



London
CANADA

COUNCIL MINUTES 22ND MEETING

September 5, 2017

The Council meets in Regular Session in the Council Chambers this day at 4:01 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, T. Park and J. Zaifman and C. Saunders (City Clerk).

ABSENT: Councillor M. Salih.

ALSO PRESENT: B. Coxhead, R. Armistead, A.L. Barbon, B. Card, S. Datars Bere, C. Dawidenko, J.M. Fleming, T. Gaffney, O. Katolyk, L. Livingstone, L. Loubert, M. Marcellin, S. Mathers, D. Mounteer, D. O'Brien, L. Rowe, S. Spring, J. Stanford, M. Tomazincic, B. Warner, B. Westlake-Power, P. Yeoman and G. Zhang.

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

I DISCLOSURES OF PECUNIARY INTEREST

Councillor S. Turner discloses a pecuniary interest in clause C-1 of the Confidential Appendix to the 16th Report of the Planning and Environment Committee, having to do with a matter pertaining to advice that is subject to solicitor-client privilege, including communications necessary for that purpose, in connection with options available to the municipality in connection with complaints about the operation of a composting facility near the Shaver-Brockley community and surrounding area and to litigation or potential litigation with respect to potential remedies available to the municipality in connection with complaints about the operation of a composting facility near the Shaver-Brockley community and surrounding area, as well as clauses 16 and 22 of the 16th Report of the Planning and Environment Committee, having to do with the review of impacts from industrial sources (focus on odour) and potential municipal actions (primarily south of Highway #401 and enforcement of unassumed subdivisions, respectively, by indicating that his employer, the Middlesex-London Health Unit, is involved in these matters in a regulatory capacity.

Councillor T. Park discloses a pecuniary interest in clause 19 of the 16th Report of the Planning and Environment Committee, having to do with property located at 440 Grey Street, by indicating that she owns a neighbouring property.

Councillor J. Morgan discloses a pecuniary interest in clause 5 of the 24th Report of the Corporate Services Committee, as well as the related Bill No. 392, both having to do with a Joint Use Agreement with the University of Western Ontario for conduit pathways, by indicating that the University is his employer.

II RECOGNITIONS

1. The Municipal Council recognizes Fanshawe College's 50th Anniversary.

III REVIEW OF CONFIDENTIAL MATTERS TO BE CONSIDERED IN PUBLIC

None.

IV COUNCIL, IN CLOSED SESSION

Motion made by Councillor M. van Holst and seconded by Councillor T. Park 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, in connection with options available to the municipality in connection with complaints about the operation of a composting facility near the Shaver-Brockley community and surrounding area and to litigation or potential litigation with respect to potential remedies available to the municipality in connection with complaints about the operation of a composting facility near the Shaver-Brockley community and surrounding area. (C1/16/PEC)
- b) A matter pertaining to legal advice that is subject to solicitor-client privilege, including communications necessary for that purpose in connection with the application by Barvest Realty Inc. relating to the property located at 58 Sunningdale Road West. (C2/16/PEC)
- c) A matter pertaining to information that is subject to solicitor-client privilege, including communications necessary for that purpose, litigation or potential litigation and directions and instructions to officers and employees or agents of the municipality regarding an Adult Entertainment Body-rub Parlour located at 2190 Dundas Street.(C1/11/CPSC)
- d) A matter pertaining to personal matters about an identifiable individual, including communications necessary for that purpose, as it relates to interviews for nomination to the London Hydro Inc. Board of Directors. (C1/24/CSC)
- e) A matter pertaining to instructions and directions to officers and employees of the Corporation pertaining to a proposed acquisition of land; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; reports or advice or recommendations of officers and employees of the Corporation pertaining to a proposed acquisition of land; commercial and financial information supplied in confidence pertaining to the proposed acquisition the disclosure of which could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of the Corporation, result in similar information no longer being supplied to the Corporation where it is in the public interest that similar information continue to be so supplied, and result in undue loss or gain to any person, group, committee or financial institution or agency; commercial, information relating to the proposed acquisition that belongs to the Corporation that has monetary value or potential monetary value; information concerning the proposed acquisition whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or its competitive position; information concerning the proposed acquisition whose disclosure could reasonably be expected to be injurious to the financial interests of the Corporation; and instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the Corporation concerning the proposed acquisition. (C2/24/CSC)

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 Council rises and goes into the Council, In Closed Session at 4:13 PM, with Mayor M. Brown in the Chair and all Members present except Councillor M. Salih.

At 4:19 PM Councillor S. Turner leaves the meeting.

At 4:20 PM Councillor S. Turner enters the meeting.

The Council, In Closed Session, rises at 4:35 PM and Council reconvenes at 4:41 PM, with Mayor M. Brown in the Chair and all Members present except Councillor M. Salih.

V CONFIRMATION AND SIGNING OF THE MINUTES OF THE TWENTY-FIRST

MEETING HELD ON AUGUST 22, 2017

Motion made by Councillor H.L. Usher and seconded by Councillor J. Helmer to Approve the Minutes of the Twenty-First Meeting held on August 22, 2017.

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, J. Zaifman (14)

VI COMMUNICATIONS AND PETITIONS

Motion made by Councillor H.L. Usher and seconded by Councillor M. Cassidy to Approve receipt and referral of the following communications, as noted on the Added Agenda:

1. Enforcement Unassumed Subdivisions

(Refer to the Planning and Environment Committee Stage for Consideration with Clause 22 of the 16th Report of the Planning and Environment Committee)
 - a) Herman Loibl
 - b) Alin Cojocaru, 2345 Humberside Common

2. Properties located at 32, 36 and 40 York Street and Part of 330 Thames Street (OZ-8789)

(Refer to the Planning and Environment Committee Stage for Consideration with Clause 21 of the 16th Report of the Planning and Environment Committee)
 - a) Dr. Dean B. Berry, 19 King Street
 - b) Judith Potter, 19 King Street
 - c) (ADDED) E. Ann and J. Murray Kelly , 19 King Street
 - d) (ADDED) Marlene and Ettore Lattanzio, 803-19 King Street
 - e) (ADDED) Kelly Krische and David Keith, 19 King Street

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, J. Zaifman (14)

VII MOTIONS OF WHICH NOTICE IS GIVEN

None.

VIII REPORTS

14th Report of the Civic Works Committee
Councillor M. van Holst presents.

Motion made by Councillor M. van Holst to Approve clauses 1 to 17, inclusive.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Wenige Expressway Bridge Drainage - Highbury Avenue South over Thames River South Branch

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the staff report dated August 29, 2017, with respect to drainage on the Wenige Expressway Bridge, Highbury Avenue South over the Thames River South Branch (4-BR-14), BE RECEIVED for information. (2017-T06)

3. Amendments to the Traffic and Parking By-Law (Relates to Bill No. 398)

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the proposed by-law appended to the staff report dated August 29, 2017 as Appendix 'A' BE INTRODUCED at the Municipal Council meeting to be held on September 5, 2017 for the purpose of amending the Traffic and Parking By-law (PS-113). (2017-T08)

4. Thames Valley Parkway North Branch Connection - Detailed Design & Tendering - Appointment of Consulting Engineer

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, with the concurrence of the Managing Director, Planning and City Planner, the following actions be taken with respect to the appointment of a Consulting Engineer for the Thames Valley Parkway North Branch Connection Project:

- a) Dillon Consulting Limited, BE APPOINTED Consulting Engineers for the detailed design and tendering for the said project at an upset amount of \$503,321.50, excluding H.S.T., in accordance with Section 15.2 (g) of the Procurement of Goods and Services Policy;
- b) the financing for this project BE APPROVED as set out in the Sources of Financing Report appended to the staff report dated August 29, 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 approvals given herein BE CONDITIONAL upon the Corporation entering into a formal contract with the consultant for the work; and,
- e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2017-A05)

5. Contract Award: Tender No. 17-72 - Blackfriars Bridge Rehabilitation

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 Blackfriars Bridge Rehabilitation:

- a) the bid submitted by McLean Taylor Construction Limited at its submitted tendered price of \$7,924,152.27, 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 two (2) bids received and meets the City's specifications and requirements in all areas;
- b) Dillon Consulting Limited BE AUTHORIZED to carry out the resident inspection and contract administration of the said project in the amount of \$569,772.50, 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 August 29, 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 17-72); 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)

6. Wonderland Road South Improvements - Phase 1 & 2 Contract Administration - Appointment of Consulting Engineer

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the contract administration for Phases 1 and 2 of the Wonderland Road South Improvements, from Manning Drive to the South City Limits:

- a) Stantec Consulting Limited BE AUTHORIZED to carry out the resident inspection and contract administration for the two phases of the said project in the amount of \$296,644.70, excluding H.S.T., in accordance with Section 15.2 (g) of the Procurement of Goods and Services Policy;
- b) the financing for this project BE APPROVED as set out in the Sources of Financing Report appended to the staff report dated August 29, 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 for the material to be supplied and the work to be done relating to this project; 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-A05)

7. Low Impact Development Stormwater Management Guidance Manual (EBR Registry Number: 012-9080)

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the staff report dated August 29, 2017 with respect to the Low Impact Development Stormwater Management Guidance Manual (EBR Registry Number: 012-9080) BE RECEIVED for information. (2017-E03)

8. Appointment of Consulting Engineer - South London Wastewater Servicing Municipal Class Environmental Assessment

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the assignment of consulting services for completion of the Municipal Class Environmental Assessment (EA) to consider the construction of a new wastewater facility at the current Dingman Creek Pumping Station location:

- a) AECOM Canada Limited BE APPOINTED Consulting Engineers in the amount of \$172,134.00, including 20% contingency, excluding H.S.T., based upon the Fee Guideline for Professional Engineering Services recommended by the Ontario Society of Professional Engineers and in accordance with Section 15.2 (d) of the City of London's Procurement of Goods and Services Policy;
- b) the financing for the project BE APPROVED in accordance with the Sources of Financing Report appended to the staff report dated August 29, 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 approvals given, herein, BE CONDITIONAL upon the Corporation entering into a formal contract; and,
- e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2017-A05)

9. Single Source Purchase for Wastewater Facility - Channel Grinder Repairs

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, Envirocan and H2Flow BE APPROVED for ongoing refurbishment of channel grinders in accordance with section 14.4 d) and e) of the City's Procurement of Goods and Services Policy. (2017-F18)

10. Single Source Electrical and Mechanical Services for the Turbo Blower Installations at the Greenway Wastewater Treatment Plant

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to a single source award of electrical and mechanical installation services for the three remaining turbo blowers at the Greenway Wastewater Treatment Plant:

- a) the price submitted by Tim Lovett Installations Incorporated of \$90,303.00, excluding H.S.T., to supply electrical services for the installation of three blowers and associated components, BE ACCEPTED in accordance with Section 14.4(d) of the City of London's Procurement of Goods and Services Policy;
- b) the price submitted by BGL Contractors Corporation of \$268,520.00, excluding H.S.T., to supply mechanical services for the installation of three blowers and associated components, BE ACCEPTED in accordance with Section 14.4(d) of the City of London's Procurement of Goods and Services Policy;
- c) the financing for these acquisitions BE APPROVED as set out in the Sources of Financing Report appended to the staff report dated August 29, 2017 as Appendix 'A';
- d) the Civic Administration BE AUTHORIZED to undertake all administrative acts that are necessary in connection with this project;
- e) the approvals given, herein, BE CONDITIONAL upon the Corporation entering into a formal contract, or issuing a purchase order, for the work to be done relating to this project; 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-F18)

11. Community Energy Action Plan - Status Update

That, on the recommendation of the Director of Environment, Fleet and Solid Waste, the staff report dated August 29, 2017, providing an update on the status of the Community Energy Action Plan activities, BE RECEIVED for information. (2017-E17)

12. 2016 Community Energy and Greenhouse Gas Inventory

That, on the recommendation of the Director, Environment, Fleet and Solid Waste, the 2016 Community Energy and Greenhouse Gas Inventory report BE RECEIVED for information. (2017-E17)

13. Contract Award T17-102 - Intersection AODA Upgrades - Irregular Result

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the Contract Award for Intersection AODA Upgrades:

- a) the bid submitted by EARTH (Holding) Incorporated in the amount of \$428,266.00, excluding H.S.T., BE APPROVED in accordance with Section 8.10 (b) 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 appended to the staff report dated August 29, 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 for the material to be supplied and the work to be done relating to this project (Tender 17-102); 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-F18)

14. One River Environmental Assessment Update: Technical Memorandum Stage One Work Plan and Community Consultation Plan

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the One River Environmental Assessment Update:

- a) the One River Environmental Assessment Technical Memorandum: Stage 1 Work Plan appended to the staff report dated August 29, 2017 BE RECEIVED;
- b) the One River Environmental Assessment Community Consultation Plan appended to the staff report dated August 29, 2017 BE RECEIVED; and,
- c) the ~~attached~~ presentation from the Acting Division Manager, Stormwater Engineering, with respect to the One River Environmental Assessment Update, BE RECEIVED. (2017-E21)

15. Deferred Matters List

That the Civic Works Committee Deferred Matters List, as at August 22, 2017, BE RECEIVED.

16. Contract Award T17-100 Wonderland Road South Two-Lane Upgrade Advanced Widening at Highway 402 - Irregular Result

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the Contract Award for the Wonderland Road South Two-Lane Upgrade - Advanced Widening at Highway 402:

- a) the bid submitted by Armstrong Paving and Material Group Limited in the amount of \$293,152.65, excluding H.S.T., BE APPROVED in accordance with Section 8.10 (b) 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 appended to the staff report dated August 29, 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 for the material to be supplied and the work to be done relating to this project (Tender 17-100); 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-F18)

17. Traffic Calming

That it BE NOTED that Councillor M. van Holst enquired about the effectiveness of bollards as a traffic calming measure. The Director of Roads and Transportation advised that there is no statistical data, but based upon experience this measure is considered an industry best practice in terms of a "light weight" traffic calming measure. The Director of Roads and Transportation further advised that staff will be reporting back on new methods for addressing speeding traffic.

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, J. Zaifman (14)

16th Report of the Planning and Environment Committee
Councillor S. Turner presents.

Motion made by Councillor S. Turner to Approve clauses 1 to 24, excluding clauses 8, 11, 16, 19, 20, 21 and 23.

1. Disclosures of Pecuniary Interest

That it BE NOTED that Councillor S. Turner disclosed a pecuniary interest in clauses 16, 23 and C-1 of this Report having to do with the Review of Impacts from Industrial Sources (Focus on Odour) and Potential Municipal Actions (Primarily South of Highway 401) and the communications dated August 11, 2017 and July 28, 2017, respectively from J. Pastorius, Manager, Old East Village BIA and J. MacDonald, CEO and General Manager, Downtown London, by indicating that his employer deals with regulatory parameters which may relate to these matters.

2. Development Charges (DC) Claimable Works for 3080 Bostwick Road - Amend Consent Agreement

That, on the recommendation of the Managing Director, Development and Compliance Services and Chief Building Official, the following actions be taken with respect to the consent agreement between The Corporation of the City of London and 731675 Ontario Ltd (York Developments), for the land municipally known as 3080 Bostwick Road:

- a) the Civic Administration BE DIRECTED to amend the registered consent agreement in accordance with Appendix 'A' appended to the staff report dated August 28, 2017; and,
- b) the financing for this project BE APPROVED as set out in the Source of Financing Report appended to the staff report dated August 28, 2017 as Appendix 'B'. (2017-L04A)

3. Property located at 1647 Fanshawe Park Road East (O' Hanlan Subdivision - 39T-10503) (H-8806) (Relates to Bill No. 403)

That, on the recommendation of the Senior Planner, Development Services, based on the application of MTE Consultants Inc., relating to the property located at 1647 Fanshawe Park Road East (O'Hanlan Subdivision – 39T-10503):

- a) the proposed by-law appended to the staff report dated August 28, 2017 BE INTRODUCED at the Municipal Council meeting to be held on September 5, 2017 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning FROM a Holding Residential R1 (h-52*h-100*R1-3) Zone, a Holding Residential R1 (h-52*h-100*R1-5) Zone and a Holding Residential R1 (h-52*h-100*R1-13) Zone TO a Holding Residential R1 (h-100*R1-3) Zone, a Holding Residential R1 (h-100*R1-5) Zone and a Holding Residential R1 (h-100*R1-13) Zone to remove the "h-52" holding provision; and,
- b) the application to remove the "h-100" holding provision from the lands BE DEFERRED until such time as a second public access and water looping is provided. (2017-D12)

4. Property located at 2603 Holbrook Drive (H-8772) (Relates to Bill No.404)

That, on the recommendation of the Senior Planner, Development Services, based on the application by Sifton Properties Limited, relating to lands located at 2603 Holbrook Drive, described as Block 49 Registered Plan 33M-707, the proposed by-law appended to the staff report dated August 28, 2017 BE INTRODUCED at the Municipal Council meeting to be held on September 5, 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 R5/R6/R8 Special Provision (h•h-71•h-100•R5-6(8)/R6-5(31)/R8-4(17) Zone TO a Residential R5/ R6/R8 Special Provision (R5-6(8)/R6-5(31)/R8-4(17) Zone to remove the holding (h, h-71 & h-100) provisions. (2017-D09)

5. Property located at Silverleaf Subdivision - Subdivision Special Provisions (39T-14504)

That, consideration for entering into a Subdivision Agreement between The Corporation of the City of London and 2219008 Ontario Limited, for the subdivision of land over Part of Lot 75,

West of the North Branch of the Talbot Road (Geographic Township of Westminster), City of London, County of Middlesex, situated on the south side of Pack Road, west of Colonel Talbot Road, municipally known as 3493 Colonel Talbot Road BE REFERRED to the September 11, 2017 meeting of the Planning and Environment Committee at the request of the Director, Development Services. (2017-D12)

6. Properties Located at 1237, 1241, 1249, 1254 and 1258 Thornley Street (H-8634) (Relates to Bill No. 405)

That, on the recommendation of the Senior Planner, Development Planning, based on the application of Norquay Buttonbush Land Corp., for the properties located at 1237, 1241, 1249, 1254 and 1258 Thornley Street, the proposed by-law appended to the staff report dated August 28, 2017 BE INTRODUCED at the Municipal Council meeting to be held on September 5, 2017 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning FROM a Holding Residential R1 Special Provision (h-108*R1-6(4)) Zone TO a Residential R1 Special Provision (R1-6(4)) Zone to remove the "h-108" holding provision. (2017-D09)

7. Property located at 2810 Sheffield Place (H-8767) (Relates to Bill No. 406)

That, on the recommendation of the Senior Planner, Development Services, based on the application by Sifton Properties Limited, relating to lands located at 2810 Sheffield Place, described as Block 60 Registered Plan 33M-672, the proposed by-law appended to the staff report dated August 28, 2017 BE INTRODUCED at the Municipal Council meeting to be held on September 5, 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 R6 Special Provision (h•h-100•R6-2(11)) Zone TO a Residential R6 Special Provision (R6-2(11)) Zone to remove the holding (h & h-100) provisions. (2017-D07)

9. 9th Report of the London Advisory Committee on Heritage

That the following actions be taken with respect to the 9th Report of the London Advisory Committee on Heritage from its meeting held on August 9, 2017;

- a) on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the Chief Building Official BE ADVISED that the Municipal Council permits the demolition of the buildings at 36 and 40 York Street in the Downtown Heritage Conservation District pursuant to Section 42(1) of the Ontario Heritage Act subject to the following terms and conditions:
 - i) the proposed development concept outlined in the Urban Design Brief dated July 18, 2017 (as subsequently revised) BE ENDORSED in principle, and details be refined and BE SUBMITTED as part of a complete Heritage Alteration Permit application with approval authority delegated to the City Planner;
 - ii) the applicant BE REQUIRED to post a bond or provide a certificate of insurance as a guarantee that adjacent buildings will be protected during demolition and construction;
 - iii) the applicant BE REQUESTED to acknowledge the historic associations of 36 York Street in the proposed development of the site through interpretive signage or some other manner, at a location(s) visible and accessible to the public; and,
 - iv) prior to any demolition, photo documentation of the exterior details of the existing buildings BE COMPLETED by the applicant and submitted to Planning Services;

it being noted that the London Advisory Committee on Heritage does not oppose the demolition of the buildings located at 36 and 40 York Street, but noted the following with respect to the proposed development at the site:

- A) the colours and materials of the proposed cladding should be more compatible with the Downtown Heritage Conservation District;
- B) concern related to the unmitigated impacts on adjacent and nearby heritage designated properties;
- C) the developer should be encouraged to incorporate naming of the building to recognize the history of the site and/or the downtown area;
- D) the demolition of the building should be conditional to the issuance of a building permit; and,

E) more emphasis should be placed on the crown of the building;

it being further noted that the London Advisory Committee on Heritage received a presentation from L. Dent, Heritage Planner, with respect to this matter;

b) clause 8 of the 9th Report of the London Advisory Committee on Heritage BE POSTPONED to the September 11, 2017 Planning and Environment Committee to provide the London Advisory Committee on Heritage an opportunity to prepare a Statement of Significance for the subject property; it being noted that clause 8 reads as follows:

“That the following actions be taken with respect to the request for demolition of heritage listed property at 440 Grey Street:

a) the Civic Administration BE ADVISED that the London Advisory Committee on Heritage does not support the proposed demolition of the property located at 440 Grey Street; and,

b) designation of the property at 440 Grey Street to be of cultural heritage value or interest pursuant to Section 29 of the *Ontario Heritage Act* based on its contextual values and its design or physical values, BE CONSIDERED;

it being noted that the London Advisory Committee on Heritage received the attached presentation from L. Dent, Heritage Planner, with respect to this matter.”;

c) on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, notice BE GIVEN under the provisions of Section 29 of the Ontario Heritage Act, R.S.O.. 1990, c. O. 18, of Municipal Council’s intent to designate the property located at 329 Victoria Street to be of cultural heritage value or interest, as appended to the 9th Report of the London Advisory Committee on Heritage; it being noted that a presentation from K. Gonyou, Heritage Planner, was received;

d) on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the following actions be taken with respect to the request for the demolition of a heritage designated property at 723 Lorne Avenue:

i) the demolition BE PERMITTED; and,
ii) the following items identified in Appendix ‘C’ of the staff report dated August 9, 2017 BE REMOVED from the building prior to its demolition and BE INCORPORATED into a future park space at the site with appropriate commemoration and/or interpretation:

A) the school bell; and,

B) the aluminum lettering currently affixed to the north façade of the building;

it being noted that a presentation from K. Gonyou, Heritage Planner, was received;

e) clauses 1 to 6 and 11 to 13, BE RECEIVED;

it being noted that the Planning and Environment Committee heard a verbal presentation from D. Dudek, Chair, London Advisory Committee on Heritage, with respect to these matters.

10. 7th Report of the Environmental and Ecological Planning Advisory Committee

That the following actions be taken with respect to the 7th Report of the Environmental and Ecological Planning Advisory Committee from its meeting held on July 20, 2017:

a) the Working Group comments related to the Boler Status Land Report, appended to the 7th Report of the Environmental and Ecological Planning Advisory Committee, BE FORWARDED to the Civic Administration for consideration;

b) the Environmental and Ecological Planning Advisory Committee Members BE ENCOURAGED to provide comments on London's Invasive Plant Strategy directly to J. MacKay, Ecologist; it being noted that London's Invasive Plant Strategy will be considered by the Planning and Environment Committee, at the meeting to be held on August 28, 2017; and,

- c) clauses 1 to 11, 13, 15 to 17, BE RECEIVED;

it being noted that the Planning and Environment Committee heard a verbal presentation from S. Levin, Chair, Environmental and Ecological Planning Advisory Committee, with respect to these matters.

12. Property located at 2603 Holbrook Drive - Application for Vacant Land Condominium (39CD-17504/SPA17-013)

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the application of Sifton Properties Limited, relating to the lands located at 2603 Holbrook Drive:

- a) the Approval Authority BE ADVISED that no issues were raised at the public meeting with respect to the application for Draft Plan of Vacant Land Condominium relating to the property located at 2603 Holbrook Drive; and,
- b) the Approval Authority BE ADVISED that no issues were raised at the public meeting with respect to the Site Plan Approval application relating to the property located at 2603 Holbrook Drive;

it being pointed out that at the public participation meeting associated with this matter, the individual indicated on the ~~attached~~ public participation meeting record made an oral submission regarding these matters. (2017-D07)

13. Property located at 2810 Sheffield Place - Application for Vacant Land Condominium (39CD-17503/SPA17-026)

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the application of Sifton Properties Limited relating to the lands located at 2810 Sheffield Place:

- a) the Approval Authority BE ADVISED that issues were raised at the public meeting with respect to the application for Draft Plan of Vacant Land Condominium relating to the property located at 2810 Sheffield Place relating to the height of the proposed buildings; and,
- b) the Approval Authority BE ADVISED that issues were raised at the public meeting with respect to the Site Plan Approval application relating to the property located at 2810 Sheffield Place relating to the removal of mature trees;

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

14. Amendments to the Official Plan and Zoning By-law - Lands Located West of Hamilton Road and North of Commissioners Road East (Relates to Bill Nos. 397 and 408)

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the application by the City of London, relating to Official Plan and Zoning By-law Amendments to delete the future Primary Collector road classification over lands located west of Hamilton Road and north of Commissioners Road East (1691 Hamilton Road, 1733 Hamilton Road, 1964 Commissioners Road East and 2046 Commissioners Road East):

- a) the proposed by-law appended to the staff report dated August 28, 2017 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on September 5, 2017 to amend the City of London Official Plan to delete the road classification of future Oriole Drive as a "Primary Collector", as shown on Schedule 'C' – Transportation Corridors Map;
- b) the proposed by-law appended to the staff report dated August 28, 2017 as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on September 5, 2017 to amend the City of London Zoning By-law Z.-1, (in conformity with the Official Plan, as amended in Part a) above), to delete the "Primary Collector" street classification over lands located west of Hamilton Road and north of Commissioners

Road East (identified as Street 'C' in Draft Plan of Subdivision File No. 39T-13502) in Section 4.21 Road Allowance Requirements – Specific Roads; and,

- c) the Land Use Concept for the Old Victoria Area Plan BE MODIFIED by deleting the “Future Road Crossing” of the open space and stream corridor lands located west of Hamilton Road and north of Commissioners Road East; and by changing the Primary Collector to a local street;

it being noted that modifications to Map 3 – Street Classifications in The London Plan reflecting the amendments as recommended in part a) above, will be undertaken by the Civic Administration and will be brought forward to Municipal Council as part of a future comprehensive review;

it being pointed out that at the public participation meeting associated with this matter, 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 amendments are based on a City-initiated review of the future “Primary Collector” road alignment through the easterly portion of the Old Victoria Area Plan. The current configuration of the road alignment crosses a ravine which has been identified as a natural heritage feature consisting of a stream corridor and local wetland;
- avoiding the crossing will eliminate environmental impacts on the ravine and wetland feature. A local road connection outside of the open space and ravine lands has been identified, and would eliminate the need for a road crossing as well as maintaining neighbourhood connectivity; and,
- the recommended Official Plan and Zoning By-law Amendments and modifications to the Old Victoria Area Plan are considered appropriate, and consistent with the Official Plan and Provincial Policy Statement. (2017-D09)

15. Property located at 639 York Street (Z-8787) (Relates to Bill No. 409)

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of 2367698 Ontario Inc. relating to the property located at 639 York Street:

- a) the ~~attached~~, revised, proposed by-law BE INTRODUCED at the Municipal Council meeting on September 5, 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 Restricted Service Commercial (RSC2/RSC4/RSC5) Zone TO a Restricted Service Commercial Special Provision (RSC2/RSC4(*)/RSC5) Zone;
- b) the Site Plan Approval Authority BE REQUESTED to consider the following design issues through the site plan process:
- i) ensure that the proposed redevelopment includes high quality design with regards to massing, scale, materials and relationship of the building with the street and surrounding buildings, and substantively implements the site plan and elevations appended to the staff report dated August 28, 2017 as Appendix “B”;
 - ii) ensure that the proposed building addition is located between the existing building and the York Street Right-of-Way in order to establish a building line close to the street;
 - iii) ensure that the portion of the building located along the York Street frontage is oriented to the street and includes active ground floor uses with a high percentage of transparent glazing in order to enhance the pedestrian environment;
 - iv) ensure that the principle entrance into the building and/or the principle entrance into a ground floor unit is located on the north façade facing York Street or on the west façade near the northwest corner of the building in order to activate the street edge;
 - v) include a walkway from the principle building entrance to the City sidewalk along York Street;
 - vi) design the parking area east of the driveway entrance as a shared space forecourt (a seamless space between building faces, the City sidewalk and the

- drive isle entrance, using alternative paving) with benches, trees and bike racks in order to reduce the amount of asphalt and create an inviting space in front of the building;
- vii) ensure that the parking, loading and garbage area east of the proposed building addition is designed using alternative paving (concrete, pavers, etc...) and screened landscaping in order to reduce the visibility of these functions from York Street;
 - viii) include a combination of low masonry walls (up to a maximum of 0.75m in height) and landscaping along the York Street frontage (west of the drive isle) where parking is visible from the street in order to screen this function and to establish a built edge along the street; and,
 - ix) include an urban treatment between the proposed 3 storey addition and the sidewalk with hardscape, landscaping, street furniture, etc... in order to enhance the pedestrian realm; and,
- c) pursuant to Section 34(17) of the *Planning Act*, as determined by the Municipal Council, no further notice BE GIVEN as the proposed amendments to the by-law are minor in nature;

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

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

- the recommended action is consistent with, and will serve to implement, the policies of the *Provincial Policy Statement*, 2014, particularly as those policies pertain to the efficient use of land, regeneration, economic development and community investment-readiness;
- the recommended Zoning By-law amendment to add a public utility use to the list of permitted uses in the Restricted Service Commercial (RSC4) Zone is consistent with, and will serve to implement, the public service and utility policies of the City of London Official Plan;
- the recommended Zoning By-law amendment to establish site-specific development regulations to the Restricted Service Commercial (RSC4) Zone to provide for the redevelopment of the site is consistent with, and will serve to implement, the Auto-Oriented Commercial Corridor policies of the City of London Official; and,
- the recommended Zoning By-law amendment will provide for the adaptive re-use and redevelopment of a site in a manner that is consistent with, and will serve to implement, the urban design policies of the City of London Official Plan. (2017-D09)

17. Property located at 723 Lorne Ave. (Lorne Avenue Public School) - Demolition Request

That, on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the following actions be taken with respect to the request for the demolition of a heritage designated property at 723 Lorne Avenue:

- a) the demolition of the Lorne Avenue Public School located at 723 Lorne Avenue BE PERMITTED; and,
- b) the following items appended to the staff report dated August 28, 2017 in Appendix C BE REMOVED from the building prior to its demolition and BE INCORPORATED into a future park space at the site with appropriate commemoration/interpretation:
 - i) the school bell; and,
 - ii) aluminum lettering currently affixed to the north façade of the building;

it being pointed out that at the public participation meeting associated with this matter, the individuals indicated on the ~~attached~~ public participation meeting record made oral submissions regarding these matters. (2017-R01)

18. Properties located at 36 and 40 York Street - Demolition Request

That, on the recommendation of the Managing Director, Planning & City Planner, with the advice of the Heritage Planner, the Chief Building Official BE ADVISED that Municipal Council permits the demolition of the buildings located at 36 and 40 York Street in the Downtown

Heritage Conservation District pursuant to Section 42(1) of the Ontario Heritage Act subject to the following terms and conditions:

- a) the proposed development concept outlined in the Urban Design Brief dated July 18, 2017 (as subsequently revised – August 8, 2017) BE ENDORSED in principle, and details be refined and BE SUBMITTED as part of a complete Heritage Alteration Permit application with approval authority delegated to the City Planner;
- b) the applicant BE REQUIRED to post a bond or provide a certificate of insurance as a guarantee that adjacent buildings will be protected during demolition and construction;
- c) the applicant BE REQUESTED to acknowledge the historic associations of 36 York Street in the proposed development of the site through interpretive signage or some other manner, at a location(s) visible and accessible to the public; and,
- d) prior to demolition, photographic documentation of exterior details of the existing buildings BE COMPLETED by the applicant and submitted to Planning Services;

it being noted that no individuals spoke at the public participation meeting associated with this matter. (2017-P10D-R01)

22. Enforcement Unassumed Subdivisions

That the Managing Director, Development and Compliance Services and Chief Building Official BE DIRECTED to report back to the Planning and Environment Committee with respect to recommended changes to our current subdivision and development agreements and enforcement processes to ensure compliance:

- a) a plan to better meet the needs of residents living in developing and unassumed subdivisions with enhancements to the process for submitting development and property standards complaints/issues/concerns (including better communication with residents);
- b) measures to move to a more proactive model of enforcement of common and reoccurring subdivision agreement and property standards concerns from residents in and near developing areas;
- c) suggestions for any new wording in standard subdivision and development agreements that would support a) and b) above;
- d) a strategy to address the significant increased demand for building permit processing and building/development inspections; and,
- e) the costs related to a), b), c) and d) above, and suggested sources of financing;

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

- a communication from D. MacRae, 2129 Waterloo Drive;
- a communication from The Comrie Family, 2015 Foxwood Avenue;
- a communication dated August 24, 2017 from the Huber Family, 2202 Coronation Drive;
- a communication from L.C. Kemp, Kemp Land Agency Services Inc., 1831 Dalmagarry Road;
- a communication dated August 24, 2017, from P. Smith, 1131 Lawson Road;
- a communication from K. Manson, by e-mail;
- a communication from J. and R. Black, 2100 Denview Avenue;
- a communication from S. Beaumont, by e-mail;
- a communication from N. Spearing, Board of MVLCC 611;
- a communication from the DiCarolos, by e-mail;
- a communication from G. and C. Daubs, 1036 Aldersbrook Road;
- a communication from A. Hall, 360 Rivertrace Close; and,
- a communication from J. and K. Rouselle. (2017-P01)

24. 8th Report of the Trees and Forests Advisory Committee

That the following actions be taken with respect to the 8th Report of the Trees and Forests Advisory Committee from its meeting held on July 26, 2017:

- a) the following actions be taken with respect to tree planting under hydro lines:
- i) the Civic Administration BE REQUESTED to make a presentation to the Trees and Forests Advisory Committee on the site plan approval process for tree planting and landscape plans;
 - ii) part ii) BE RECEIVED; it being noted that part ii) reads as follows:
 - “ii) the Civic Administration BE REQUESTED to consider incorporating the “Planting Under or Around Power Lines and Electrical Equipment Standards”, produced by the Electrical Safety Authority, to ensure the right trees are planted in the right spots with respect to tree planting under and around hydro lines;”
 - iii) part iii) BE REFERRED to the Managing Director, Planning and City Planner for consideration; it being noted that part iii) reads as follows:
 - “iii) a working group of appropriate stakeholders including members of the Trees and Forests Advisory Committee BE ESTABLISHED to review and report back with respect to tree planting processes;”

it being noted that a presentation from T. Arnos, Sustainability and Environment Supervisor, London Hydro, with respect to tree planting under hydro lines, was received; and,

- b) clauses 1 to 6 and 8, 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, J. Zaifman (14)

Motion made by Councillor S. Turner to Approve clause 8.

8. Property located at 58 Sunningdale Road West (39T-16503/OZ-8637)

That, on the recommendation of the Senior Planner, Development Planning, in response to appeals to the Ontario Municipal Board, dated July 19, 2017, submitted by Analee Ferreira, on behalf of Barvest Realty Inc., on the basis of a non-decision by the City of London Approval Authority within 180 days relating to a draft plan of subdivision application and a non-decision by Municipal Council within 120 days relating to an Official Plan and Zoning By-law amendment applications concerning lands located at 58 Sunningdale Road West:

- a) the Ontario Municipal Board BE ADVISED that the Municipal Council does not support draft approval of the proposed plan of subdivision, submitted by Barvest Realty Inc. (File No. 39T-16503), prepared by Holstead and Redmond Limited OLS., drawing No. BAR/LON/07-02, which shows 41 single detached lots, one (1) medium density blocks, two (2) commercial blocks, two (2) residential part blocks and several 0.3m reserve blocks all served by an extension of Callingham Drive, an extension of Pelkey Road and three (3) new local streets:
- i) the proposed plan of subdivision is not consistent with the Provincial Policy Statement;
 - ii) the proposed plan of subdivision is not consistent with the Planning Act;
 - iii) the proposed plan of subdivision is not consistent with the Sunningdale Area Plan and the Official Plan;
 - iv) the proposed plan of subdivision does not encourage the development of plan of subdivision that includes an appropriate mix of low, medium and commercial uses that support pedestrian oriented development; and,
 - v) the proposed plan of subdivision is not consistent with the Council approved London Plan;
- b) the Ontario Municipal Board BE ADVISED that the Municipal Council recommends that the request to amend the Official Plan to change the designation of the subject lands FROM a Multi-Family, Medium Density Residential designation which allows townhouses and various forms of cluster housing at a maximum density of 75 units per hectare TO a Community Commercial Node designation to allow all types of retail

outlets including department stores, home improvement and furnishings stores, supermarkets, food stores and pharmacies, convenience commercial uses, personal services, restaurants, commercial recreation establishments, financial institutions and services, a limited range of automotive services, service-oriented office uses such as real estate, insurance and travel agencies, community facilities, such as libraries or day care centres, professional and medical/dental offices, commercial and private schools and some small scale office uses with a total maximum gross floor area of 16,778 m² (180,600 ft²) BE REFUSED for the following reasons:

- i) the proposed expansion does not meet the intent of the Sunningdale Area Plan;
 - ii) the proposed expansion does not meet the intent of the City of London Official Plan policies;
 - iii) the proposed expansion does not meet the intent of the City of London Council approved London Plan; and,
 - iv) the proposed expansion does not provide for an orderly distribution and development of commercial uses to satisfy the shopping and service needs of residents and shoppers previously considered in this area through the Sunningdale Area Plan;
- c) the Ontario Municipal Board BE ADVISED that the Municipal Council recommends that the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject property FROM an Urban Reserve (UR3) Zone TO a Community Shopping Area Special Provision (CSA4 ()) Zone, to permit various retail and commercial uses with a 20,000 square metre maximum gross floor area, a 0 metre minimum front and exterior side yard setback, a 15 metre maximum height and 1 parking space per 30m² for all uses excluding office uses BE REFUSED for the following reason:
- i) the proposed CSA4 () Zone would permit a sizable amount of commercial development that is not in keeping with the policies of the Multi-Family Medium Density Residential designation which applies to this parcel, and is not consistent with the Sunningdale Area Plan;
- d) the Ontario Municipal Board BE ADVISED that the Municipal Council supports issuing draft approval of the proposed plan of residential subdivision, submitted by Barvest Realty Inc. (File No. 39T-16503), prepared by Holstead and Redmond Limited OLS., drawing No. BAR/LON/07-02, as red-line amended, which shows 41 single detached lots, three (3) medium density blocks, one (1) commercial blocks, two (2) residential part blocks, and several 0.3m reserve blocks all served by an extension of Callingham Drive, an extension of Pelkey Road, and three (3) new local street, SUBJECT TO the conditions appended to the staff report dated August 28, 2017 as Appendix "39T-16503";
- e) the Ontario Municipal Board BE ADVISED that the Municipal Council recommends that the Zoning By-law No. Z.-1 BE AMENDED in accordance with Appendix "A" as appended to the staff report dated August 28, 2017, (in conformity with the Official Plan), FROM an Urban Reserve (UR3) Zone which permits existing uses TO:
- i) a Holding Residential R1 Special Provision (h*h-94*h-100*R1-6 ()) Zone, to permit single detached dwellings with a minimum lot frontage of 15.0 metres, a minimum lot area of 450m², a maximum height of 10.5 metres and a minimum 1.2 metre interior sideyard setback for one and two storey dwellings plus an additional 0.6 metre setback for dwellings above 2 storeys as per section 5.3 of Zoning By-law Z-1;
 - ii) a Holding Residential R1 Special Provision (h*h-100*R1-6 ()) Zone, to permit single detached dwellings with a minimum lot frontage of 15.0 metres, a minimum lot area of 450m², a maximum height of 10.5 metres and a minimum 1.2 metre interior sideyard setback for one and two storeys dwellings plus an additional 0.6 metre setback for dwellings above 2 storeys as per section 5.3 of Zoning By-law Z-1;
 - iii) a Holding Residential R5 Special Provision / Residential R6 Special Provision (h*h-5*h-53*h-54*h-100*h-108*R5-7 ()/R6-5 ()) Zone, to permit medium density development in various forms of townhouses and cluster townhouses to a maximum density of 60 units per hectare and height of 12 metres maximum and to permit cluster housing from single detached dwellings to townhouses and apartments to a maximum density of 35 units per hectare, a maximum height of 12 metres maximum and with a minimum 4.5 metre front and exterior yard setback;

- iv) a Holding Residential R5 Special Provision / Residential R6 Special Provision (h*h-5*h-53*h-54*h-100*R5-7 ()/R6-5 ()) Zone, to permit medium density development in various forms of townhouses and cluster townhouses to a maximum density of 60 units per hectare and height of 12 metres maximum and to permit cluster housing from single detached dwellings to townhouses and apartments to a maximum density of 35 units per hectare, a maximum height of 12 metres and with a minimum 4.5 metre front and exterior yard setback;
- v) a Holding Residential R5 Special Provision / Residential R6 Special Provision (h*h-5*h-100*R5-7 ()/R6-5 ()) Zone, to permit medium density development in various forms of townhouses and cluster townhouses to a maximum density of 60 units per hectare and height of 12 metres maximum and to permit cluster housing from single detached dwellings to townhouses and apartments to a maximum density of 35 units per hectare, a maximum height of 12 metres maximum and with a minimum 4.5 metre front and exterior yard setback; and,
- vi) a Holding Community Shopping Area Special Provision (h*h*-5*h-53*h-100*h-173*CSA3 ()) Zone to permit various retail and commercial uses with a 15,000 square metre maximum gross floor area with 0.0 metre minimum front and exterior side yard setback, a maximum 15 metre height, 40% maximum lot coverage and 1 parking space per 30m² for all uses excluding office uses;

the following is a description of the holding provisions which have been applied:

- i) (h) to ensure that there is orderly development through the execution of a subdivision agreement;
 - ii) (h-5) to ensure that development takes a form compatible with adjacent land uses, agreements shall be entered into following public site plan review specifying the issues allowed for under Section 41 of the Planning Act, R.S.O. 1990, c. P.13, prior to the removal of the "h-5" symbol;
 - iii) (h-53) to encourage street-oriented development and discourage noise attenuation walls along arterial roads, a development agreement shall be entered into to ensure that new development is designed and approved, consistent with the Community Plan, to the satisfaction of the City of London;
 - iv) (h-54) to ensure there are no land use conflicts between arterial roads and the proposed residential uses, the h-54 shall not be deleted until the owner agrees to implement all noise attenuation measures, recommended in noise assessment reports acceptable to the City of London;
 - v) (h-94) to ensure that there is a consistent lotting pattern in this area, the "h-94" symbol shall not be deleted until the block has been consolidated with adjacent lands;
 - vi) (h-100) to ensure there is adequate water service and appropriate access, a looped watermain system must be constructed and a second public access must be available;
 - vii) (h-108) to ensure that this parcel is developed in conjunction with abutting lands, to the satisfaction City of London, prior to removal of the "h-108" symbol; and,
 - viii) (h- 173) to ensure that development is consistent with the City of London Urban Design Principles and Placemaking Guidelines, the h-173 shall not be deleted until urban design guidelines have been prepared and implemented through a development agreement, to the satisfaction of the City of London;
- f) the Ontario Municipal Board BE REQUESTED to advise the applicant that the Director, Development Finance, has summarized claims and revenues information appended to the staff report dated August 28, 2017 as Appendix "B"; and,
- g) the City Solicitor BE DIRECTED to provide legal and planning or expert witness representation at the Ontario Municipal Board hearing in support of Municipal Council's position;

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

- a communication dated August 24, 2017, from M. Doornbosch, Zelinka Priamo Ltd.; and,
- a communication dated August 24, 2017 from M. Bassani, Stikeman Elliott. (2017-D12/D09)

Motion made by Councillor P. Hubert and seconded by Councillor M. Cassidy to Approve that the matter of the application by Barvest Realty Inc. (39T-16503/OZ-8637), related to the

property located at 58 Sunningdale Road West, BE REFERRED back to the Planning and Environment Committee, in order for an additional public participation meeting be held to allow all parties an opportunity to speak to this matter.

At 5:25 PM, His Worship the Mayor places Councillor P. Hubert in the Chair, and takes a seat at the Council Board.

At 5:30 PM, His Worship the Mayor resumes the Chair, and Councillor P. Hubert takes his seat at the Council Board.

Motion Failed

YEAS: M. Brown, M. van Holst, M. Cassidy, P. Squire, P. Hubert, V. Ridley (6)

NAYS: B. Armstrong, J. Helmer, J. Morgan, A. Hopkins, S. Turner, H.L. Usher, T. Park, J. Zaifman (8)

The motion to Approve clause 8 is put.

Motion Passed

YEAS: M. van Holst, B. Armstrong, J. Helmer, P. Squire, J. Morgan, A. Hopkins, V. Ridley, S. Turner, H.L. Usher, T. Park, J. Zaifman (11)

NAYS: M. Brown, M. Cassidy, P. Hubert (3)

Councillors V. Ridley and T. Park leave the meeting at 5:51 PM.

Motion made by Councillor M. van Holst and seconded by Councillor M. Cassidy to Approve that pursuant to section 6.4 of the Council Procedure By-law, the order of business be changed to permit consideration of clause 3 of the 11th Report of the Community and Protective Services Committee, having to do with the LAVIII Monument Agreements, to be dealt with at this time.

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, J. Zaifman (12)

11th Report of the Community and Protective Services Committee
Councillor H.L. Usher presents.

Motion made by Councillor H.L. Usher to Approve clause 3.

3. LAV III Monument Agreements (Relates to Bill Nos. 393 and 394)

That, on the recommendation of the Director, Community and Economic Innovation, the following actions be taken with respect to the execution of agreements related to the purchase and location of a LAV III Public Art Monument:

- a) the by-law, as appended to the staff report dated August 28, 2017 as Appendix "A", BE INTRODUCED at the Municipal Council meeting to be held on September 5, 2017, to:
 - i) approve the LAV III Monument Agreement between Canada Company: Many Ways to Serve and The Corporation of the City of London to purchase a LAV III Public Art Monument; and,
 - ii) authorize the Mayor and the City Clerk to execute the above-noted agreement; and,
- b) the by-law, as appended to the staff report dated August 28, 2017 as Appendix "B", BE INTRODUCED at the Municipal Council meeting to be held on September 5, 2017, to:
 - i) approve the license agreement between Her Majesty the Queen in Right of Canada, as represented by the Minister of National Defence and The Corporation of the City of London for placement of the LAV III Public Art Monument at Wolseley Barracks (The Royal Canadian Regiment Museum RCR outdoor display area) on a permanent basis; and,

- ii) authorize the Mayor and the City Clerk to execute the above-noted agreement. (2017-R07)

Councillors V. Ridley and T. Park enter the meeting at 5:55 PM.

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, J. Zaifman (14)

16th Report of the Planning and Environment Committee (continued)
Councillor S. Turner presents.

Motion made by Councillor S. Turner to Approve clause 11.

11. Property located at 2426 Wickerson Road (OZ-8783) (Relates to Bill Nos. 396 and 407)

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of The Corporation of the City of London, relating to the property located at 2426 Wickerson Road:

- a) the proposed by-law appended to the staff report dated August 28, 2017 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on September 5, 2017 to amend the Official Plan:
 - i) to change the designation of the subject lands FROM Agriculture and Environmental Review, TO Agriculture and Open Space;
 - ii) to ADD the delineation of Significant River, Stream and Ravine Corridors, Significant Woodlands, and ESAs to Schedule B1 – Natural Heritage Features – to the Official Plan for the City of London; and,
 - iii) to REMOVE the delineation of Potential ESAs and Unevaluated Vegetation Patches to Schedule B1 – Natural Heritage Features – to the Official Plan for the City of London;
- b) the proposed by-law appended to the staff report dated August 28, 2017 as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on September 5, 2017 to amend Zoning By-law No. Z-1, (in conformity with the Official Plan as amended in part a) above), to change the zoning of the subject lands FROM an Open Space (OS4) Zone and a Holding Open Space (h-2•OS4) Zone and an Environmental Review (ER) Zone and an Agricultural (AG1) Zone TO an Open Space Special Provision (OS2(*)) Zone and an Open Space (OS5) Zone and a Holding Open Space Special Provision (h-18•OS5(*)) Zone and an Open Space (OS5(**)) Zone and a Holding Agricultural Special Provision (h-18•AG1(*)) Zone;

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

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

- the recommended amendments are consistent with the policies of the 2014 Provincial Policy Statement ("PPS") regarding the protection of the agricultural land base, the protection of natural heritage, and the conservation of archaeological resources;
- the recommended amendments conform to the intent of the "Open Space" designation in the Official Plan;
- the recommended amendments maintain the general intent of the "Agriculture" designation in the Official Plan and will recognize an existing undersize agricultural lot and will not further fragment agricultural lands.
- the recommended amendments are consistent with The London Plan. The proposed change in the designation and delineation of significant natural areas in the Official Plan through this application has already been captured in the London Plan; and,
- the recommended amendments will also comply with the Minimum Separation Distance ("MDS") I guidelines and formulae. (2017-D09)

Motion made by Councillor S. Turner and seconded by Councillor V. Ridley to Approve that parts b) and c) of clause 11 be amended to read as follows:

- “b) the proposed revised by-law attached as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on September 5, 2017 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan as amended in part a) above), to change the zoning of the subject lands FROM an Open Space (OS4) Zone and a Holding Open Space (h-2•OS4) Zone and an Environmental Review (ER) Zone and an Agricultural (AG1) Zone TO an Open Space Special Provision (OS2(*)) Zone and an Open Space (OS5) Zone and a Holding Open Space Special Provision (h-18•OS5(*)) Zone and an Open Space (OS5(**)) Zone and a Holding Agricultural Special Provision (h-18•AG1(*)) Zone;
- c) pursuant to Section 34(17) of the Planning Act, as determined by the Municipal Council, no further notice BE GIVEN as the proposed amendment to the by-law is minor in nature;”.

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, J. Zaifman (14)

Motion made by Councillor S. Turner and seconded by Councillor H.L. Usher to Approve clause 11, 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, J. Zaifman (14)

Clause 11, as amended, reads as follows:

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of The Corporation of the City of London, relating to the property located at 2426 Wickerson Road:

- a) the proposed by-law appended to the staff report dated August 28, 2017 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on September 5, 2017 to amend the Official Plan:
 - i) to change the designation of the subject lands FROM Agriculture and Environmental Review, TO Agriculture and Open Space;
 - ii) to ADD the delineation of Significant River, Stream and Ravine Corridors, Significant Woodlands, and ESAs to Schedule B1 – Natural Heritage Features – to the Official Plan for the City of London; and,
 - iii) to REMOVE the delineation of Potential ESAs and Unevaluated Vegetation Patches to Schedule B1 – Natural Heritage Features – to the Official Plan for the City of London;
- b) the proposed revised by-law attached as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on September 5, 2017 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan as amended in part a) above), to change the zoning of the subject lands FROM an Open Space (OS4) Zone and a Holding Open Space (h-2•OS4) Zone and an Environmental Review (ER) Zone and an Agricultural (AG1) Zone TO an Open Space Special Provision (OS2(*)) Zone and an Open Space (OS5) Zone and a Holding Open Space Special Provision (h-18•OS5(*)) Zone and an Open Space (OS5(**)) Zone and a Holding Agricultural Special Provision (h-18•AG1(*)) Zone;
- c) pursuant to Section 34(17) of the Planning Act, as determined by the Municipal Council, no further notice BE GIVEN as the proposed amendment to the by-law is minor in nature;

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

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

- the recommended amendments are consistent with the policies of the 2014 Provincial Policy Statement (“PPS”) regarding the protection of the agricultural land base, the protection of natural heritage, and the conservation of archaeological resources;
- the recommended amendments conform to the intent of the “Open Space” designation in the Official Plan;
- the recommended amendments maintain the general intent of the “Agriculture” designation in the Official Plan and will recognize an existing undersize agricultural lot and will not further fragment agricultural lands.
- the recommended amendments are consistent with The London Plan. The proposed change in the designation and delineation of significant natural areas in the Official Plan through this application has already been captured in the London Plan; and,
- the recommended amendments will also comply with the Minimum Separation Distance (“MDS”) I guidelines and formulae. (2017-D09)

Motion made by Councillor J.Helmer to Approve clause 16.

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

That, on the recommendation of the Managing Director, Development & Compliance Services and Chief Building Official and the Managing Director, Environmental & Engineering Services and City Engineer, the following actions be taken with respect to current and potential odour challenges from waste management facilities near the communities of Brockley, Shaver and Glanworth:

- a) Toronto Municipal Council, York Regional Council and the Minister of Environment & Climate Change (MOECC) BE ADVISED, by the Mayor on behalf of London Municipal Council, that the City of London is requesting action or further action with respect to odour challenges that City of London residents are experiencing arising from selected waste management and industrial facilities located in south London;
- b) Orgaworld Canada Ltd. BE REQUESTED to reinstate its Public Liaison Committee, or another form of community engagement, in order to facilitate further discussion and to strengthen its relationship with area residents;
- c) the Middlesex-London Health Unit (MLHU) BE REQUESTED to provide a health opinion on odours from waste management facilities like those located in south London (i.e., composting, anaerobic digestion, landfill) by September 30, 2018;
- d) a City of London webpage BE CREATED for the purpose of making available local MOECC public information and statistics dealing with odours and related matters from selected waste management and industrial facilities in south London, for a two-year period;
- e) the MOECC BE REQUESTED to provide an annual update on selected waste management and industrial facilities in south London, for a two-year period;
- f) the Provincial Government’s local MOECC compliance activities with respect to waste management and industrial facilities in south London BE ENHANCED through direct funding from the City of London, for a two-year period;
- g) the source of funding for the MOECC’s enhanced compliance activities noted in f), above, BE APPROVED up to a maximum of \$90,000 per year for two years from the Sanitary Landfill Site Reserve Fund; it being noted that the draw from the Reserve Fund may not be required should the service area generate a surplus position at year end;
- h) a Pilot Project (May to August 2018) BE IMPLEMENTED by the City of London in order to test an odour detection device to enhance its monitoring capabilities and/or facilitate the imposition of charges for non-compliance;
- i) the source of funding for the Pilot Project noted in h), above, BE APPROVED at a cost of \$20,000 from the Sanitary Landfill Site Reserve Fund; it being noted that the draw from the Reserve Fund may not be required should the service area generate a surplus position at year end;
- j) City of London procurement and contract management processes BE ENHANCED to include specific requirements addressing odours and other considerations for processing food and organic waste;

- k) the Civic Administration BE DIRECTED to report back at a future meeting of the appropriate Standing Committee on matters associated with the actions identified above;
- l) the Civic Administration BE AUTHORIZED to undertake all other administrative acts that are necessary in connection with this matter; and,
- m) the Civic Administration BE DIRECTED to report back to with proposed amendments to the City of London's Nuisance By-law to address the odor concerns raised by the public, including information with respect to additional resources that may be required to enforce the By-law;

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

- a communication dated August 25, 2017, from B. Moffatt, StormFisher Environmental Ltd.; and,
- a communication from R.-L. Gillis, 2753 Dingman Drive;

it being pointed out that at the public participation meeting associated with this matter, the individuals indicated on the attached public participation meeting record made oral submissions regarding these matters. (2017-R01)

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, J. Zaifman (13)

RECUSED: S. Turner (1)

Motion made by Councillor S. Turner to Approve clause 19.

19. Property located at 440 Grey Street - Demolition Request

That, the request for the demolition of a heritage listed property located at 440 Grey Street BE POSTPONED to the September 11, 2017 Planning and Environment Committee to provide the London Advisory Committee on Heritage an opportunity to prepare a Statement of Significance for the subject property;

it being noted that the Planning and Environment Committee reviewed and received a communication dated August 21, 2017 from C. L., by e-mail, with respect to this matter;

it being noted that no individuals spoke at the public participation meeting associated with this matter. (2017-R01)

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, J. Zaifman (13)

RECUSED: T. Park (1)

Motion made by Councillor S. Turner to Approve clause 20.

20. Properties located at 598, 600, 604 and 608 Springbank Drive (SPA17-028)

That on the recommendation of the Manager, Development Planning, the following actions be taken with respect to the site plan approval application relating to the property located at 598, 600, 604 and 608 Springbank Drive:

- a) the Approval Authority BE ADVISED that issues were raised at the public meeting with respect to the application for Site Plan approval to permit the construction of a 13 storey apartment building with 101 residential units relating to the site plan being different than the site plan approved by Council in 2015;
- b) the Approval Authority BE ADVISED that large caliper trees be planted along the

southerly portion of the property and lighting be directed away from adjacent land uses and be contained on the site; and,

- c) the Approval Authority BE ADVISED that the Municipal Council supports the Site Plan application;

it being pointed out that at the public participation meeting associated with this matter, the individuals indicated on the ~~attached~~ public participation meeting record made oral submissions regarding these matters. (2017-D11)

Motion made by Councillor A. Hopkins and seconded by Councillor V. Ridley to Approve an amendment to add a new part d), as follows:

- "d) the Civic Administration BE DIRECTED to consider the planting of appropriate trees along the boulevard;"

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, J. Zaifman (14)

Motion made by Councillor S. Turner and seconded by Councillor V. Ridley to Approve clause 20, 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, J. Zaifman (14)

Clause 20, as amended, reads as follows:

That on the recommendation of the Manager, Development Planning, the following actions be taken with respect to the site plan approval application relating to the property located at 598, 600, 604 and 608 Springbank Drive:

- a) the Approval Authority BE ADVISED that issues were raised at the public meeting with respect to the application for Site Plan approval to permit the construction of a 13 storey apartment building with 101 residential units relating to the site plan being different than the site plan approved by Council in 2015;
- b) the Approval Authority BE ADVISED that large caliper trees be planted along the southerly portion of the property and lighting be directed away from adjacent land uses and be contained on the site;
- c) the Approval Authority BE ADVISED that the Municipal Council supports the Site Plan application; and,
- d) the Civic Administration BE DIRECTED to consider the planting of appropriate trees along the boulevard;

it being pointed out that at the public participation meeting associated with this matter, the individuals indicated on the ~~attached~~ public participation meeting record made oral submissions regarding these matters. (2017-D11)

II RECOGNITIONS (continued)

- 2. The Municipal Council recognizes the following City of London Employees who have achieved 25 years of service during 2017:

From London Police Service: Theresa Allott, Sam Badeen, Lori Boyko, W. Douglas Charlton, Mary Ellen Costea, Darren Couling, Brent Crowther, Gerald Donald Daniel, Linda Dern, Mark Elgersma, Heather Fortier, Jennifer Foster, Cathy Fountain, Scott Guilford, Shana Lee Hansen, Brendan Hicks, Robert Hildenbrand, Paul Horenberg, Case Huysmans, Terri Jackson, Sean Jacobson, Tina Lycett, Bradley J. Merrison, Tracy Miernicki, Stephen Newton, Carl Noel, Jennifer Ogg, Peter Paquette, Patricia Pieterman, David Pratt, David William Reid, Kelly Ryan, Nathan Stahle, Lynn Sutherland, Christine Vallee, Randy Van Puyenbroeck, Lisa Walsh, Jeffrey T. Wambolt, Mike Weaver, Christine Weston,

Andrew Whitford, Steve Williams and Diane Willis

From Development and Compliance Services: Chris Archambault, Karen Chambers, S. Mark Henderson, Mark McDonald, Ronald Mellen, Lou Pompili, Jim Pratt, Dean Thomas and David Turvey

Motion made by Councillor B. Armstrong and seconded by Councillor T. Park to Approve that Council recess.

Motion Passed

Council recesses at 6:29 PM and reconvenes at 7:36 PM, with Mayor M. Brown in the Chair and all Members present except Councillors J. Morgan, M. Salih, S. Turner, H.L. Usher, M. van Holst and J. Zaifman.

16th Report of the Planning and Environment Committee (continued)
Councillor S. Turner presents.

Motion made by Councillor J. Helmer to Approve clause 21.

21. Properties located at 32, 36 and 40 York Street and Part of 330 Thames Street (OZ-8789) (Relates to Bill No. 410)

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of The Tricar Group relating to the properties located at 32, 36, and 40 York Street and part of 330 Thames Street:

- a) the ~~attached~~, revised, proposed BE INTRODUCED at the Municipal Council meeting to be held on September 5, 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 Holding Downtown Area (h-3•DA2•D350) Zone TO a Downtown Area Bonus (DA2•D350•B(*)•(B**)) Zone and an Open Space Special Provision (OS4(*)) Zone subject to the completion of a development agreement which substantively implements the Site Plan, Landscape Plan, Elevations, Renderings and Floor Plans appended to the staff report dated August 28, 2017 as Schedule "1" or Schedule "2" to the amending by-law;
 - i) the Bonus B(*) Zone shall provide for a mixed use building with approximately 805 sq. m of commercial space within the podium base of the building and a residential tower ranging from 10-storeys to 24-storeys in height (maximum 80 meters) with a maximum density of 414 units per hectare. The building will include residential units within the podium base and commercial space at ground-level within the podium base of the building along Thames Street and York Street. The development design will include 2-levels of underground parking and 2-levels of above-ground parking contained within the building. The proposed development shall be implemented through one or more agreements in return for the provision of the following services, facilities and matters:

- A) Exceptional Site and Building Design

specifically the building design shown in the various illustrations contained in Schedule "1" of the amending by-law, is being bonused for the following features which serve to support the City's objectives of promoting a high standard of design for buildings constructed in prominent locations such as the Downtown, as outlined in Chapter 11 of the Official Plan and the Downtown Design Guidelines:

Overall Design

a contemporary architectural design that uses varied cladding materials in high contrast colours to provide visual interest and to define different building elements. The materials will include brick, window walls (with vision glass), spandrel glass and etched glass as the primary form of cladding on the podium base on the southerly façade (York Street) and westerly façade (Thames Street); and brick and precast concrete as the primary form of cladding on the podium base on the northerly and easterly facades; and window walls (with vision glass), spandrel glass and precast concrete as the primary form of cladding on the tower. The

development will be designed to incorporate one or more references to the history and heritage associated with the property (for example, etched glass renderings of the historic streetscape at this location, interpretative signage, or other such features);

Podium Base Design

- I) a podium base up to 3-storeys in height to provide a pedestrian-friendly scale at ground-level and a continuous street-wall façade along the southerly (York Street) façade;
- II) varied parapet heights on the podium base to divide the mass of the podium base and highlight pedestrian and vehicular entrances;
- III) the use of brick and coloured etched glass sympathetic to the traditional material and/or colour palette of the Downtown Heritage Conservation District; and a pattern of recurring sections of brick and window-walls with vertically-oriented mullions to divide the mass of the podium base sympathetic to the rhythm and verticality of historic commercial facades of the Downtown Heritage Conservation District;
- IV) the use of window walls (with vision glass) and separate and direct pedestrian entrances to commercial space at ground-level along the southerly (York Street) façade and the westerly (Thames Street) façade to animate the pedestrian realm;

Tower Design

- I) the use of tempered glass balcony railings and pre-cast concrete balcony columns set back to reduce the visual impact of the tower and building as a whole;

Cap Design

- I) mechanical and elevator penthouse enclosures that are architecturally integrated into the design of the tower in order to provide for a sculpted building cap that is visually interesting and contributes positively to the Downtown London skyline;
- II) a horizontal projecting canopy that will provide for visual interest and define the top of the building; and,
- III) rooftop lighting that provides a distinguishable landmark in the night-time skyline;

B) Site Landscaping

- I) a high quality urban landscaped space within the yard setback along York Street and the yard setback and Open Space lands along Thames Street, including shade trees along York Street and Thames Street;
- II) the landscape space within the yard setback and Open Space lands along Thames Street will include a common amenity space with a masonry wall and foundation plantings, a paver stone pedestrian walkway to Thames Street and concrete pedestrian walkway to the sidewalk on York Street; and,
- III) a green roof on portions of the podium base rooftop area to reduce stormwater run-off and the urban heat island effect and to provide for visual amenity of residents; and an outdoor amenity space on the podium base rooftop area at the northwest corner of the building, and on the rooftop area of the 10-storey portion of the tower;

C) Parking Strategy

- I) A minimum of 108 unground parking spaces;

- D) a contribution towards a Downtown River project for an identified component in the amount of \$100,000 to be provided at the time of site plan approval.

- ii) the Bonus B(**) Zone shall provide for a mixed use building with approximately 318 sq. m of commercial space within the podium base of the building and a residential tower ranging from 10-storeys to 24-storeys in height (maximum 80 meters) with a maximum density 534 units per hectare. The building will include residential units within the podium base and commercial space at ground-level within the podium base of the building along York Street. The development design will include 2-levels of underground parking and 2-levels of above-ground parking contained within the building. The proposed development shall be implemented through one or more agreements in return for the provision of the following services, facilities and matters:

A) Exceptional Site and Building Design

specifically the building design shown in the various illustration contained in Schedule "2" of the amending by-law, is being bonused for the following features which serve to support the City's objectives of promoting a high standard of design for buildings constructed in prominent locations such as the Downtown, as outlined in Chapter 11 of the Official Plan and the Downtown Design Guidelines:

Overall Design

a contemporary architectural design that uses varied cladding materials in high contrast colours to provide visual interest and to define different building elements. The materials will include brick, window walls (with vision glass), spandrel glass and etched glass as the primary form of cladding on the podium base on the southerly façade (York Street) and westerly façade (Thames Street); and brick and precast concrete as the primary form of cladding on the podium base on the northerly and easterly facades; and window walls (with vision glass), spandrel glass and precast concrete as the primary form of cladding on the tower. The development will be designed to incorporate one or more references to the history and heritage associated with the property (for example, etched glass renderings of the historic streetscape at this location, interpretative signage, or other such features);

Podium Base Design

- I) a podium base up to 3-storeys in height to provide a pedestrian-friendly scale at ground-level and a continuous street-wall façade along the southerly (York Street) façade;
- II) varied parapet heights on the podium base to divide the mass of the podium base and highlight pedestrian and vehicular entrances;
- III) the use of brick and coloured etched glass sympathetic to the traditional material and/or colour palette of the Downtown Heritage Conservation District; and a pattern of recurring sections of brick and window-walls with vertically-oriented mullions to divide the mass of the podium base sympathetic to the rhythm and verticality of historic commercial facades of the Downtown Heritage Conservation District; and,
- IV) the use of window walls (with vision glass) and separate and direct pedestrian entrances to commercial space at ground-level along the southerly (York Street) façade to animate the pedestrian realm;

Tower Design

- I) the use of tempered glass balcony railings and pre-cast concrete balcony columns set back to reduce the visual impact of the tower and building as a whole;

Cap Design

- I) mechanical and elevator penthouse enclosures that are architecturally integrated into the design of the tower in order to provide for a sculpted building cap that is visually interesting and contributes positively to the Downtown London skyline;

- II) a horizontal projecting canopy that will provide for visual interest and define the top of the building; and,
 - III) rooftop lighting that provides a distinguishable landmark in the night-time skyline;
- B) Site Landscaping
- I) a high quality urban landscaped space within the yard setback along York Street, including shade trees;
 - II) a green roof on portions of podium base rooftop area to reduce stormwater run-off and the urban heat island effect and to provide for visual amenity of residents; and an outdoor amenity space on the podium base rooftop area at the northwest corner of the building, and on the rooftop area of the 10-storey portion of the tower;
- C) Parking Strategy
- a minimum of 101 underground parking spaces.
- D) a contribution towards a Downtown River project for an identified component in the amount of \$150,000 to be provided at the time of site plan approval; and,
- E) a contribution towards the *Downtown Heritage Conservation District* in the amount of \$100,000 to be provided at the time of site plan approval;
- b) the Site Plan Approval Authority BE REQUESTED to consider the implementation of the facilities, services, and matters described in the part a) above through the site plan approval process, as well as, any of the following wind control strategies for the southwest corner of the building: use coniferous or marcescent landscaping in place of deciduous landscaping, increase the overhead canopy depth at the southwest corner of the building to 2.0 m and extend it at least 5.0 meters along the westerly façade; or add an overhead trellis of at least 50% solid coverage, between the proposed development and the existing commercial building at 24 York Street; and,
- c) pursuant to Section 34(17) of the *Planning Act*, as determined by the Municipal Council, no further notice BE GIVEN in respect of the proposed by-law as the regulations for building setbacks and lands proposed to be zoned Open Space Special Provision (OS4(*)) implement a building design that is consistent with the development design circulated with the Notices of Application and Public Meeting;

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

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

- the recommended amendment is consistent with the Provincial Policy Statement, 2014, which promotes intensification and redevelopment in strategic locations to minimize land consumption and servicing costs and provide for a range of housing types and densities to meet projected requirements of current and future residents;
- the recommended amendment conforms to the City of London Official Plan and supports the objectives of the Downtown Area designation, which encourage growth in the residential population of the Downtown through high-density residential development and design features which serve to enhance the pedestrian environment. The recommended amendment will also restrict development where flood hazards exist in conformity with the policy direction in the Official Plan;
- the recommended amendment is consistent with the policy direction in The London Plan regarding permitted uses, intensity of development and form within the Downtown Place Type, and the priority placed on the pedestrian experience in The London Plan;
- the recommended amendment is consistent with the Our Move Forward: London's Downtown Plan and the strategic directions to "Reconnect to the Thames River", "Forge connections with the downtown neighbourhoods", "Green the downtown", "Build great neighbourhoods", and "Create buzz"; and will support the development of the Forks of the Thames as a transformational project;
- the recommended amendment will facilitate an enhanced form of development which

includes an architecturally defined podium-base, tower-middle and building cap, with the podium-base enhancing the animation the streetscape and pedestrian environment; the tower-middle reducing the visual impact of the tower and building as a whole, and a visually attractive cap which screens all mechanical elements and contributes positively to the City skyline;

- the recommended amendment will allow for the proposed development including the required increase in density and the required reduction in the setback for the residential component of the building through bonus zones. The bonus zones require the ultimate form of development to be consistent with the Site Plans, Landscape Plans, Elevations, Renderings and Floor Plans appended to the amending by-law;
- the recommended bonus zones provide for a maximum density of 414 units per hectare including the southerly part of 330 Thames Street, but excluding the lands proposed to be zoned OS4; and an increased maximum density of 534 units per hectare excluding the southerly part 330 Thames Street in return a series of design related matters and contributions in accordance with section 19.4.4 of the Official Plan; and,
- the recommended amendment is consistent with the general intent and policies in the Downtown Heritage Conservation District Plan and other relevant Council approved documents which provide direction for development in the Downtown. (2017-D09)

Councillors J. Morgan, S. Turner and H.L. Usher enter the meeting at 7:37 PM.

Councillor M. van Holst enters the meeting at 7:40 PM.

Motion made by Councillor T. Park and seconded by Councillor J. Helmer to Approve that clause 21 be amended as follows:

- a) in part a) i) B) III) by removing the word “northwest” and by replacing it with the word “southwest”; and
- b) in part a) ii) B) II) by removing the word “northwest” and by replacing it with the words “southwest”.

Motion Passed

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

NAYS: A. Hopkins (1)

Motion made by Councillor P. Hubert and seconded by Councillor T. Park to Approve clause 21, as amended.

Motion Passed

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

NAYS: A. Hopkins (1)

Clause 21, as amended, reads as follows:

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of The Tricar Group relating to the properties located at 32, 36, and 40 York Street and part of 330 Thames Street:

- a) the ~~attached~~, revised, proposed BE INTRODUCED at the Municipal Council meeting to be held on September 5, 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 Holding Downtown Area (h-3•DA2•D350) Zone TO a Downtown Area Bonus (DA2•D350•B(*)•(B**)) Zone and an Open Space Special Provision (OS4(*)) Zone subject to the completion of a development agreement which substantively implements the Site Plan, Landscape Plan, Elevations, Renderings and Floor Plans appended to the staff report dated August 28, 2017 as Schedule “1” or Schedule “2” to the amending by-law;
 - i) the Bonus B(*) Zone shall provide for a mixed use building with approximately 805 sq. m of commercial space within the podium base of the building and a residential tower ranging from 10-storeys to 24-storeys in height (maximum 80

meters) with a maximum density of 414 units per hectare. The building will include residential units within the podium base and commercial space at ground-level within the podium base of the building along Thames Street and York Street. The development design will include 2-levels of underground parking and 2-levels of above-ground parking contained within the building. The proposed development shall be implemented through one or more agreements in return for the provision of the following services, facilities and matters:

A) Exceptional Site and Building Design

specifically the building design shown in the various illustrations contained in Schedule "1" of the amending by-law, is being bonused for the following features which serve to support the City's objectives of promoting a high standard of design for buildings constructed in prominent locations such as the Downtown, as outlined in Chapter 11 of the Official Plan and the Downtown Design Guidelines:

Overall Design

a contemporary architectural design that uses varied cladding materials in high contrast colours to provide visual interest and to define different building elements. The materials will include brick, window walls (with vision glass), spandrel glass and etched glass as the primary form of cladding on the podium base on the southerly façade (York Street) and westerly façade (Thames Street); and brick and precast concrete as the primary form of cladding on the podium base on the northerly and easterly facades; and window walls (with vision glass), spandrel glass and precast concrete as the primary form of cladding on the tower. The development will be designed to incorporate one or more references to the history and heritage associated with the property (for example, etched glass renderings of the historic streetscape at this location, interpretative signage, or other such features);

Podium Base Design

- I) a podium base up to 3-storeys in height to provide a pedestrian-friendly scale at ground-level and a continuous street-wall façade along the southerly (York Street) façade;
- II) varied parapet heights on the podium base to divide the mass of the podium base and highlight pedestrian and vehicular entrances;
- III) the use of brick and coloured etched glass sympathetic to the traditional material and/or colour palette of the Downtown Heritage Conservation District; and a pattern of recurring sections of brick and window-walls with vertically-oriented mullions to divide the mass of the podium base sympathetic to the rhythm and verticality of historic commercial facades of the Downtown Heritage Conservation District;
- IV) the use of window walls (with vision glass) and separate and direct pedestrian entrances to commercial space at ground-level along the southerly (York Street) façade and the westerly (Thames Street) façade to animate the pedestrian realm;

Tower Design

- I) the use of tempered glass balcony railings and pre-cast concrete balcony columns set back to reduce the visual impact of the tower and building as a whole;

Cap Design

- I) mechanical and elevator penthouse enclosures that are architecturally integrated into the design of the tower in order to provide for a sculpted building cap that is visually interesting and contributes positively to the Downtown London skyline;
- II) a horizontal projecting canopy that will provide for visual interest and define the top of the building; and,
- III) rooftop lighting that provides a distinguishable landmark in the

night-time skyline;

- B) Site Landscaping
 - I) a high quality urban landscaped space within the yard setback along York Street and the yard setback and Open Space lands along Thames Street, including shade trees along York Street and Thames Street;
 - II) the landscape space within the yard setback and Open Space lands along Thames Street will include a common amenity space with a masonry wall and foundation plantings, a paver stone pedestrian walkway to Thames Street and concrete pedestrian walkway to the sidewalk on York Street; and,
 - III) a green roof on portions of the podium base rooftop area to reduce stormwater run-off and the urban heat island effect and to provide for visual amenity of residents; and an outdoor amenity space on the podium base rooftop area at the southwest corner of the building, and on the rooftop area of the 10-storey portion of the tower;
 - C) Parking Strategy
 - I) A minimum of 108 unground parking spaces;
 - D) a contribution towards a Downtown River project for an identified component in the amount of \$100,000 to be provided at the time of site plan approval.
- ii) the Bonus B(**) Zone shall provide for a mixed use building with approximately 318 sq. m of commercial space within the podium base of the building and a residential tower ranging from 10-storeys to 24-storeys in height (maximum 80 meters) with a maximum density 534 units per hectare. The building will include residential units within the podium base and commercial space at ground-level within the podium base of the building along York Street. The development design will include 2-levels of underground parking and 2-levels of above-ground parking contained within the building. The proposed development shall be implemented through one or more agreements in return for the provision of the following services, facilities and matters:

A) Exceptional Site and Building Design

specifically the building design shown in the various illustration contained in Schedule "2" of the amending by-law, is being bonused for the following features which serve to support the City's objectives of promoting a high standard of design for buildings constructed in prominent locations such as the Downtown, as outlined in Chapter 11 of the Official Plan and the Downtown Design Guidelines:

Overall Design

a contemporary architectural design that uses varied cladding materials in high contrast colours to provide visual interest and to define different building elements. The materials will include brick, window walls (with vision glass), spandrel glass and etched glass as the primary form of cladding on the podium base on the southerly façade (York Street) and westerly façade (Thames Street); and brick and precast concrete as the primary form of cladding on the podium base on the northerly and easterly facades; and window walls (with vision glass), spandrel glass and precast concrete as the primary form of cladding on the tower. The development will be designed to incorporate one or more references to the history and heritage associated with the property (for example, etched glass renderings of the historic streetscape at this location, interpretative signage, or other such features);

Podium Base Design

- I) a podium base up to 3-storeys in height to provide a pedestrian-friendly scale at ground-level and a continuous street-wall façade

- along the southerly (York Street) façade;
- II) varied parapet heights on the podium base to divide the mass of the podium base and highlight pedestrian and vehicular entrances;
- III) the use of brick and coloured etched glass sympathetic to the traditional material and/or colour palette of the Downtown Heritage Conservation District; and a pattern of recurring sections of brick and window-walls with vertically-oriented mullions to divide the mass of the podium base sympathetic to the rhythm and verticality of historic commercial facades of the Downtown Heritage Conservation District; and,
- IV) the use of window walls (with vision glass) and separate and direct pedestrian entrances to commercial space at ground-level along the southerly (York Street) façade to animate the pedestrian realm;

Tower Design

- I) the use of tempered glass balcony railings and pre-cast concrete balcony columns set back to reduce the visual impact of the tower and building as a whole;

Cap Design

- I) mechanical and elevator penthouse enclosures that are architecturally integrated into the design of the tower in order to provide for a sculpted building cap that is visually interesting and contributes positively to the Downtown London skyline;
- II) a horizontal projecting canopy that will provide for visual interest and define the top of the building; and,
- III) rooftop lighting that provides a distinguishable landmark in the night-time skyline;

B) Site Landscaping

- I) a high quality urban landscaped space within the yard setback along York Street, including shade trees;
- II) a green roof on portions of podium base rooftop area to reduce stormwater run-off and the urban heat island effect and to provide for visual amenity of residents; and an outdoor amenity space on the podium base rooftop area at the southwest corner of the building, and on the rooftop area of the 10-storey portion of the tower;

C) Parking Strategy

a minimum of 101 unground parking spaces.

- D) a contribution towards a Downtown River project for an identified component in the amount of \$150,000 to be provided at the time of site plan approval; and,
- E) a contribution towards the *Downtown Heritage Conservation District* in the amount of \$100,000 to be provided at the time of site plan approval;

- b) the Site Plan Approval Authority BE REQUESTED to consider the implementation of the facilities, services, and matters described in the part a) above through the site plan approval process, as well as, any of the following wind control strategies for the southwest corner of the building: use coniferous or marcescent landscaping in place of deciduous landscaping, increase the overhead canopy depth at the southwest corner of the building to 2.0 m and extend it at least 5.0 meters along the westerly façade; or add an overhead trellis of at least 50% solid coverage, between the proposed development and the existing commercial building at 24 York Street; and,
- c) pursuant to Section 34(17) of the *Planning Act*, as determined by the Municipal Council, no further notice BE GIVEN in respect of the proposed by-law as the regulations for building setbacks and lands proposed to be zoned Open Space Special Provision (OS4(*)) implement a building design that is consistent with the development design circulated with the Notices of Application and Public Meeting;

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

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

- the recommended amendment is consistent with the Provincial Policy Statement, 2014, which promotes intensification and redevelopment in strategic locations to minimize land consumption and servicing costs and provide for a range of housing types and densities to meet projected requirements of current and future residents;
- the recommended amendment conforms to the City of London Official Plan and supports the objectives of the Downtown Area designation, which encourage growth in the residential population of the Downtown through high-density residential development and design features which serve to enhance the pedestrian environment. The recommended amendment will also restrict development where flood hazards exist in conformity with the policy direction in the Official Plan;
- the recommended amendment is consistent with the policy direction in The London Plan regarding permitted uses, intensity of development and form within the Downtown Place Type, and the priority placed on the pedestrian experience in The London Plan;
- the recommended amendment is consistent with the Our Move Forward: London's Downtown Plan and the strategic directions to "Reconnect to the Thames River", "Forge connections with the downtown neighbourhoods", "Green the downtown", "Build great neighbourhoods", and "Create buzz"; and will support the development of the Forks of the Thames as a transformational project;
- the recommended amendment will facilitate an enhanced form of development which includes an architecturally defined podium-base, tower-middle and building cap, with the podium-base enhancing the animation the streetscape and pedestrian environment; the tower-middle reducing the visual impact of the tower and building as a whole, and a visually attractive cap which screens all mechanical elements and contributes positively to the City skyline;
- the recommended amendment will allow for the proposed development including the required increase in density and the required reduction in the setback for the residential component of the building through bonus zones. The bonus zones require the ultimate form of development to be consistent with the Site Plans, Landscape Plans, Elevations, Renderings and Floor Plans appended to the amending by-law;
- the recommended bonus zones provide for a maximum density of 414 units per hectare including the southerly part of 330 Thames Street, but excluding the lands proposed to be zoned OS4; and an increased maximum density of 534 units per hectare excluding the southerly part 330 Thames Street in return a series of design related matters and contributions in accordance with section 19.4.4 of the Official Plan; and,
- the recommended amendment is consistent with the general intent and policies in the Downtown Heritage Conservation District Plan and other relevant Council approved documents which provide direction for development in the Downtown. (2017-D09)

Motion made by Councillor J. Helmer to Approve clause 23.

23. Definition of Supervised Injection Sites

That the Managing Director, Planning and City Planner BE DIRECTED to examine the use definition of supervised injection sites in the Zoning By-law and how this will be distinguished from the broader Zoning By-law use "clinic";

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

- a communication dated August 11, 2017 from J. Pastorius, Manager, Old East Village BIA; and,
- a communication dated July 28, 2017 from J. MacDonald, CEO and General Manager, Downtown London. (2017-S08)

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)

11th Report of the Community and Protective Services Committee (continued)
Councillor H.L. Usher presents.

Motion made by Councillor H.L. Usher to Approve clauses 1, 2 and 4.

1. Disclosures of Pecuniary Interest

That it BE NOTED that Councillor M. Salih disclosed a pecuniary interest with respect to clause 3 of this report, having to do with the LAV III Monument Agreements, by indicating that he is a member of the Canadian Forces.

2. Adult Entertainment Body Rub Parlour - 2190 Dundas Street

That, on the recommendation of the License Manager, the report dated August 28, 2017, with respect to an adult entertainment body rub parlour license for the property located at 2190 Dundas Street, BE RECEIVED. (2017-P09)

4. Deferred Matters List

That the August 2017 Deferred Matters List for the Community and Protective Services Committee 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)

Motion made by Councillor H.L. Usher to Approve clause 5.

5. Adult Live Entertainment Establishment located at 2190 Dundas Street

That it BE NOTED that Councillor B. Armstrong enquired about the status of the license for an Adult Live Entertainment Establishment at the property located at 2190 Dundas Street; it being noted that the Chief Municipal Law Enforcement Officer indicated that an application is in process and an inspection has been completed and a decision will be made shortly.

Motion made by Councillor B. Armstrong and seconded by Councillor M. van Holst to Approve that clause 5 be amended to read as follows:

“That the following actions be taken with respect to the application for an Adult Live Entertainment Establishment licence for the property located at 2190 Dundas Street:

- a) the Chief Municipal Law Enforcement Officer BE DIRECTED to bring forward an amendment to the Business Licensing By-law L-6, as amended, to reduce the number of licences available for Adult Live Entertainment Establishments from four (4) to three (3), by removing the property located at 1290 Dundas Street from the By-law; and
- b) it BE NOTED that Councillor B. Armstrong enquired about the status of the licence for an Adult Live Entertainment Establishment at the proposed location at 2190 Dundas Street; it being noted that the Chief Municipal Law Enforcement Officer indicated that an application is in process and an inspection has been completed and a decision will be made shortly.

At the request of the mover and seconder, and with the consent of the Municipal Council, the motion made by Councillor B. Armstrong and seconded by Councillor M. van Holst is withdrawn.

The motion to Approve clause 5 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, S. Turner, H.L. Usher, T. Park (13)

24th Report of the Corporate Services Committee
Councillor P. Hubert presents.

Motion made by Councillor P. Hubert to Approve clauses 1 to 9, excluding clause 5.

1. Disclosures of Pecuniary Interest

That it BE NOTED that Councillor J. Morgan disclosed a pecuniary interest in clause 5 of this Report, having to do with a Joint Use Agreement with the University of Western Ontario for access to City-owned conduit pathways, as he is employed by the University of Western Ontario.

2. Annual Meeting Calendar

That, on the recommendation of the City Clerk, the annual meeting calendar for the period December 1, 2017 to December 31, 2018, as appended to the staff report dated August 29, 2017, BE APPROVED; it being understood that adjustments to the calendar may be required from time to time in order to accommodate special/additional meetings or changes to governing legislation.

3. Council Policy - Amendment of Flags at City Hall Policy (Relates to Bill No.395)

That, on the recommendation of the City Clerk, the following actions be taken with respect to displaying the flags of the First Nations at City Hall:

- a) the proposed by-law appended to the staff report dated August 29, 2017 as Appendix "A" to amend the Council Policy entitled "Flags at City Hall" BE INTRODUCED at the Municipal Council meeting to be held on September 5, 2017 to provide for an invitation to the following First Nations to have their flags displayed in City Hall on September 7th of each year, if they so choose, to recognize the anniversary of the "London Township Treaty":

Chippewas of the Thames First Nation
Chippewas of Kettle and Stoney Point First Nation
Walpole Island First Nation
Aamjiwnaang First Nation
Caldwell First Nation; and,

- b) continued conversations BE HELD with area First Nations to pursue other commemorative opportunities.

4. FCM Diverse Voices for Change Initiative

That the following actions be taken in effort to increase the participation of women from diverse communities in municipal decision making processes:

- a) the staff report entitled "FCM Diverse Voice for Change Initiative", dated August 29, 2017, including the findings of the diversity census (Appendix "A" to the staff report), and focus groups (Appendix "B" to the staff report) BE RECEIVED for information;
- b) the City Manager and the City Clerk BE DIRECTED to review and report back, prior to the tabling of the 2018 Budget, with an implementation plan to action the recommendations identified in the report, including information with respect to required resources and budget for the implementation;
- c) the Mayor and the City Clerk BE AUTHORIZED to enter into the Financial Contribution Agreement, appended to the staff report dated August 29, 2017 as Appendix "C", with the Federation of Canadian Municipalities (FCM) to receive funding for the Diverse Voices for Change (DV4C) initiative;
- d) all participants BE THANKED for their involvement with the project to date; and

- e) the City Clerk BE REQUESTED to consider organizing a public workshop, similar to the "form-a-palooza" workshop organized by Mayor Muriel Bowser of the District of Columbia, to improve the application form for advisory committees, agencies, boards and commissions.

6. Appointment to the Animal Welfare Advisory Committee

That Ann Hayes BE APPOINTED to the Animal Welfare Advisory Committee, for the term ending February 28, 2019, as a Voting Representative from the London Dog Owners Association.

7. Feast Fest London - Request for Designation as a Municipally Significant Event

That the Feast Fest London, to be held on September 22, 2017 from 3:00 PM - 11:00 PM, September 23, 2017 from 11:00 AM - 11:00 PM and September 24, 2017 from 11:00 AM - 8:00 PM at Victoria Park, BE DESIGNATED as a municipally significant event in the City of London.

8. Annual Report of the Integrity Commissioner - May 17, 2016 to August 1, 2017

That the communication dated August 15, 2017 from Gregory F. Stewart, Integrity Commissioner, providing the Annual Report of the Integrity Commissioner from May 17, 2016 to August 1, 2017, as well as the related communication dated August 27, 2017 from B. Brock, BE REFERRED to a future meeting of the Corporate Services Committee at which the Integrity Commission will be requested to attend in order to answer any questions about his Annual Report and to discuss the future work of the Integrity Commissioner on such matters as education, review of the Code of Conduct, etc.

9. Appointment to the London Hydro Board of Directors (Relates to Bill No. 411)

That, on the recommendation of the Corporate Services Committee, the ~~attached~~ proposed by-law (Appendix "A") BE INTRODUCED at the Municipal Council meeting to be held September 5, 2017 to:

- a) ratify and confirm the Resolution of the Shareholder of London Hydro Inc., ~~attached~~ as Schedule "A" to the by-law; and
- b) authorize the Mayor and the City Clerk to execute the Resolution of the Shareholder of London Hydro Inc. ~~attached~~ as Schedule "A" to the by-law;

it being noted that Guy Holburn was selected for appointment to the London Hydro Inc. Board of Directors in accordance with the ~~attached~~ ranked ballot.

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 to Approve clause 5.

5. Joint Use Agreement with Western University - Conduit Pathways (Relates to Bill No.392)

That, on the recommendation of the Director, Information Technology Services, the following actions be taken with respect to a Joint Use Agreement (JUA) between the University of Western Ontario and The Corporation of the City of London for the University's access to City of London-owned conduit pathways in the Downtown and Veterans Memorial Parkway road allowances for a five (5) year term (2017-2022):

- a) the proposed by-law appended to the staff report dated August 29, 2017 as Appendix A BE INTRODUCED at the Municipal Council meeting on September 5, 2017 to:
 - i) authorize and approve a Joint Use Agreement (JUA) between the University of

Western Ontario and The Corporation of the City of London for access to City of London-owned conduit pathways as outlined in Schedule A to the by-law; and

- ii) authorize the Mayor and City Clerk to execute the Agreement authorized and approved in a)i), above; and
- b) the Director, Information Technology Services BE AUTHORIZED to undertake all administrative acts that are necessary in connection with this matter.

Motion Passed

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

RECUSED: J. Morgan (1)

IX ADDED REPORTS

20th Public Report of the Council, In Closed Session
Councillor P. Hubert presents.

Councillor P. Hubert reports progress with respect to the matters for which Council convened as Council, In Closed Session.

X DEFERRED MATTERS

None.

XI ENQUIRIES

Councillor M. van Holst enquires about the policing costs associated with the protests held on August 26, 2017. The Chair indicates that Councillor van Holst should submit a communication to the appropriate Standing Committee requesting that the City of London communicate with the London Police Services Board to obtain any related information that might be available in that regard.

Councillor P. Squire enquires about the status of the City Solicitor's report with respect to a proposed Council policy to confirm the prohibition of activities that are a threat to the safety and inclusion of individuals in City-owned facilities and spaces. The City Solicitor indicates that work is in progress with respect to the draft policy, assured the Municipal Council that the proposed policy will be drafted in such a way so as to uphold the Canadian Charter of Rights and Freedoms and any other applicable law, while at the same time mitigating any threat to the safety and inclusion of individuals in City-owned facilities and spaces.

Councillor P. Hubert enquires if staff could provide a written summary, at an upcoming meeting of the Planning and Environment Committee, with respect to a list of the various major developments that have received Council approval within recent years, including the current status of those developments. The Municipal Council refers the enquiry to the Managing Director, Planning and City Planner and the Managing Director, Development and Compliance Services and Chief Building Official, for report back to the Planning and Environment Committee.

Councillor H.L. Usher enquires if a written letter could be sent by the Mayor, on behalf of the Municipal Council, to the various members of the Diverse Voices for Change Steering Committee, to thank them for their diligent work on the project to date. The Mayor indicates that he would be sending a written letter of appreciation to each participant.

XII EMERGENT MOTIONS

None.

XIII BY-LAWS

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

Motion made by Councillor S. Turner and seconded by Councillor V. Ridley to Approve Introduction and First Reading of Bill No.'s 391, 393 to 406, the revised Bill No. 407, and Bill No.'s 408, 409 and 411.

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 M. van Holst and seconded by Councillor J. Helmer to Approve Second Reading of Bill No.'s 391, 393 to 406, the revised Bill No. 407, and Bill No.'s 408, 409 and 411.

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 A. Hopkins and seconded by Councillor B. Armstrong to Approve Third Reading and Enactment of Bill No.'s 391, 393 to 406, the revised Bill No. 407, and Bill No.'s 408, 409 and 411.

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 M. van Holst and seconded by Councillor P. Hubert to Approve Introduction and First Reading of Bill No. 392.

Motion Passed

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

RECUSED: J. Morgan (1)

Motion made by Councillor M. van Holst and seconded by Councillor T. Park to Approve Second Reading of Bill No. 392.

Motion Passed

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

RECUSED: J. Morgan (1)

Motion made by Councillor S. Turner and seconded by Councillor A. Hopkins to Approve Third Reading and Enactment of Bill No. 392.

Motion Passed

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

RECUSED: J. Morgan (1)

Motion made by Councillor S. Turner and seconded by Councillor T. Park to Approve Introduction and First Reading of Bill No. 410.

Motion Passed

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

NAYS: A. Hopkins (1)

Motion made by Councillor J. Helmer and seconded by Councillor V. Ridley to Approve Second Reading of Bill No. 410.

Motion Passed

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

NAYS: A. Hopkins (1)

Motion made by Councillor S. Turner and seconded by Councillor V. Ridley to Approve Third Reading and Enactment of Bill No. 410.

Motion Passed

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

NAYS: A. Hopkins (1)

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

Bill No. 391 By-law No. A.-7606-313	A by-law to confirm the proceedings of the Council Meeting held on the 5 th day of September, 2017. (City Clerk)
Bill No. 392 By-law No. A.-7607-314	A By-law to authorize a Joint Use Agreement between The Corporation of the City of London and the University of Western Ontario; and to authorize the Mayor and City Clerk to execute the Agreement. (5/24/CSC)
Bill No. 393 By-law No. A.-7608-315	A by-law to approve the LAV III Monument Agreement between Canada Company: Many Ways to Serve and The Corporation of the City of London; and to authorize the Mayor and the City Clerk to execute the Agreement. (3/11/CPSC)
Bill No. 394 By-law No. A.-7609-316	A by-law to approve the License Agreement between Her Majesty the Queen in Right of Canada as represented by the Minister of National Defense and The Corporation of the City of London; and to authorize the Mayor and the City Clerk to execute the Agreement. (3/11/CPSC)
Bill No. 395 By-law No. CPOL.-81-317	A by-law to amend the Council Policy entitled "Flags at City Hall". (3/24/CSC)
Bill No. 396 By-law No. C.P.-1284(te)-318	A by-law to amend the Official Plan for the City of London, 1989 relating to 2426 Wickerson Road. (11/16/PEC)
Bill No. 397 By-law No. C.P.-1284(tf)-319	A by-law to amend the Official Plan for the City of London, 1989 to delete the Primary Collector road classification over lands located west of Hamilton Road and north of Commissioners Road East (1691 Hamilton Road, 1733 Hamilton Road, 1964 Commissioners Road East and 2046 Commissioners Road East), as shown on Schedule 'C' – Transportation Corridors Map. (14/16/PEC)
Bill No. 398 By-law No. PS-113-17008	A by-law to amend By-law No. PS-113, entitled, "A by-law to regulate traffic and the parking of motor vehicles in the City of London." (3/14/CWC)

Bill No. 399 By-law No. S.-5879-320	A by-law to repeal By-law No. S.-1621-116 entitled "A by-law to permit Vincent Bondi to use and maintain an encroachment upon the road allowance for Horton Street". (City Engineer)
Bill No. 400 By-law No. S.-5880-321	A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Oxford Street East, east of Veterans Memorial Parkway) (Chief Surveyor - to support industrial land development)
Bill No. 401 By-law No. S.-5881-322	A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Hamilton Road west of Watmar Avenue) (Chief Surveyor - (due to an oversight in 1953) as public highway)
Bill No. 402 By-law No. S.-5882-323	A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Dundas Street at Egerton Street) (Chief Surveyor - pursuant to the Dundas Street Infrastructure Renewal Project)
Bill No. 403 By-law No. Z.-1-172603	A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at 1647 Fanshawe Park Road East (O'Hanlan Subdivision – 39T-10503). (3/16/PEC)
Bill No. 404 By-law No. Z.-1-172604	A by-law to amend By-law No. Z.-1 to remove the holding provisions from the zoning of lands located at 2603 Holbrook Drive, described as Block 49 Registered Plan 33M-707. (4/16/PEC)
Bill No. 405 By-law No. Z.-1-172605	A by-law to amend By-law No. Z.-1 to remove the holding provision from the zoning for a portion of land located at 1237, 1241, 1249, 1254 and 1258 Thornley Street. (6/16/PEC)
Bill No. 406 By-law No. Z.-1-172606	A by-law to amend By-law No. Z.-1 to remove the holding provisions from the zoning of lands located at 2810 Sheffield Place, described as Block 60 Registered Plan 33M-672. (7/16/PEC)
Bill No. 407 By-law No. Z.-1-172607	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 2426 Wickerson Road. (11/16/PEC)
Bill No. 408 By-law No. Z.-1-172608	A by-law to amend By-law No. Z.-1 to delete the "Primary Collector" street classification over lands located west of Hamilton Road and north of Commissioners Road East (identified as Street 'C' in Draft Plan of Subdivision File No. 39T-13502) in Section 4.21 Road Allowance Requirements – Specific Roads. (14/16/PEC)
Bill No. 409 By-law No. Z.-1-172609	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 639 York Street. (15/16/PEC)
Bill No. 410 By-law No. Z.-1-172610	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 32, 36, and 40 York Street and part of 330 Thames Street. (21/16/PEC)
Bill No. 411 By-law No. A.-7610-324	A by-law to ratify and confirm the Resolutions of the Shareholder of London Hydro Inc. (9/24/CSC)

XIV ADJOURNMENT

Motion made by Councillor S. Turner and seconded by Councillor A. Hopkins that the Meeting adjourn.

Motion Passed

The meeting adjourned at 8:29 PM.

Matt Brown, Mayor

Catharine Saunders, City Clerk