inclusion Strategy

That the communication from B. Hill with respect to the Community Diversity and Inclusion Strategy BE REFERRED to the Community Diversity and Inclusion Strategy Steering Committee for consideration in formulating its final report.

11. Business Licensing By-Law Review - Commercial Parking Facilities, Pet Shops, Public Halls and Seasonal Sales Businesses

That, on the recommendation of the Managing Director, Development & Compliance Services and Chief Building Official, the following actions be taken with respect to the updated Business Licensing By-law:

- a) commercial parking facilities, pet shops, public halls and seasonal sales businesses BE INCLUDED in the updated Business Licensing By-law: and,
- b) the Civic Administration BE DIRECTED to report back with respect to the reduction to licensing fees that may be appropriate for charities conducting seasonal sales;

it being point out that at the public participation meeting associated with this matter, the individuals indicated on the ~~attached~~ public participation meeting record made submissions in connection therewith.

12. 4th Report of the Animal Welfare Advisory Committee

That the following actions be taken with respect to the 4th Report of the Animal Welfare Advisory Committee from its meeting held on April 6, 2017:

- a) Civic Administration BE REQUESTED to consider the following actions with respect to the regulations for pet stores associated with the Business Licensing By-law:
 - i) the ~~attached~~ positive list of allowable species to be sold in pet stores and the ~~attached~~ recommendations for a positive list not a prohibitive list be considered; it being noted that this list can be amended as needed; and,
 - ii) the Chair or designate of the Animal Welfare Advisory Committee BE DIRECTED to request delegation status at the Community and Protective Services Committee meeting, when the proposed Business Licensing By-law is presented; and,
- b) clauses 1, 3 and 4, BE RECEIVED.

13. File No. 16-260872 - Naturalization Project - London Condominium Corporation No. 11

That Civic Administration BE REQUESTED to report back at a future meeting of the Community and Protective Services Committee regarding File No. 16-260872 a Naturalization Project by London Condominium Corporation No. 11 related to the property located on Berkshire Court; it being noted that a submission from Condominium Corporation No. 758 was also referred to Civic Administration by the Community and Protective Services Committee in October of 2016.

14. City Council and Standing Committee Pre-Recorded Video Content - City Website and YouTube Channel

That Civic Administration BE DIRECTED to closed caption Council meeting pre-recorded videos on the City of London YouTube channel on a go-forward basis, subject to the one-time 2017 funding available to do so; it being noted that archived 2017 Council video content will also be closed captioned subject to budget availability; it being further noted that additional information will be provided to Committee/Council, following this pilot.

15. Deferred Matters List

That the April 2017 Deferred Matters List for the Community and Protective Services Committee BE UPDATED and BE RECEIVED.

16. Withdrawal Renaming Proposal - Mildred Barons Park to Vimy Ridge Park

That the following actions be taken with respect to the submission by Councillor B. Armstrong related to the establishment of a permanent Vimy Ridge memorial:

- a) clause 18 of the 3rd Report of the Community and Protective Services Committee which referred to a request by Councillor Armstrong to rename Mildred Barons Park, located at 444 Kathleen Avenue, to "Vimy Ridge Park" to Civic Administration, BE RECONSIDERED by the committee at the submitter's request;
- b) the request to withdraw the above-noted park renaming submission, from Councillor B. Armstrong, BE ACCEPTED; and,
- c) the submission from 427 (London) Wing, dated April 13, 2017, as appended to the Added Agenda, BE REFERRED to staff for consideration related to the establishment of a permanent memorial.

Motion Passed

YEAS: M. Brown, M. van Holst, B. Armstrong, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, S. Turner, H.L. Usher, T. Park (13)

Motion made by Councillor H.L. Usher to Approve clause 4.

4. Lead Agency to Oversee the Implementation of London For All: A Roadmap to End Poverty Request for Proposal 17-10

That, on the recommendation of the Managing Director of Neighbourhood, Children and Fire Services and the Managing Director of Housing, Social Services and Dearness Home, the following actions be taken with respect to the award of the contract for the Request for Proposal (RFP) 17-10 Lead Agency to Oversee the Implementation of London for All: A Roadmap to End Poverty:

- a) the RFP BE AWARDED to United Way London-Middlesex, in the amount of \$125,000 annually over the next 3 years, to become the lead agency to coordinate the implementation body for London for All: A Roadmap to End Poverty and to advance the recommendations laid out in the plan; it being noted that the RFP resulted in an irregular bid, with the proposal submitted by United Way London-Middlesex was the only bid received and meets the City's requirements in all areas and is in compliance with the Procurement of Goods and Services Policy; and,
- b) the Civic Administration BE AUTHORIZED to undertake all administrative acts which are necessary in relation to this project.

Motion Passed

YEAS: M. Brown, M. van Holst, B. Armstrong, J. Helmer, M. Cassidy, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, S. Turner, H.L. Usher, T. Park (12)

NAYS: P. Squire (1)

Motion made by Councillor H.L. Usher to Approve clause 7.

7. Short Term Accommodations

That, on the recommendation of the Managing Director of Development and Compliance Services and Chief Building Official, the report related to short term accommodations, dated April 25, 2017, BE RECEIVED; it being noted that Civic Administration will undertake a work program to address short term accommodations in London which will lead to a range of options in the areas of rental licensing zoning by-laws and taxation.

Motion Passed

YEAS: M. Brown, M. van Holst, B. Armstrong, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, S. Turner, H.L. Usher, T. Park (12)

NAYS: V. Ridley (1)

Motion made by Councillor H.L. Usher to Approve clause 8.

8. Anti-Contraband Tobacco Campaign Funded by Tobacco Industry Front Groups Intend to Block Tobacco Control Measures

That the following actions be taken with respect to the submission dated March 28, 2017, from J. Helmer, Chair, Middlesex-London Board of Health with respect to the Tobacco Industry Anti-Contraband Tobacco Campaign:

- a) the previous City of London endorsement for the tobacco industry anti-contraband campaign (June 2012) BE RETRACTED;
- b) elected representatives and staff of the City of London, within their capacity as representatives of the City of London, BE DIRECTED to have no further meetings or discussions about any tobacco-related issue with representatives of the NCACT, the OCSA, or individuals otherwise representing the tobacco industry; and,
- c) the Mayor BE DIRECTED to write to the Ontario Ministry of Finance to request that consideration be given to:
 - i) raising tobacco excise taxes by at least \$10/carton; and,
 - ii) enhancing enforcement activities designed to reduce the presence of contraband tobacco in Ontario communities.

The motion to Approve part c) i) of clause 8 is put.

Motion Failed

YEAS: P. Hubert, H.L. Usher (2)

NAYS: M. Brown, M. van Holst, B. Armstrong, J. Helmer, M. Cassidy, P. Squire, J. Morgan, A. Hopkins, V. Ridley, T. Park (10)

RECUSED: S. Turner (1)

The motion to Approve part c) ii) of clause 8 is put.

Motion Passed

YEAS: M. Brown, M. van Holst, B. Armstrong, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, H.L. Usher, T. Park (12)

RECUSED: S. Turner (1)

Motion made by Councillor H.L. Usher and seconded by Councillor J. Helmer to Approve a revised part c) i) as follows:

- c)i) the City of London acknowledges recent increases in tobacco taxation; and,

Motion Passed

YEAS: M. Brown, M. van Holst, B. Armstrong, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, H.L. Usher, T. Park (12)

RECUSED: S. Turner (1)

The motion to Approve parts a) and b) of clause 8 is put.

Motion Passed

YEAS: M. Brown, M. van Holst, B. Armstrong, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, H.L. Usher, T. Park (12)

RECUSED: S. Turner (1)

Clause 8, as amended, reads as follows:

That the following actions be taken with respect to the submission dated March 28, 2017, from J. Helmer, Chair, Middlesex-London Board of Health with respect to the Tobacco Industry Anti-Contraband Tobacco Campaign:

- a) the previous City of London endorsement for the tobacco industry anti-contraband campaign (June 2012) BE RETRACTED;
- b) elected representatives and staff of the City of London, within their capacity as representatives of the City of London, BE DIRECTED to have no further meetings or discussions about any tobacco-related issue with representatives of the NCACT, the OCSA, or individuals otherwise representing the tobacco industry; and,
- c) the Mayor BE DIRECTED to write to the Ontario Ministry of Finance to:
 - i) acknowledge the recent increases in tobacco taxation; and,
 - ii) request the enhancement of enforcement activities designed to reduce the presence of contraband tobacco in Ontario communities.

Motion made by Councillor H.L. Usher to Approve clause 10.

At 5:51 PM, Councillor S. Turner leaves the meeting.

10. Open Air Burning

That it BE NOTED that the Community and Protective Services Committee (CPSC) heard delegations from the following, requesting the enactment of a City of London by-law to prohibit outdoor open air burning:

- A. Kytka, representing C. Oglan, and presenting the submission included on the CPSC agenda;
- D. McMillan, outlining the negative impacts of open air burning on his family's health;
- K. Treleaven, reading a statement from Utah Physicians for a Healthier Environment and listing seventeen reasons to ban outdoor open air burning;
- A. Hyslop, noting that she is from Woodstock but has relatives in London and speaking about the dangers of wood smoke and the detriments to humans; and
- M. Luce, reading both the submission from R. Astles and part of his own submission from the CPSC agenda.

Motion Passed

YEAS: M. Brown, M. van Holst, B. Armstrong, J. Helmer, P. Squire, J. Morgan, P. Hubert, A. Hopkins, H.L. Usher, T. Park (10)

NAYS: M. Cassidy, V. Ridley (2)

At 5:54 PM, Councillor S. Turner returns to the meeting.

14th Report of the Corporate Services Committee
Councillor P. Hubert presents.

Motion made by Councillor P. Hubert to Approve 14th and 15th Reports of the Corporate Services Committee.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Meeting with the Local Members of Provincial Parliament

That it BE NOTED that the Corporate Services Committee held general discussions with The Honourable Deb Matthews, M.P.P., London North Centre, Peggy Sattler, M.P.P., London West, T. Armstrong, M.P.P., London-Fanshawe and Jeff Yurek, M.P.P., Elgin-Middlesex-London, on the matters of transportation and housing and homelessness prevention.

15th Report of the Corporate Services Committee

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Meeting with the Local Members of Parliament

That it BE NOTED that the Corporate Services Committee held general discussions with Kate Young, M.P., London West, Peter Fragiskatos, M.P., London North Centre, Irene Mathysen, M.P., London-Fanshawe and Karen Vecchio, M.P., Elgin-Middlesex-London, on the matters of transportation, housing and homelessness prevention, and economic development.

Motion Passed

YEAS: M. Brown, M. van Holst, B. Armstrong, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, S. Turner, H.L. Usher, T. Park (13)

At 5:57 PM, Councillor P. Squire leaves the meeting.

17th Report of the Corporate Services Committee
Councillor P. Hubert presents.

Motion made by Councillor P. Hubert to Approve clause 2.

2. Year 2017 Tax Policy

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer and City Manager, the following actions be taken with respect to property taxation for 2017:

- a) the Civic Administration BE DIRECTED to bring forward a proposed by-law for introduction and enactment at the Municipal Council meeting to be held on May 2, 2017, in accordance with sub-sections 308(4) and 308.1(4) of the Municipal Act, 2001, to set tax ratios in the various property classes in accordance with Option "B" as contained in the ~~attached~~ Schedule "B" to the staff report dated April 25, 2017;
- b) the Civic Administration BE DIRECTED to bring forward a proposed by-law for introduction and enactment at the Municipal Council meeting to be held on May 2, 2017 to fully utilize options available in 2017 to exclude properties in capped property classes which have reached current value assessment tax levels or higher in 2016 or 2017 from being capped again in 2017 and future years;
- c) the Civic Administration BE DIRECTED to bring forward a proposed by-law for introduction and enactment at the Municipal Council meeting to be held on May 2, 2017 to initiate a 4-year phase out of capping for any of the non-residential property classes where London is eligible for such option;
- d) the Civic Administration BE DIRECTED to bring forward a proposed by-law for introduction and enactment at the Municipal Council meeting to be held on May 2, 2017 to exclude vacant land from the capping phase-out eligibility criteria where all properties must be within 50% of CVA level taxes;
- e) the Civic Administration BE DIRECTED to bring forward a proposed by-law for introduction and enactment at the Municipal Council meeting to be held on May 2, 2017 to limit capping protection only to reassessment related changes prior to 2017 and that reassessment changes in capped classes beginning in 2017 would not be subject to the cap;
- f) the Civic Administration BE DIRECTED to bring forward a proposed by-law for introduction and enactment at the Municipal Council meeting to be held on May 2, 2017 to adopt the capping formulae for the commercial, industrial and multi-residential property classes as described in detail in the staff report dated April 25, 2017;
- g) the Civic Administration BE DIRECTED to bring forward a proposed by-law for introduction and enactment at the Municipal Council meeting to be held on May 2, 2017 to claw back a portion of tax decreases in each of the commercial, industrial and multi-residential classes sufficient to fully finance the capping of increases as required under

Section 329 of the Municipal Act, 2001;

- h) NO ACTION BE TAKEN to adopt a phase-in program for tax changes resulting from the reassessment of properties in the residential, farmland and managed forests property classes in accordance with Section 318 of the Municipal Act, 2001; it being noted that such a phase-in is unnecessary with the current system of four year phase-in of assessment values on the assessment roll; and
- i) the Civic Administration BE DIRECTED to bring forward a proposed by-law for introduction and enactment at the Municipal Council meeting to be held on May 2, 2017, in accordance with 308(4) of the Municipal Act, 2001, to set a 2017 tax ratio for the new Landfill property class of 2.295230; it being noted that this is the maximum ratio permitted by provincial legislation and the City currently has no taxable assessment within its boundaries in the Landfill property class;

it being noted that due to the delay in receiving the necessary information and related Regulations from the Ministry of Finance it was not possible to draft the by-laws related to the above-noted recommendations prior to the submission deadline for this report, however it is anticipated that the draft by-laws should be available during the week of April 24, 2017, in advance of the Municipal Council meeting to be held on May 2, 2017.

Motion made by Councillor P. Hubert and seconded by Councillor J. Helmer to Approve that clause 2 be amended, in parts d) and e) by deleting the words "meeting to be held on May 2, 2017" and by inserting the words "a future meeting of" after the word "at" in line 2 of parts d) and e).

Motion Passed

YEAS: M. Brown, M. van Holst, B. Armstrong, J. Helmer, M. Cassidy, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, S. Turner, H.L. Usher, T. Park (12)

At 5:58 PM, Councillor P. Squire enters the meeting.

Motion made by Councillor P. Hubert and seconded by Councillor A. Hopkins to Approve clause 2, as amended.

Motion Passed

YEAS: M. Brown, M. van Holst, B. Armstrong, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, S. Turner, H.L. Usher, T. Park (13)

Clause 2, as amended, reads as follows:

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer and City Manager, the following actions be taken with respect to property taxation for 2017:

- a) the Civic Administration BE DIRECTED to bring forward a proposed by-law for introduction and enactment at the Municipal Council meeting to be held on May 2, 2017, in accordance with sub-sections 308(4) and 308.1(4) of the Municipal Act, 2001, to set tax ratios in the various property classes in accordance with Option "B" as contained in the ~~attached~~ Schedule "B" to the staff report dated April 25, 2017;
- b) the Civic Administration BE DIRECTED to bring forward a proposed by-law for introduction and enactment at the Municipal Council meeting to be held on May 2, 2017 to fully utilize options available in 2017 to exclude properties in capped property classes which have reached current value assessment tax levels or higher in 2016 or 2017 from being capped again in 2017 and future years;
- c) the Civic Administration BE DIRECTED to bring forward a proposed by-law for introduction and enactment at the Municipal Council meeting to be held on May 2, 2017 to initiate a 4-year phase out of capping for any of the non-residential property classes where London is eligible for such option;
- d) the Civic Administration BE DIRECTED to bring forward a proposed by-law for introduction and enactment at a future meeting of the Municipal Council to exclude vacant land from the capping phase-out eligibility criteria where all properties must be within 50% of CVA level taxes;

- e) the Civic Administration BE DIRECTED to bring forward a proposed by-law for introduction and enactment at a future meeting of the Municipal Council to limit capping protection only to reassessment related changes prior to 2017 and that reassessment changes in capped classes beginning in 2017 would not be subject to the cap;
- f) the Civic Administration BE DIRECTED to bring forward a proposed by-law for introduction and enactment at the Municipal Council meeting to be held on May 2, 2017 to adopt the capping formulae for the commercial, industrial and multi-residential property classes as described in detail in the staff report dated April 25, 2017;
- g) the Civic Administration BE DIRECTED to bring forward a proposed by-law for introduction and enactment at the Municipal Council meeting to be held on May 2, 2017 to claw back a portion of tax decreases in each of the commercial, industrial and multi-residential classes sufficient to fully finance the capping of increases as required under Section 329 of the Municipal Act, 2001;
- h) NO ACTION BE TAKEN to adopt a phase-in program for tax changes resulting from the reassessment of properties in the residential, farmland and managed forests property classes in accordance with Section 318 of the Municipal Act, 2001; it being noted that such a phase-in is unnecessary with the current system of four year phase-in of assessment values on the assessment roll; and
- i) the Civic Administration BE DIRECTED to bring forward a proposed by-law for introduction and enactment at the Municipal Council meeting to be held on May 2, 2017, in accordance with 308(4) of the Municipal Act, 2001, to set a 2017 tax ratio for the new Landfill property class of 2.295230; it being noted that this is the maximum ratio permitted by provincial legislation and the City currently has no taxable assessment within its boundaries in the Landfill property class;

it being noted that due to the delay in receiving the necessary information and related Regulations from the Ministry of Finance it was not possible to draft the by-laws related to the above-noted recommendations prior to the submission deadline for this report, however it is anticipated that the draft by-laws should be available during the week of April 24, 2017, in advance of the Municipal Council meeting to be held on May 2, 2017.

Motion made by Councillor P. Hubert to Approve clause 3.

3. Year 2017 Education Tax Rates

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer and City Manager, a by-law to levy education tax rates for 2017 BE INTRODUCED at the Council meeting of May 2, 2017 assuming by that date the appropriate regulation has been issued by the Minister of Finance.

Motion made by Councillor P. Hubert and seconded by Councillor A. Hopkins to Approve that clause 3 be amended by deleting the words "the Council meeting of May 2, 2017 assuming by that date the appropriate regulation has been issued by the Minister of Finance" and by replacing them with the words "a future meeting of the Municipal Council."

Motion Passed

YEAS: M. Brown, M. van Holst, B. Armstrong, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, S. Turner, H.L. Usher, T. Park (13)

Motion made by Councillor P. Hubert and seconded by Councillor A. Hopkins to Approve clause 3, as amended.

Motion Passed

YEAS: M. Brown, M. van Holst, B. Armstrong, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, S. Turner, H.L. Usher, T. Park (13)

Clause 3, as amended, reads as follows:

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer and City Manager, a by-law to levy education tax rates for 2017 BE INTRODUCED at a future meeting of the Municipal Council.

Motion made by Councillor P. Hubert to Approve clauses 1 and 4.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

4. Proposed Amendment to Council Procedure By-law - Change in Start Time - Corporate Services Committee (Relates to Bill No. 187)

That, on the recommendation of the City Clerk, the proposed by-law appended to the staff report dated April 25, 2017 BE INTRODUCED at the Municipal Council meeting to be held on May 2, 2017 to amend the start time for future regularly scheduled meetings of the Corporate Services Committee to 12:30 PM, instead of the current 12:00 PM; it being pointed out that there were no members of the public at the public participation meeting associated with this matter.

Motion Passed

YEAS: M. Brown, M. van Holst, B. Armstrong, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, S. Turner, H.L. Usher, T. Park (13)

The 8th Report of the Civic Works Committee
Councillor M. van Holst presents.

Motion made by Councillor M. van Holst to Approve clauses 1 to 13.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Patio Design Guidelines for On-Street Municipal Parking Spaces

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the staff report dated April 24, 2017, with respect to patio design guidelines for on-street municipal parking spaces, BE RECEIVED for information; it being noted that the Patio Design Guidelines will be included in the Urban Design Guidelines. (2017-P15)

3. Rail Safety Week

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the staff report dated April 24, 2017, with respect to National Public Rail Safety Week, BE RECEIVED for information. (2017-P15)

4. Confidentiality Agreement with the Association of the Municipalities of Ontario (AMO) to the Undertake Work Associated with the Resource Recovery and Circular Economy Act 2016. (Relates to Bill No. 182)

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, with the support of the Director, Environment, Fleet and Solid Waste, the proposed by-law appended to the staff report dated April 24, 2017 as Appendix 'A' BE INTRODUCED at the Municipal Council meeting to be held on May 2, 2017 to:

- a) authorize and approve a Confidentiality Agreement with the Association of Municipalities of Ontario (AMO) that is designed to protect, as much as possible, the release of information shared in the Waste Technical Working Group meetings from disclosure under a freedom of information request made to a municipality under the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), attached as Schedule 'A' to the by-law; and,
- b) authorize the Mayor and the City Clerk to execute the Confidentiality Agreement authorized and approved in a), above. (2017-E07/A01)

5. Contract Award: Tender No. 17-40 - 2017 Infrastructure Renewal Program - Beachwood Avenue Reconstruction Project

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the award of a contract for Tender No. 17-40, 2017 Infrastructure Renewal Program - Beachwood Avenue Reconstruction Project:

- a) the bid submitted by Blue Con Construction (Blue-Con) at its corrected tendered price of \$4,270,291.20, excluding H.S.T., for the 2017 Infrastructure Renewal Program, Beachwood Avenue Reconstruction Project, BE ACCEPTED; it being noted that the bid submitted by Blue Con Construction, was the lowest of four bids received and meets the City's specifications and requirements in all areas;
- b) the financing for this project BE APPROVED as set out in the Sources of Financing Report appended to the staff report dated April 24, 2017 as Appendix 'A';
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project;
- d) the approval given herein BE CONDITIONAL upon the Corporation entering into a formal contract or issuing a purchase order for the material to be supplied and the work to be done relating to this project (Tender 17-40); 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. (2017-T04)

6. Contract Award: Tender No. 17-32 - Replacement of Sidewalks, Curb and Gutter and Hot Mix Asphalt - Contract #1

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the award of a contract for Tender No. 17-32, Replacement of Sidewalks, Curb and Gutter and Hot Mix Asphalt Contract #1:

- a) the bid submitted by Dufferin Construction Company, A division of CRH Canada Group Inc., at its submitted tendered price of \$4,092,745.60, excluding H.S.T., for the said project BE ACCEPTED; it being noted that the bid submitted by Dufferin Construction Company, A division of CRH Canada Group Inc., was the lowest of two bids received and meets the City's specifications and requirements in all areas;
- b) the financing for this project BE APPROVED as set out in the Source of Finance Report appended to the staff report dated April 24, 2017 as Appendix 'A';
- c) the Civic Administration BE AUTHORIZED to undertake all of the administrative acts that are necessary in connection with this project;
- d) the approval given herein BE CONDITIONAL upon the Corporation entering into a formal contract or issuing a purchase order for the material to be supplied and the work to be done relating to this project (Tender No. 17-32); 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. (2017-T06)

7. Contract Award: Tender No. 17-57 - 2017 Bradley Avenue West Extension

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the award of a contract for the Bradley Avenue West extension from Wonderland Road South to Wharncliffe Road South, including Wharncliffe Road South intersection improvements:

- a) the bid submitted by L82 Construction Ltd. at its submitted tendered price of \$6,917,000.00, excluding H.S.T., for the said project BE ACCEPTED; it being noted that the bid submitted by L82 Construction Ltd. was the lowest of five bids received and meets the City's specifications and requirements in all areas;
- b) Archibald, Gray & McKay Engineering Ltd., BE AUTHORIZED to carry out the resident inspection, contract administration of the said project in the amount of \$592,830.00,

excluding H.S.T., in accordance with Section 15.2 (g) of the Procurement of Goods and Services Policy;

- c) the financing for this project BE APPROVED as set out in the Sources of Financing Report appended to the staff report dated April 24, 2017 as Appendix 'A';
- d) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project;
- e) the approval given herein BE CONDITIONAL upon the Corporation entering into a formal contract for the material to be supplied and the work to be done relating to this project (Tender 17-57); 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. (2017-T04)

8. Contract Award: Tender No. 17-46 - Western Road / Wharncliffe Road North Improvements - Phase 1 - Canadian Pacific Railway Grade Separation Reconstruction

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the Western Road/Wharncliffe Road North Improvements, Phase 1, Canadian Pacific Railway Grade Separation Reconstruction:

- a) the bid submitted by McLean Taylor Construction Limited at its submitted tendered price of \$13,036,060.47, excluding H.S.T., for the said project BE ACCEPTED; it being noted that the bid submitted by McLean Taylor Construction Limited was the lowest of four bids received and meets the City's specifications and requirements in all areas;
- b) AECOM Canada Ltd., BE AUTHORIZED to carry out the resident inspection and contract administration of the said project in the amount of \$845,332.10, excluding H.S.T., in accordance with Section 15.2 (g) of the Procurement of Goods and Services Policy;
- c) the financing for this project BE APPROVED in accordance with the Sources of Financing Report appended to the staff report dated April 24, 2017 as Appendix 'A';
- d) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project;
- e) the approval given herein BE CONDITIONAL upon the Corporation entering into a formal contract for the material to be supplied and the work to be done relating to this project (Tender 17-46); and,
- f) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents including rail-related agreements, if required, to give effect to these recommendations. (2017-T04)

9. Partnering in Phosphorus Control: Achieving Phosphorous Reductions in Lake Erie From Canadian Sources (EBR Registry Number: 012-9971)

That, on the recommendation of the Managing Director Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the Environmental Bill of Rights (EBR) posting regarding phosphorus reduction in Lake Erie from Canadian sources:

- a) the staff report dated April 24, 2017, with respect to Partnering in Phosphorous Control: Achieving Phosphorous Reductions in Lake Erie from Canadian Sources, BE RECEIVED for information; and,
- b) the comments on EBR Registry Number 012-9971, appended to the staff report dated April 24, 2017 as Appendix 'B', BE ENDORSED. (2017-E05)

10. Environmental Programs Annual Update

That, on the recommendation of the Director, Environment, Fleet and Solid Waste, the following actions be taken with respect to the environmental programs annual update:

- a) the staff report dated April 24, 2017 BE RECEIVED for information; and,
- b) the staff report dated April 24, 2017 BE FORWARDED to the Advisory Committee on the Environment (ACE) for information. (2017-C08)

11. London Transit Commission - Buses Off Dundas Street - Update

That the communication dated April 13, 2017, from K. Paleczny, General Manager, London Transit Commission, with respect to an update on the removal of buses from Dundas Street, BE RECEIVED.

12. 4th Report of the Transportation Advisory Committee

That the following actions be taken with respect to the 4th Report of the Transportation Advisory Committee, from its meeting held on April 4, 2017:

- a) clause 7, with respect to the proposed 2017 Work Plan for the Transportation Advisory Committee, BE REFERRED to the Civic Administration for review, in consultation with the Chair of the Transportation Advisory Committee and the Chair of the Civic Works Committee, and report back at a future meeting of the Civic Works Committee; and,
- b) clauses 1 through 6 BE RECEIVED.

13. Deferred Matters List

That the Civic Works Committee Deferred Matters List, as at April 18, 2017, BE RECEIVED.

Motion Passed

YEAS: M. Brown, M. van Holst, B. Armstrong, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, S. Turner, H.L. Usher, T. Park (13)

4th Report of the Audit Committee
Councillor P. Hubert presents.

Motion made by Councillor P. Hubert to Approve clause 1.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

Motion Passed

YEAS: M. Brown, M. van Holst, B. Armstrong, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, S. Turner, H.L. Usher, T. Park (13)

IX ADDED REPORTS

14th Public Report of the Council, In Closed Session
Councillor P. Hubert presents.

Motion made by Councillor P. Hubert to Approve that the Council in Closed Session met, in camera, for the purpose of considering the following:

- a) A matter pertaining to advice that is subject to solicitor-client privilege, including communications necessary for that purpose, as it relates to the BMO Centre. (C1/5/CPSC)
- b) A matter pertaining to litigation or potential litigation with respect to inter-municipal agreements between the City of London and the County of Middlesex, and advice that is subject to solicitor-client privilege, including communications necessary for that purpose, pertaining to inter-municipal agreements between the City of London and the County of Middlesex. (C1/4/AC)

Motion Passed

YEAS: M. Brown, M. van Holst, B. Armstrong, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, S. Turner, H.L. Usher, T. Park (13)

X DEFERRED MATTERS

None.

XI ENQUIRIES

None.

XII EMERGENT MOTIONS

None.

XIII BY-LAWS

BY-LAWS TO BE READ A FIRST, SECOND AND THIRD TIME:

Motion made by Councillor M. van Holst and seconded by Councillor B. Armstrong to Approve Introduction and First Reading of Bill No.'s 181 to 202, inclusive.

Motion Passed

YEAS: M. Brown, M. van Holst, B. Armstrong, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, S. Turner, H.L. Usher, T. Park (13)

Motion made by Councillor S. Turner and seconded by Councillor A. Hopkins to Approve Second Reading of Bill No.'s 181 to 202, inclusive.

Motion Passed

YEAS: M. Brown, M. van Holst, B. Armstrong, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, S. Turner, H.L. Usher, T. Park (13)

Motion made by Councillor S. Turner and seconded by Councillor A. Hopkins to Approve Third Reading and Enactment of Bill No.'s 181 to 202, inclusive.

Motion Passed

YEAS: M. Brown, M. van Holst, B. Armstrong, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, S. Turner, H.L. Usher, T. Park (13)

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

Bill No. 181 By-law No. A.-7549-144	A by-law to confirm the proceedings of the Council Meeting held on the 2 nd day of May, 2017. (City Clerk)
Bill No. 182 By-law No. A.-7550-145	A by-law to authorize and approve a Confidentiality Agreement between the Association of Municipalities of Ontario and The Corporation of the City of London and to authorize the Mayor and the City Clerk to execute the Confidentiality Agreement. (4/8/CWC)
Bill No. 183 By-law No. A.-7551-146	A By-law to approve the Contribution Agreement between The Corporation of the City of London and Her Majesty the Queen in Right of Canada, as represented by the Federal Minister of Health through the Public Health Agency of Canada; and to authorize the Mayor and the City Clerk to execute the Agreement. (3/5/CPSC)
Bill No. 184 By-law No. A.-7552-147	A By-law to approve the Contribution Agreement between The Corporation of the City of London and Merrymount Children's Centre; and to authorize the Mayor and the City Clerk to execute

	the Agreement. (3/5/CPSC)
Bill No. 185 By-law No. A.-7553-148	A By-law to approve the Contribution Agreement between The Corporation of the City of London and South London Neighbourhood Resource Centre; and to authorize the Mayor and the City Clerk to execute the Agreement. (3/5/CPSC)
Bill No. 186 By-law No. A.-7554-149	A By-law to approve the Ontario Funding Agreement for the development of the London Immigration Strategy I with Her Majesty the Queen in Right of Ontario as represented by the Minister of Citizenship and Immigration; and to authorize the Mayor and the City Clerk to execute the Agreement. (6/5/CPSC)
Bill No. 187 By-law No. A-50-17002	A by-law to amend By-law No. A-50 being a by-law to provide for the Rules of Order and Procedure for the Council of The Corporation of the City of London to change the start time for future regularly scheduled meetings of the Corporate Services Committee to 12:30 PM. (4/17/CSC)
Bill No. 188 By-law No. C.P.-1518-150	A by-law to exempt from Part Lot Control, lands located on the east side of Bluebell Road, north of Skyline Avenue, legally described as Lot 105 in Registered Plan 33M-463, more particularly described as Parts 1 & 2 in Plan 33R-15703 in the City of London and County of Middlesex. (7/8/PEC)
Bill No. 189 By-law No. L.S.P.-3462-151	A by-law to designate 807 Colborne Street (Fire Hall No. 4) to be of cultural heritage value or interest. (3/8/PEC)
Bill No. 190 By-law No. S.-5863-152	A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Talbot Street, north of Piccadilly Street) (Chief Surveyor - require dedication at the present time (due to an oversight in 2007) as public highway)
Bill No. 191 By-law No. Z.-1-172570	A by-law to amend By-law No. Z.-1 to remove the holding provision from the zoning of lands located at 530 Sunningdale Road East, north of Superior Drive (File No. 39T-15504 – Powell Subdivision Phase 4). (5/8/PEC)
Bill No. 192 By-law No. Z.-1-172571	A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning of the land located at 801 Sarnia Road. (6/8/PEC)
Bill No. 193 By-law No. Z.-1-172572	A by-law to amend By-law No. Z.-1 to remove the holding provision from the zoning of the land located at 4166 Scotland Drive. (8/8/PEC)
Bill No. 194 By-law No. Z.-1-172573	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 10 Hawthorne Road. (9/8/PEC)
Bill No. 195 By-law No. Z.-1-172574	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 555-557 Ridout Street North. (11/8/PEC)
Bill No. 196 By-law No. Z.-1-172575	A by-law to amend By-law No. Z.-1 to add General Provisions related to low-rise residential development in the Primary Transit Area. (12/8/PEC)
Bill No. 197 By-law No. A.-7555-153	A by-law setting tax ratios for property classes in 2017. (2/17/CSC)
Bill No. 198 By-law No. A.-7556-154	A by-law to opt to have Section 8.0.2 of Ontario Regulation 73/03 as amended apply within the City of London for the year 2017 to exempt certain properties in the commercial classes, industrial classes and multi-residential property class from the application of Part IX of the <i>Municipal Act, 2001</i> . (2/17/CSC)

Bill No. 199 By-law No. A.-7557-155	A by-law to establish percentages by which tax decreases are limited for 2017 in respect of properties in any property class subject to Part IX of the <i>Municipal Act, 2001</i> , as amended, in order to recover all revenues foregone as a result of the application of section 329 and section 329.1 of the <i>Municipal Act, 2001</i> , as amended, to other properties in the property class. (2/17/CSC)
Bill No. 200 By-law No. A.-7558-156	A by-law to opt to use certain subsections of section 329.1 of the <i>Municipal Act, 2001</i> , as amended, in the calculation of taxes in the commercial, industrial, and multi-residential property classes. (2/17/CSC)
Bill No. 201 By-law No. A.-7559-157	A by-law to exercise the option to establish a phase out from the capping of property taxes under Part IX of the <i>Municipal Act, 2001</i> for eligible property classes. (2/17/CSC)
Bill No. 202 By-law No. A.-7560-158	A by-law levying tax rates for property classes in 2017. (2/17/CSC)

XIV ADJOURNMENT

Motion made by Councillor J. Helmer and seconded by Councillor M. van Holst to Approve that the Meeting Adjourn.

Motion Passed

The Meeting adjourns at 6:11 PM.

Matt Brown, Mayor

Catharine Saunders, City Clerk