



London
CANADA

COUNCIL MINUTES SECOND MEETING

January 16, 2018

The Council meets in Regular Session in the Council Chambers this day at 4:04 PM.

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

ABSENT: Councillor H.L. Usher.

ALSO PRESENT: M. Hayward, A.L. Barbon, G. Belch, B. Coxhead, K. Dawtrey, K. Dickins, J.M. Fleming, T. Gaffney, G. Kotsifas, L. Livingstone, L. Marshall, S. Mathers, P. McKague, D. Munteer, J. Nolan, M. Ribera, L. Rowe, S. Stafford, J. Stanford, K. Van Lammeren and B. Westlake-Power.

At the beginning of the Meeting all Members are present except Councillors P. Hubert and H.L. Usher.

I DISCLOSURES OF PECUNIARY INTEREST

Councillor T. Park discloses a pecuniary interest in clause 12 of the 2nd Report of the Planning and Environment Committee, having to do with a Notice of Intention to designate 440 Grey Street, by indicating that her family owns a neighbouring property.

Councillor S. Turner discloses a pecuniary interest in clause 13 of the 2nd Report of the Planning and Environment Committee, having to do with a request for delegation status by Dr. C. Mackie, CEO and Medical Officer of Health, Middlesex-London Health Unit, with respect to the siting of supervised consumption sites and other harm reduction matters, by indicating that Dr. Mackie is his immediate supervisor and he is employed by the Middlesex-London Health Unit.

Councillor J. Morgan discloses a pecuniary interest in:

- a) clause 5 of the 2nd Report of the Planning and Environment Committee, having to do with an application by Drewlo Holdings Inc. as it relates to the Edgevalley Subdivision, by indicating that he is involved in a separate property matter with the applicant.
- b) clause 6 of the 2nd Report of the Planning and Environment Committee, having to do with an application by Drewlo Holdings Inc. as it relates to the Summerside Subdivision Phase 13A, by indicating that he is involved in a separate property matter with the applicant.

III REVIEW OF CONFIDENTIAL MATTERS TO BE CONSIDERED IN PUBLIC

None.

IV COUNCIL, IN CLOSED SESSION

Motion made by Councillor S. Turner and seconded by Councillor V. Ridley that Council rise and go into Council, In Closed Session, for the purpose of considering a matter pertaining to litigation or potential litigation with respect to the appeals of Nortel Networks Technology Corporation and Nortel Networks Limited to the Environmental Review Tribunal from an Order of the Director, Ministry of the Environment, Order No. 3250-9J4J3G, dated July 20th, 2011; advice that is subject to solicitor-client privilege, including communications necessary for that purpose, in connection with the appeals of Nortel Networks Limited ("Nortel") and Nagata Auto Parts Canada Co., Ltd. ("Nagata") to the Environmental Review Tribunal from an Order of the Director, Ministry of the Environment, Order No. 3250-9J4J3G, dated July 20th, 2011; and for the purpose of voting for giving direction to officers, employees or agents of the municipality. (C1/2/CWC)

Motion Passed

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

The Council rises and goes Council, In Closed Session at 4:09 PM, with Mayor M. Brown in the Chair and all Members present except Councillors P. Hubert, M. Salih and H.L. Usher.

The Council, In Closed Session rises at 4:13 PM and Council reconvenes at 4:16 PM, with Mayor M. Brown in the Chair and all Members present except Councillors P. Hubert and H.L. Usher.

V CONFIRMATION AND SIGNING OF THE MINUTES OF THE FIRST MEETING HELD ON DECEMBER 12, 2017

Motion made by Councillor J. Helmer and seconded by Councillor B. Armstrong to Approve the Minutes of the First Meeting held on December 12, 2017.

Motion Passed

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

VI COMMUNICATIONS AND PETITIONS

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

1. K. Mason - One River Environmental Assessment Update: Phase II Stage I Report

(Refer to the Civic Works Committee Stage for Consideration with Clause 10 of the 2nd Report of the Civic Works Committee)

Motion Passed

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

VII MOTIONS OF WHICH NOTICE IS GIVEN

None.

VIII REPORTS

2nd Report of the Corporate Services Committee
Councillor J. Helmer presents.

Motion made by Councillor J. Helmer to Approve clauses 1 to 4, inclusive.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Customer Relationship Management Software Implementation Partner - Phase Four

That, on the recommendation of the Managing Director, Neighbourhood, Children and Fire Services, the following actions be taken with respect to the work outlined in Request for Proposal (RFP) 16-52 Microsoft Dynamics Customer Relationship Management (CRM) Implementation Partner 2017 – 2019 of Phases Three, Four and Five:

- a) the price of \$260,000 (HST extra) negotiated with PricewaterhouseCoopers LLP for the provision of a Customer Relationship Management Software Implementation Partner – Phase Four BE ACCEPTED in accordance the Procurement of Goods and Services Policy;

- b) the Source of Financing for the provision of a Customer Relationship Management Software Implementation Partner – Phase Four, as set out in Appendix “A” to the revised staff report dated January 9, 2018, included on the Added Agenda, BE APPROVED;
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this purchase;
- d) approval herein given BE CONDITIONAL upon the Corporation entering into a formal agreement or having a purchase order, or contract record relating to the subject matter of this approval; and,
- e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract, statement of work or other documents, if required, to give effect to these recommendations.

3. Provincial Dedicated Gas Tax Funds for Public Transportation Program
(Relates to Bill No. 39)

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the proposed by-law appended to the staff report dated January 9, 2018 as Appendix “A” BE INTRODUCED at the Municipal Council meeting on January 16, 2018 to authorize the Mayor and the Managing Director, Corporate Services and City Treasurer/Chief Financial Officer to execute a Letter of Agreement between the Province of Ontario and the City of London with respect to the Dedicated Gas Tax Funds for the Public Transportation Program.

4. Report of the Federation of Canadian Municipalities Board of Directors Meeting - Ottawa, ON, November 20-24, 2017

That the communication dated January 2, 2018, from Councillor H.L. Usher, regarding the Federation of Canadian Municipalities Board of Directors meeting held November 20 - 24, 2017 in Ottawa, ON, BE RECEIVED for information.

Motion Passed

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

Motion made by Councillor J. Helmer to Approve clause 5.

5. Memorial – Quebec Mosque Shooting – January 29, 2018

That the City Clerk BE DIRECTED to make the necessary arrangements to provide for the use of a Committee Room, at no cost and to have the Canadian Flag lowered to half-mast on January 29, 2018, in recognition of the one-year anniversary of the Quebec Mosque Shooting; it being noted that the Corporate Services Committee received the ~~attached~~ communication dated January 8, 2018, from Mayor M. Brown and Councillors J. Zaifman and M. Salih, with respect to this matter.

Motion made by Councillor M. Salih and seconded by Mayor M. Brown to Approve that clause 5 be amended to read as follows:

That the following actions be taken to recognize the anniversary of the Quebec Mosque Shooting that took place on January 29, 2017:

- a) the City Clerk BE DIRECTED to make the necessary arrangements to provide for the use of a Committee Room by local organizers of the National Council of Canadian Muslims, at no cost, from 12 PM to 7 PM, and to have the Canadian flag on the Community Flag Pole lowered to half-mast, on January 29, 2018; and
- b) the Mayor BE REQUESTED to write to the Federal Government and the Provincial Government to request that January 29 be designated as a Day of Remembrance and Action Against Islamophobia at the federal and provincial levels;

it being noted that the Corporate Services Committee received the ~~attached~~ communication dated January 8, 2018, from Mayor M. Brown and Councillors J. Zaifman and M. Salih, with respect to this matter.

Motion Passed

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

Motion made by Councillor J. Helmer and seconded by Councillor M. Salih to Approve clause 5, as amended.

Motion Passed

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

Clause 5, as amended, reads as follows:

That the following actions be taken to recognize the anniversary of the Quebec Mosque Shooting that took place on January 29, 2017:

- a) the City Clerk BE DIRECTED to make the necessary arrangements to provide for the use of a Committee Room by local organizers of the National Council of Canadian Muslims, at no cost, from 12 PM to 7 PM, and to have the Canadian flag on the Community Flag Pole lowered to half-mast, on January 29, 2018; and
- b) the Mayor BE REQUESTED to write to the Federal Government and the Provincial Government to request that January 29 be designated as a Day of Remembrance and Action Against Islamophobia at the federal and provincial levels;

it being noted that the Corporate Services Committee received the ~~attached~~ communication dated January 8, 2018, from Mayor M. Brown and Councillors J. Zaifman and M. Salih, with respect to this matter.

2nd Report of the Civic Works Committee
Councillor V. Ridley presents.

Motion made by Councillor V. Ridley to Approve Clauses 1 to 13, inclusive.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. 1st Report of the Rapid Transit Implementation Working Group

That the following actions be taken with respect to the 1st Report of the Rapid Transit Implementation Working Group, from its meeting held on December 6, 2017:

- a) the Civic Administration BE REQUESTED to invite staff from one or more transit systems and/or municipalities that have implemented rapid transit, or are in the process of implementation, to speak to the Rapid Transit Implementation Working Group; and,
- b) clauses 1 to 5, 7 and 8, BE RECEIVED.

3. Exercise Renewal Options Curbside Collection and Material Recovery Facility Operations Contracts

That, on the recommendation of the Managing Director, Environmental & Engineering Services and City Engineer, on the advice of the Director, Environmental, Fleet and Solid Waste, the following actions be taken with respect to the provision of curbside collection and Material Recovery Facility Operations services provided by Miller Waste Systems Inc.:

- a) the renewable options of the contracts with Miller Waste Systems Inc., for the collection of recyclables in London and the collection of garbage and yard materials in the southwest portion of the city, including Lambeth, Riverbend and Settlement Trail, and Material Recovery Facility Operations, for one (1) year from October 30, 2018 to October 30, 2019, as provided in the existing, amended agreements in accordance with Procurement of Goods and Services Policy, Section 8.5 a. v, and Section 20.2, BE APPROVED; and,

- b) the Civic Administration BE AUTHORIZED to undertake all administrative acts that are necessary in connection with this matter. (2017-E07)

4. Comments on Environmental Bill Of Rights Registry – Ontario's Approach to Climate Change Adaption

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the comments and discussion, as appended to the staff report dated January 9, 2018, with respect to the Ministry of the Environment and Climate Change's Environmental Bill of Rights Registry entitled Ontario's Approach to Climate Change Adaptation, BE ENDORSED and BE SUBMITTED to the Ministry of the Environment and Climate Change. (2017-E05)

5. Dundas Place Utility Construction Coordination (Relates to Bill No. 38)

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the Dundas Place Project:

- a) the proposed by-law, as appended to the staff report dated January 9, 2018, BE INTRODUCED at the Municipal Council meeting to be held on January 16, 2018, to:
 - i) approve a Memorandum of Understanding, included as Schedule 1 to the by-law, to be entered into between The Corporation of the City of London and London Hydro Inc., for utility coordination within the Dundas Place project;
 - ii) approve a Memorandum of Understanding, included as Schedule 2 to the by-law, to be entered into between The Corporation of the City of London and London and Bell Canada, for utility coordination within the Dundas Place project; and,
 - iii) authorize the Mayor and the City Clerk to execute the above-noted Memoranda of Understanding;
- b) the Managing Director, Environmental and Engineering Services and City Engineer, or written designate, BE AUTHORIZED to execute any reports required to administer the Memoranda of Understanding authorized and approved above. (2017-D19)

6. Appointment of Consulting Engineer Mud Creek Flood Reduction and Rehabilitation Phase 1 Detailed Design

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the appointment of a consulting engineer for the Mud Creek Flood Reduction and Rehabilitation Phase 1 Detailed Design Project:

- a) CH2M HILL Canada Limited BE APPOINTED consulting engineers in accordance with the estimate, on file, at an upset amount of \$1,080,497 (including contingency and provisional allowances), excluding HST, in accordance with Section 15.2(e) of the City of London's Procurement of Goods and Services Policy;
- b) the financing for the project BE APPROVED in accordance with the Sources of Financing Report, as appended to the staff report dated January 9, 2018;
- c) the Managing Director, Environmental and Engineering Services and City Engineer 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-E21)

7. Kilally Road Improvements Phase 1 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 contract administration for Phase 1 of the Kilally Road Improvements Project:

- a) Development Engineering Ltd., BE AUTHORIZED to carry out the resident inspection and contract administration in the amount of \$208,367.50 (excluding HST) 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 January 9, 2018;
- c) the Managing Director, Environmental and Engineering Services and City Engineer 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-T04)

8. Comments on Environmental Bill of Rights Registry – Proposed Food and Organic Waste Framework

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, with the support of the Director, Environment, Fleet and Solid Waste, the discussion and comments, as appended to the staff report dated January 9, 2018, BE ENDORSED and BE SUBMITTED to the Ministry of Environment and Climate Change's Environmental Bill of Rights Registry posting related to the Proposed Food and Organic Waste Framework; it being noted that the Civic Works Committee received the ~~attached~~ presentation from J. Stanford, Director, Environment, Fleet and Solid Waste, with respect to this matter. (2017-E07)

9. Comments on the Amended Blue Box Program Plan (Prepared by Stewardship Ontario)

That, on the recommendation of the Managing Director, Environmental & Engineering Services and City Engineer, with the support of the Director, Environment, Fleet and Solid Waste, the following actions be taken with respect to the request for comments on the Draft Amended Blue Box Program Plan report dated January 9, 2018:

- a) the following discussion and comments, as appended to the staff report dated January 9, 2018, BE ENDORSED and BE SUBMITTED to the Resource Productivity and Recovery Authority (RPRA) and Stewardship Ontario (SO) by January 15, 2018 with any additional comments submitted following the Council meeting on January 16, 2018;
- b) the submission date of February 15, 2018 for the amended Blue Box Program Plan to the Minister of the Environment & Climate Change from the RPRA BE SUPPORTED by Municipal Council provided that the Minister's Direction Letter (August 17, 2017) has been completely fulfilled;
- c) should deficiencies still exist between the Minister's Direction Letter and the amended Blue Box Program Plan, the Minister of Environment & Climate Change BE REQUESTED to require additional consultation and a complete review and analysis of all stakeholder comments, in particular submissions from the Association of Municipalities of Ontario (AMO), the Municipal 3Rs Collaborative, and the Ontario Waste Management Association (OWMA) to ensure deficiencies are addressed; and,
- d) Civic Administration BE DIRECTED to prepare both short term actions and a comprehensive plan, steps and recommendations for London as a transitioned municipality providing services to Stewardship Ontario as part of the transition phase (full producer responsibility) to a completely industry-led (individual producer responsibility) recycling program in Ontario;

it being noted that the Civic Works Committee received the ~~attached~~ presentation from J. Stanford, Director, Environment, Fleet and Solid Waste, with respect to this matter. (2018-E07)

10. One River Environmental Assessment Update: Phase II Stage I Report

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 Master Plan Environmental Assessment Phase II Stage I Report:

- a) the recommended option to decommission the Springbank Dam BE APPROVED;
- b) the following communications BE RECEIVED;
 - communications dated January 3, 2018 and January 7, 2018, from B. Wells expressing support for the decommissioning of the Dam;
 - a communication dated January 3, 2018, from C. Butler, 863 Waterloo Street, expressing support for doing nothing or decommissioning of the Dam;
 - a communication from P. Tack expressing support for the decommissioning of the Dam;
 - a communication dated January 4, 2018, from A. Caveney, 46 Kingspark Crescent, expressing support for the decommissioning of the Dam;
 - a communication dated December 28, 2017, from W. and C. Furst, 17 Westmorland Court, encouraging consideration of a Low Dam concept that helps ensure safe passage for fish and other aquatic species;
 - a communication dated December 27, 2018, from L.R. Symmes, expressing support for the decommissioning of the Dam;
 - a communication from I. Rae, King's University College, expressing support for repurposing the Dam as a viewing platform with daytime access;
 - a communication dated January 5, 2018, from M. Snowsell, UTRCA, expressing support for the decommissioning of the Dam;
 - the ~~attached~~ revised communication dated January 9, 2018, from R. Huber, Thames River Anglers Association, expressing support for the decommissioning of the Dam;
 - a communication from D. Wake, 597 Kildare Road, expressing support for the decommissioning of the Dam; and,
- c) the ~~attached~~ presentation from A. Rammeloo, Manager III, Environmental and Engineering Services BE RECEIVED;

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 submissions in connection therewith. (2017-E21)

11. Deferred Matters List

That the Deferred Matters List for the Civic Works Committee, as at December 12, 2017, BE RECEIVED.

12. 1st Report of the Cycling Advisory Committee

That the following actions be taken with respect to the 1st Report of the Cycling Advisory Committee, from its meeting held on December 20, 2017:

- a) the Municipal Council BE ADVISED that the Cycling Advisory Committee supports the provincial allocation of the 2017 Ontario Municipal Commuter Cycling Program monies, in the amount of \$3.3 million, toward projects such as the north branch of the Thames Valley Parkway; it being noted that the north branch is a Council-approved project that has been awaiting funding; and,
- b) clauses 1 to 14, 16 and 17, BE RECEIVED.

13. Enquiry – Councillor H.L. Usher – Snow Clearing

That it BE NOTED that Councillor H.L. Usher enquired if any changes had been made to the City's snow clearing process and if staff would be pursuing any opportunities for improvement. The Managing Director, Environmental and Engineering Services and City Engineer advised that there had been no changes to their general processes, the recent weather events had made it challenging to complete one "clean up" before being faced with the next one, and that staff are always evaluating their procedures to ensure optimal effectiveness and efficiency.

Motion Passed

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

2nd Report of the Planning and Environment Committee
Councillor S. Turner presents.

Motion made by Councillor S. Turner to Approve clauses 1 to 4, 7 to 11 and 14, inclusive.

1. Disclosures of Pecuniary Interest

That it BE NOTED that the following pecuniary interests were disclosed:

- a) Councillor T. Park disclosed a pecuniary interest in clause 12 of this Report having to do with the property located at 440 Grey Street, by indicating that her family owns property in the area of the subject property.
- b) Councillor S. Turner disclosed a pecuniary interest in clause 13 of this Report having to do with the location of potential Supervised Consumption Facilities in London, by indicating that his employer, Dr. C. Mackie, CEO and Medical Officer of Health, Middlesex-London Health Unit, is requesting delegation status.

2. 1st Report of the Advisory Committee on the Environment

That the 1st Report of the Advisory Committee on the Environment from its meeting held on December 6, 2017 BE RECEIVED.

3. Properties located at 1733 Hamilton Road and 2046 Commissioners Road East - Hajjar Subdivision (H-8841) (Relates to Bill No. 50)

That, on the recommendation of the Senior Planner, Development Services, based on the application by Sifton Properties Limited, relating to lands located at 1733 Hamilton Road and 2046 Commissioners Road East, the proposed by-law appended to the staff report dated January 8, 2018 BE INTRODUCED at the Municipal Council meeting to be held on January 16, 2018 to amend Zoning By-law Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a holding Residential R1 Special Provision (h•R1-2(10)) Zone TO a Residential R1 Special Provision (R1-2(10)) Zone to remove the holding (h) provision. (2017-D09)

4. Property located at 1691 Hamilton Road (H-8859) (Relates to Bill No. 51)

That, on the recommendation of the Senior Planner, Development Services, based on the application by Thames Village Joint Venture Corporation, relating to lands located at 1691 Hamilton Road, the proposed by-law appended to the staff report dated January 8, 2018 BE INTRODUCED at the Municipal Council meeting to be held on January 16, 2018 to amend Zoning By-law Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a holding Residential R1 Special Provision (h•R1-3(17)) Zone TO a Residential R1 Special Provision (R1-3(17)) Zone to remove the holding (h) provision. (2017-D09)

7. Property located at 7 Annadale Drive (H-8855) (Relates to Bill No. 52)

That, on the recommendation of the Managing Director, Planning and City Planner, with respect to the application of The Corporation of the City of London, relating to the property located at 7 Annadale Drive, the proposed by-law appended to the staff report dated January 8, 2018 BE INTRODUCED at the Municipal Council meeting to be held on January 16, 2018 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 Open Space (h-18•OS1) Zone, a Holding Residential R1 Special Provision (h-18•R1-5(13)) Zone, and a Holding Residential R6 Special Provision (h-5•h-18•R6-3(8)) Zone TO an Open Space (OS1) Zone, a Residential R1 Special Provision (R1-5(13)) Zone, and a Holding Residential R6 Special Provision (h-5•R6-3(8)) Zone to remove the "h-18" holding provision. (2017-D09)

8. Ontario Municipal Board (OMB) Reform Bill 139 Potential Regulations

That, the staff report dated January 8, 2018, entitled "Ontario Municipal Board (OMB) Reform: Bill 139 Potential Regulations", BE FORWARDED to the Ministry of Municipal Affairs and the Ministry of the Attorney General for their information. (2017-A01)

9. Property located at 1843 Frederick Crescent (Z-8836) (Relates to Bill No. 53)

That, on the recommendation of the Managing Director, Planning and City Planner, based on the application of Futurestreets Inc., relating to the property located at 1843 Frederick Crescent, the proposed by-law appended to the staff report dated January 8, 2018 BE INTRODUCED at the Municipal Council meeting to be held on January 16, 2018 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 Residential R1 (h-82*R1-3) Zone TO a Residential R1 (R1-3) Zone;

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

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

- a single detached dwelling can be accommodated on the subject site by way of the recommended zoning without any special provisions therefore, it is unreasonable to hold out this lot from future development; and,
- any future development to the west will need to address the street alignment between developments and any "sliver" of the land that might be created abutting the subject site. The future development may be required in the future to merge this silver of land with the subject site to avoid an inconsistent lot pattern or the realignment of the street to avoid creating a sliver of land. (2017-D09)

10. Property located at 653 Talbot Street (Z-8808) (Relates to Bill No. 54)

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of London Language Institute, relating to the property located at 653 Talbot Street:

- a) the proposed by-law appended to the staff report dated January 8, 2018 BE INTRODUCED at the Municipal Council meeting to be held on January 16, 2018 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM a Residential R3/Office Conversion (R3-1/OC2) Zone TO a Residential R3 Special Provision/Neighbourhood Facility Special Provision (R3-1(_)/NF1(_)) Zone, and an Open Space (OS4) Zone; and,
- b) on the advice of the London Advisory Committee on Heritage from its meeting held on September 13, 2017, the Managing Director, Planning and City Planner BE DIRECTED to prepare a Statement of Cultural Heritage Value or Interest for the property located at 653 Talbot Street and to report back to the Planning and Environment Committee at a future date with respect to a Notice of Intent to Designate under the provisions of section 29 of the Ontario Heritage Act;

it being noted that the Planning and Environment Committee reviewed and received a communication dated January 3, 2018, from A.M. Valastro, 133 John Street, with respect to this matter:

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

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

- the conversion and enlargement of the existing building for the private school use is consistent with the Provincial Policy Statement, 2014 and contributes to the existing mix of uses that area complementary to the neighbourhood;
- the recommended amendment is consistent with the Community Facility policies of the

- existing Official Plan as well as the Neighbourhoods policies of The London Plan; and, the proposed London Language Institute is compatible with the surrounding residential neighbourhood, and represents a positive adaptive reuse of an existing heritage resource. (2017-D09)

11. 1st Report of the London Advisory Committee on Heritage

That the following actions be taken with respect to the 1st Report of the London Advisory Committee on Heritage from its meeting held on December 13, 2017:

- a) on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the application made under Section 42 of the Ontario Heritage Act to erect a new building on the property located at 915 Queens Avenue, within the Old East Heritage Conservation District, BE PERMITTED as described in the staff report dated December 13, 2017, subject to the following terms and conditions:
- the addition of corner quoins to be constructed on the front elevation;
 - the horizontal installation of fiber-cement siding on side and rear elevations;
 - the installation of brick masonry veneer base to the clad concrete foundation at side elevations;
 - the re-design of gabled pediment detail at front elevation, to better conform with conventional heritage patterns, approved by heritage planner prior to construction; and,
 - the Heritage Alteration Permit to be displayed in a location visible from the street until the work is completed;

it being noted that the London Advisory Committee on Heritage (LACH) received a presentation from L. Dent, Heritage Planner, appended to the 11th Report of the LACH, related to this matter;

- b) 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 163 Oxford Street East to be cultural heritage value or interest, as outlined in the attached Statement of Cultural Heritage Value or Interest; it being noted that the London Advisory Committee on Heritage (LACH) received a presentation from K. Gonyou, Heritage Planner, appended to the 11th Report of the LACH, with respect to this matter;
- c) N. Pasato, Senior Planner, BE ADVISED that the London Advisory Committee on Heritage expressed concern regarding the revisions to the Draft Plan of Subdivision and Zoning By-law Amendment for 660 Sunningdale Road East (39T-09501/Z-8818), as it is not clear how the two barns recommended for designation will be protected and conserved in the revised Draft Plan; it being noted that the notice of intent to designate the property has been appealed to the Conservation Review Board and, until such time as an appeal is resolved, the property is treated as if it were designated, as per Section 30(1) of the Ontario Heritage Act; and,
- d) clauses 1, 2, 5 to 8, 10 to 14, BE RECEIVED.

14. 1st Report of the Environmental and Ecological Planning Advisory Committee

That the following actions be taken with respect to the 1st Report of the Environmental and Ecological Planning Advisory Committee from its meeting held on December 21, 2018:

- a) the following actions be taken with respect to the One River Master Plan Environmental Assessment Study - Phase 2 Stage 1: Recommended Option for Springbank Dam:
- i) the September 28, 2017 Environmental and Ecological Planning Advisory Committee recommendation with respect to this matter, adopted by Municipal Council on October 17, 2017, BE SUBMITTED to the Civic Works Committee meeting of January 9, 2018 for consideration;
- ii) C. Therrien BE REQUESTED to attend the One River Master Plan Environmental Assessment Study - Phase 2 Stage 1: Recommended Option for Springbank Dam Public Participation meeting, at the Civic Works Committee meeting noted in part a) above, on behalf of the Environmental and Ecological Planning Advisory Committee; and,

- iii) it BE NOTED that the Notice related to the January 9, 2018 Notice of Public Participation Meeting relating to the One River Master Plan Environmental Assessment, from S. Levin, was received;
- b) the revised Working Group comments appended to the 1st Report of the Environmental and Ecological Planning Advisory Committee, related to the Environmental Impact Statement for W3 Farms, located at 3700 Colonel Talbot Road and 3645 Bostwick Road BE FORWARDED to N. Pasato, Senior Planner, for consideration;
- c) the EEPAC Members BE REQUESTED to review the list of potential Environmental and Ecological Planning Advisory Committee (EEPAC) initiatives appended to the 1st Report to the EEPAC, provided by S. Madhavji, for discussion at the next EEPAC meeting;
- d) the revised Notice of application by Extra Realty relating to the property located at 660 Sunningdale Road East, was received; it being noted that the Environmental and Ecological Planning Advisory Committee (EEPAC) has previously commented on this application and the proposed revision to the application does not affect the Environmentally Significant Area on the property, in the opinion of the EEPAC;
- e) a Working Group consisting of S. Levin (lead), J. Stinziano, R. Trudeau and I. Whiteside BE ESTABLISHED to review the application by Sifton Properties Limited, relating to the properties located at 3614, 3630 Colonel Talbot Road and 6621 Pack Road and to report back at the February 15, 2018 Environmental and Ecological Planning Advisory Committee (EEPAC) meeting; it being noted that the EEPAC received an Environmental Impact Study with respect to this matter;
- f) consideration of clause 14 of the 1st Report of the Environmental and Ecological Planning Advisory Committee (EEPAC) BE POSTPONED to a future Planning and Environment Committee meeting when the above-noted matter is discussed; clause 14 reads as follows:

“the following actions be taken with respect to the Medway Environmentally Significant Area Conservation Master Plan 2017:

- i) K. Moser BE REQUESTED to attend the Planning and Environment Committee (PEC), on behalf of the Environmental and Ecological Planning Advisory Committee, when the above-noted matter is considered by the PEC;
 - ii) based on a serious risk to the ecological integrity and biodiversity of the Medway Valley Heritage Forest Environmentally Significant Area (MVHF ESA), the Municipal Council BE REQUESTED to reject any Conservation Master Plan that includes the hardening of trails or bridge crossings of the Medway Creek;
 - iii) the Managing Director, Planning and City Planner, BE ENCOURAGED to focus the Conservation Master Plan (CMP) more on protecting the ecological integrity of the MVHF ESA and less on recreation use in a revised CMP; it being noted that there should be better development of more detailed plans for monitoring, trail closures and education in a revised CMP in order that EEPAC and others can accurately assess those plans; and,
 - iv) the Managing Director, Planning and City Planner BE ENCOURAGED, in consultation with EEPAC, to create a demonstration site of best practices for the protection of ecological integrity, diversity and species at risk within an urban Environmentally Significant Area;” and,
- g) clauses 1 to 3, 5, 6, 9, 10, 15 and 16, BE RECEIVED.

Motion Passed

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

Motion made by Councillor St. Turner to Approve clauses 5 and 6.

5. Edgevalley Subdivision (39T-05505)

That, on the recommendation of the Manager, Development Planning, the following actions be taken with respect to entering into a Subdivision Agreement between The Corporation of the City of London and Drewlo Holdings Inc., for the subdivisions of land over Block 'C', Registered Plan No. 795 and Part of Lot 7, Concession 2, (Geographic Township of London), City of London, County of Middlesex, situated on the north side of Kilally Road, East of Highbury Avenue North, municipally known as 1522 Kilally Road Street:

- a) the Special Provisions, to be contained in a Subdivision Agreement between The Corporation of the City of London and Drewlo Holdings Inc., for the Edgevalley Subdivision (39T-05505) appended to the staff report dated January 8, 2018 as Schedule "A", BE APPROVED;
- b) the applicant BE ADVISED that Development Finance has summarized the claims and revenues appended to the staff report dated January 8, 2018 as Schedule "B",
- c) the financing for this project BE APPROVED as set out in the Source of Financing Report appended to the staff report dated January 8, 2018 as Schedule "C"; and,
- d) the Mayor and the City Clerk BE AUTHORIZED to execute this Agreement, any amending agreements and all documents required to fulfill its conditions. (2017-D12)

6. Summerside Subdivision Phase 13A (39T-92020)

That, on the recommendation of the Manager, Development Planning, the following actions be taken with respect to entering into a Subdivision Agreement between The Corporation of the City of London and Drewlo Holdings Inc., for the subdivisions of land over Part of Lots 14 and 15, Concession 1, (Geographic Township of Westminster), City of London, County of Middlesex, situated on the north side of Bradley Avenue, between Highbury Avenue South and Jackson Road:

- a) the Special Provisions, to be contained in a Subdivision Agreement between The Corporation of the City of London and Drewlo Holdings Inc., for the Summerside Subdivision – Phase 13A (39T-92020) appended to the staff report dated January 8, 2018 as Schedule "A", BE APPROVED;
- b) the applicant BE ADVISED that Development Finance has summarized the claims and revenues appended to the staff report dated January 8, 2018 as Schedule "B";
- c) the financing for this project BE APPROVED as set out in the Source of Financing Report appended to the staff report dated January 8, 2018 as Schedule "C"; and,
- d) the Mayor and the City Clerk BE AUTHORIZED to execute this Agreement, any amending agreements and all documents required to fulfill its conditions. (2017-D12)

Motion Passed

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

RECUSED: J. Morgan (1)

Motion made by Councillor S. Turner to Approve clause 12.

12. Notice of Intention to Designate - 440 Grey Street

That, on the recommendation of the London Advisory Committee on Heritage (LACH), 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 440 Grey Street to be of cultural heritage value or interest based on the revised Statement of Cultural Heritage Value or Interest appended to the 10th Report of the LACH; it being noted that the subject property is located within the 'SoHo' area, which has been identified as a potential Heritage Conservation District. (2017-R01)

Motion Passed

YEAS: M. Brown, M. van Holst, B. Armstrong, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, A. Hopkins, V. Ridley, S. Turner, J. Zaifman (12)

RECUSED: T. Park (1)

Motion made by Councillor A. Hopkins to Approve clause 13.

13. C. Mackie - Middlesex-London Health Unit

That delegation status BE GRANTED to Dr. C. Mackie, CEO and Medical Officer of Health, Middlesex-London Health Unit, at the January 22, 2018 Planning and Environment Committee with respect to the siting of supervised consumption sites and other harm reduction matters.

Motion Passed

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

RECUSED: S. Turner (1)

IX ADDED REPORTS

2nd Public Report of the Council, In Closed Session
Councillor S. Turner presents.

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

ABSENT: Councillors P. Hubert, M. Salih and H.L. Usher.

ALSO PRESENT: M. Hayward, G. Belch, L. Marshall, S. Mathers, D. Munteer, L. Rowe and J. Stanford.

Motion made by Councillor S. Turner and seconded by Councillor V. Ridley to Approve that it be noted that the Council, In Closed Session made progress with respect to a matter pertaining to litigation or potential litigation with respect to the appeals of Nortel Networks Technology Corporation and Nortel Networks Limited to the Environmental Review Tribunal from an Order of the Director, Ministry of the Environment, Order No. 3250-9J4J3G, dated July 20th, 2011; advice that is subject to solicitor-client privilege, including communications necessary for that purpose, in connection with the appeals of Nortel Networks Limited ("Nortel") and Nagata Auto Parts Canada Co., Ltd. ("Nagata") to the Environmental Review Tribunal from an Order of the Director, Ministry of the Environment, Order No. 3250-9J4J3G, dated July 20th, 2011; and for the purpose of voting for giving direction to officers, employees or agents of the municipality.

Motion Passed

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

X DEFERRED MATTERS

None.

XI ENQUIRIES

Councillor B. Armstrong enquired if the City Clerk had met the deadlines associated with the implementation of ranked ballots, particularly as it relates to the testing and certification of software, and when the Municipal Council will be advised of the costs associated with implementing the ranked ballot process. The City Clerk advised that there is no provision in the legislation for certification of the software, that staff had met the year-end deadline for

development of procedures, and that she would be reporting on progress and associated costs in February 2018.

Councillor B. Armstrong enquired about progress with respect to discussions with CN/CP regarding moving their railway tracks. The City Manager indicated that talks are continuing with a view to making progress on this matter.

Councillor J. Morgan enquired about the possibility of ensuring an appropriate protocol is in place to provide adequate notice to all Council Members of any impending funding announcements, recognizing that Council Members should be included on notification for confidential announcements, as well as those that are more public in nature. The Mayor committed to reporting back, through the appropriate Standing Committee, with a proposed protocol to allow for all Council Members to receive as much notice as possible regarding impending announcements.

Councillor M. van Holst enquired if the Mayor's State of the City Address was available online for viewing. The Mayor indicated that it was available on his Facebook page.

XII EMERGENT MOTIONS

None.

XIII BY-LAWS

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

Motion made by Councillor M. van Holst and seconded by Councillor S. Turner to Approve Introduction and First Reading of Bill Nos. 37 to 54, inclusive.

Motion Passed

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

Motion made by Councillor M. van Holst and seconded by Councillor A. Hopkins to Approve Second Reading of Bill Nos. 37 to 54, inclusive.

Motion Passed

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

Motion made by Councillor S. Turner and seconded by Councillor T. Park to Approve Third Reading and Enactment Bill Nos. 37 to 54, inclusive.

Motion Passed

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

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

Bill No. 37 By-law No. A.-7667-29	A by-law to confirm the proceedings of the Council Meeting held on the 16 th day of January, 2018. (City Clerk)
Bill No. 38 By-law No. A.-7668-30	A by-law to authorize and approve a Memorandum of Understanding between The Corporation of the City of London and each of London Hydro Inc. and Bell Canada; and to authorize the Mayor and the City Clerk to execute the Memorandum of Understanding. (5/2/CWC)
Bill No. 39 By-law No. A.-7669-31	A by-law to authorize the execution of a Letter of Agreement for the transfer of Provincial Gas Tax Revenues. (3/2/CSC)

Bill No. 40 By-law No. S.-5900-32	A by-law to repeal By-law No. S.-1927-46, being "A by-law to permit Alex Hassan Holdings Limited to maintain and use encroachment upon the road allowance for Dundas Street" (City Engineer)
Bill No. 41 By-law No. S.-5901-33	A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Walnut Street west of Cavendish Crescent) (Chief Surveyor - require dedication at the present time (due to an oversight in 1975) as public highway)
Bill No. 42 By-law No. S.-5902-34	A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Hyde Park Road north of South Carriage Road) (Chief Surveyor - require dedication at the present time (due to an oversight in 2009) as public highway)
Bill No. 43 By-law No. S.-5903-35	A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Riverside Drive east of Beaverbrook Avenue) (Chief Surveyor - pursuant to Consent B.025/15 and in accordance with Zoning By-law Z-1)
Bill No. 44 By-law No. W.-5550(b)-36	A by-law to amend By-law No. W.-5550-67, as amended, entitled, "A by-law to authorize the Western Road Widening – Platts Lane to Oxford Street (Project No. TS1489)." (C1/12/CSC-2016)
Bill No. 45 By-law No. W.-5632-37	A by-law to authorize the 2017 Bus Purchase Replacement (Project No. MU104417) (3b/8/SPPC – Budget – 2016)
Bill No. 46 By-law No. W.-5633-38	A by-law to authorize the Bus Replacements - Fast Track 7 Buses - PTIF (Project No. MU1045) (7/10/CWC-2017)
Bill No. 47 By-law No. W.-5634-39	A by-law to authorize the Byron Baseline & Wonderland Bicycle Lane & Sidewalk Improvements PTIF. (Project No. TS1768) (7/10/CWC-2017)
Bill No. 48 By-law No. W.-5635-40	A by-law to authorize the Construct New Downtown Cycle Tracks - PTIF. (Project No. TS1765-17) (7/10/CWC-2017)
Bill No. 49 By-law No. W.-5636-41	A by-law to authorize the Greenway Expansion and Upgrade. (Project No. ES2685-15) (3/11/CWC-2015)
Bill No. 50 By-law No. Z.-1-182636	A by-law to amend By-law No. Z.-1 to remove the holding provision from the zoning of lands located at 1733 Hamilton Road and 2046 Commissioners Road East. (3/2/PEC)
Bill No. 51 By-law No. Z.-1-182637	A by-law to amend By-law No. Z.-1 to remove the holding provision from the zoning of lands located at 1691 Hamilton Road. (4/2/PEC)
Bill No. 52 By-law No. Z.-1-182638	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 7 Annadale Drive. (7/2/PEC)
Bill No. 53 By-law No. Z.-1-182639	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 1843 Frederick Crescent. (9/2/PEC)
Bill No. 54 By-law No. Z.-1-182640	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 653 Talbot Street. (10/2/PEC)

Motion made by Councillor S. Turner and seconded by Councillor J. Zaifman to Approve that the Municipal Council recess.

The Municipal Council recesses at 5:01 PM and reconvenes at 6:14 PM with Mayor M. Brown in the Chair and all Members present except Councillors B. Armstrong, T. Park, M. Salih and H.L. Usher.

II RECOGNITIONS

1. His Worship the Mayor recognizes the following citizens who were named to the Mayor's New Year's Honour List in the categories indicated:

Karen Schuessler (The Arts)
Dharshi Lacey (Diversity and Race Relations)
George Sinclair (The Environment)
Susan Bentley (Heritage)
Sister Delores Brisson (Housing)
Lina Bowden (Humanitarianism)
Todd Sargeant and Sigmund Bernat (Persons with a Disability)
Émilie Crakondji (Safety and Crime Prevention)
Tom Partalas (Sports)

XIV ADJOURNMENT

Motion made by Councillor M. Cassidy and seconded by Councillor J. Helmer to Approve that the meeting adjourn.

The meeting adjourns at 6:25 PM.

Matt Brown, Mayor

Catharine Saunders, City Clerk