



Council Agenda Including Addeds

The 12th Meeting of City Council

June 16, 2020, 4:00 PM

Virtual Meeting - during the COVID-19 Emergency

City Hall is open to the public, with reduced capacity and physical distancing requirements.

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Pages

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

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

A matter pertaining to the proposed or pending disposition of land by the municipality, including communications necessary for that purpose; advice that is subject to solicitor-client privilege; commercial and financial information, that belongs to the municipality and has monetary value or potential monetary value and a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality. (6.1/10/CSC)

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

A matter pertaining to the proposed or pending disposition of land by the municipality, including communications necessary for that purpose; advice that is subject to solicitor-client privilege; commercial and financial information, that belongs to the municipality and has monetary value or potential monetary value and a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality. (6.2/10/CSC)

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

A matter pertaining to the proposed or pending disposition of land by the municipality, including communications necessary for that purpose; advice that is subject to solicitor-client privilege; commercial and financial information, that belongs to the municipality and has monetary value or

potential monetary value and a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality. (6.3/10/CSC)

4.4 Litigation/Potential Litigation / Solicitor-Client Privileged Advice

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6. (4.2) Resignation from the Argyle Business Improvement Association
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8. (4.4) Resignation from the Lower Thames Valley Conservation Authority
9. (5.1) Anti-Black, Anti-Indigenous, People of Colour Racism
10. (5.2) London Boards - Black Lives Matter Rally

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- 9.1 10th Report of Council in Closed Session

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

- 13.1 Bill No. 192 By-law No. A.- _____ - ____ 59
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- 13.2 Bill No. 193 By-law No. A.- _____ - ____ 60
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- 13.3 Bill No. 194 By-law No. A.- _____ - ____ 63
 A by-law to ratify and confirm the Annual Resolutions of the Shareholder of the Housing Development Corporation, London. (3.1/11/SPPC)
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	A by-law to expropriate lands in the City of London, in the County of Middlesex, for the the Adelaide Street CP Rail Grade Separation Project, between Central Avenue and McMahan Street. (City Engineer)	
13.7	Bill No. 198 By-law No. S.- _____ - ____	74
	A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Dundas Street, west of Highbury Avenue North) (Chief Surveyor – pursuant to Site Plan SPA19-075 and in accordance with Zoning By-law Z-1)	
13.8	Bill No. 199 By-law No. S.- _____ - ____	76
	A by-law to permit Khalid Hussain and Batsha Hussain to maintain and use a boulevard parking area upon the road allowance for 245 William Street, City of London. (City Clerk)	

14. Adjournment



Council Minutes

The 11th Meeting of City Council
June 2, 2020, 4:00 PM

Present: Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelozo, A. Kayabaga, S. Hillier

Also Present: C. Saunders, M. Schulthess, J. Taylor and B. Westlake-Power.

Remote Staff Attendance: L. Livingstone, A. Barbon, G. Barrett, B. Card, K. Dickins, G. Kotsifas, K. Scherr, E. Skalski, C. Smith, S. Stafford

The meeting is called to order at 4:00 PM; it being noted that the following Members were in remote attendance: Councillors M. van Holst, M. Salih, J. Helmer, M. Cassidy, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelozo, A. Kayabaga and S. Hillier.

1. Disclosures of Pecuniary Interest

Mayor E. Holder discloses a pecuniary interest with respect to Item 7 (clause 5.1) of the 7th Report of the Civic Works Committee, having to do with the property located at 745 Waterloo Street as included in the Deferred Matters List, by indicating that his spouse and daughter operate a business at this location.

Councillor S. Turner discloses a pecuniary interest with respect to Item 3 (Clause 4.1) of the 6th Report of the Community and Protective Services Committee, having to do with a Food Security Pilot by indicating that his employer, Middlesex London Health Unit, was asked to provide input to the Urban Agriculture Strategy of which backyard chickens were an item of discussion; and further discloses a pecuniary interest with respect to Item 5 (Clause 4.3) of the 6th Report of the Community and Protective Services Committee, having to do with Middlesex London Health Unit Asset Disposal, by indicating that the matter discusses financial management policies of his employer.

At 4:02 PM, Councillor M. Salih enters the meeting.

2. Recognitions

None.

3. Review of Confidential Matters to be Considered in Public

None.

4. Council, In Closed Session

None.

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

Motion made by: S. Lewis

Seconded by: P. Van Meerbergen

That the Minutes of the 10th Meeting held on May 19, 2020, BE APPROVED.

Yeas: (14): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelozo, and S. Hillier

Absent: (1): A. Kayabaga

Motion Passed (14 to 0)

6. Communications and Petitions

None.

7. Motions of Which Notice is Given

None.

At 4:08 PM, Councillor A. Kayabaga enters the meeting.

8. Reports

8.1 7th Report of the Civic Works Committee

Motion made by: S. Lehman

That the 7th Report of the Civic Works Committee, BE APPROVED, excluding Item 7 (clause 5.1).

Yeas: (15): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelozza, A. Kayabaga, and S. Hillier

Motion Passed (15 to 0)

1. Disclosures of Pecuniary Interest

Motion made by: S. Lehman

Mayor E. Holder discloses a pecuniary interest with respect to agenda Item 5.1 - deferred matter #5 - having to do with the property located at 745 Waterloo Street, by indicating that his spouse and daughter operate a business at this location.

Motion Passed

2. (2.1) Adelaide Wastewater Treatment Plant Upgrades Consultant Award

Motion made by: S. Lehman

That, on the recommendation of the Managing Director of Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the assignment of consulting services for the design of the Adelaide Wastewater Treatment Plant upgrade works:

a) Cole Engineering Group Ltd. BE APPOINTED Consulting Engineers in the amount of \$358,955.19, including 10% contingency (excluding HST), based upon the Fee Guideline for Professional Engineering Services, recommended by the Ontario Society of Professional Engineers; and in accordance with Sections 12.2 (b) and 15.2 (d) of the City of London's Procurement of Goods and Services Policy;

b) the financing for the project BE APPROVED in accordance with the "Sources of Financing Report", as appended to the staff report dated May 26, 2020;

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. (2020-E01)

Motion Passed

3. (2.2) New Pedestrian Crossovers (Relates to Bill No. 187)

Motion made by: S. Lehman

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the proposed by-law, as appended to the staff report dated May 26, 2020, for the purpose of amending the Traffic and Parking By-law (PS-113) as it relates to the new pedestrian crossovers to be installed in 2020, BE INTRODUCED at the Municipal Council meeting to be held on June 2, 2020. (2020-T04)

Motion Passed

4. (2.3) Contract Award: Tender 20-74 - Contract Award W12A Landfill Site Cell 10 Base and Leachate Collection System Construction

Motion made by: S. Lehman

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 contract for the W12A Landfill Site Cell 10 Base and Leachate Collection System Construction:

- a) the bid submitted by Ron Murphy Contracting Co. Ltd (Ron Murphy), at its tendered price of \$4,476,790 (excluding HST), BE ACCEPTED; it being noted that the bid submitted by Ron Murphy was the lowest of five (5) bids received;
- b) the financing for this project BE APPROVED as set out in the Sources of Financing Report, as appended to the staff report dated May 26, 2020;
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project;
- d) the approval given, herein, BE CONDITIONAL upon the Corporation entering into a formal contract, or issuing a purchase order for the material to be supplied and the work to be done relating to this project (Tender 20-74); 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. (2020-E07)

Motion Passed

5. (2.4) Response to the Association of Municipalities of Ontario (AMO) Regarding Transition of Recycling

Motion made by: S. Lehman

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to a request by the Association of Municipalities of Ontario (AMO) for details on recycling transition:

a) the Mayor BE AUTHORIZED to advise the Ontario Ministry of the Environment, Conservation and Parks (MECP) and the Association of Municipalities of Ontario (AMO) that the Corporation of the City of London would like to:

- i) transition the collection of recyclables to full producer responsibility on January 1, 2023; and,
- ii) examine opportunities of working with producers (industry) during the transition period (e.g., fee for services basis for recycling such as administration, education and awareness, contract management, monitoring and compliance);

it being noted that the Mayor has previously been authorized to advise MECP and AMO that the transition of processing and marketing of recyclables to full producer responsibility could occur on January 1, 2023; and,

b) the Civic Administration BE DIRECTED to undertake the following actions as part of the transition process:

- i) continue to take an active role in the development of the regulatory environment and implementation plans of the transition process through the Municipal 3Rs Collaborative (M3RCs) which is comprised of the AMO, Regional Public Works Commissioners of Ontario, Municipal Waste Association and the City of Toronto;
- ii) ensure that producers (industry) are aware that an existing competitively awarded contract to collect recyclables is currently in place in London, and that opportunities to use the existing contractor (Miller Waste Systems) with mutually agreeable transition contract terms should be considered from January 1, 2023 to December 21, 2025, it being noted that this would further benefit London taxpayers as early contract termination fees could be reduced;
- iii) ensure that the producers' plan to transition residents, Municipal Elected Officials and City staff to the new system is accountable and transparent and also includes separate contingency plans developed by the City; and,
- iv) ensure that producers are aware that opportunities to increase waste diversion, maximize resource recovery and optimize recycling system operations can be examined through the London Waste to Resources Innovation Centre and its business and academic collaborators for the benefit of all in Ontario and elsewhere. (2020-E07)

Motion Passed

- 6. (2.5) Lease Agreement with SunSaver 4 Limited for New Public Electric Vehicle (EV) Charging Stations (Relates to Bill No. 184)

Motion made by: S. Lehman

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the proposed by-law, as appended to the staff report dated May 26, 2020, being "A by-law to approve a Lease Agreement between The Corporation of the City of London and SunSaver 4 Limited" BE INTRODUCED at the Municipal Council meeting to be held on June 2, 2020, to:

- a) approve the Lease Agreement with SunSaver 4 Ltd., for the purpose of leasing parking spots on property owned by The Corporation of the City of London for use as publicly-accessible electric vehicle charging stations; and,
- b) authorize the Mayor and the City Clerk to execute the above-noted Agreement. (2020-L04A/E19)

Motion Passed

7. (5.1) Deferred Matters List

Motion made by: S. Lehman

That the Deferred Matters List, as at May 15, 2020, BE RECEIVED.

Yeas: (14): M. van Holst, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelozza, A. Kayabaga, and S. Hillier
Recuse: (1): Mayor E. Holder

Motion Passed (14 to 0)

8.2 8th Report of the Planning and Environment Committee

Motion made by: M. Cassidy

That the 8th Report of the Planning and Environment Committee, BE APPROVED, excluding Item 3 (clause 2.2).

Yeas: (15): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelozza, A. Kayabaga, and S. Hillier

Motion Passed (15 to 0)

1. Disclosures of Pecuniary Interest

Motion made by: M. Cassidy

That it BE NOTED that no pecuniary interests were disclosed.

Motion Passed

2. (2.1) Application - 1510 Fanshawe Park Road East (H-9187)
(Relates to Bill No. 188)

Motion made by: M. Cassidy

That, on the recommendation of the Director, Development Services, based on the application by Peter Hamstra, relating to the property located at 1510 Fanshawe Park Road East, the proposed by-law appended to the staff report dated May 25, 2020 BE INTRODUCED at the Municipal Council meeting to be held on June 2, 2020 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a Holding Community Facility (h*CF1/CF3) Zone TO a Community Facility (CF1/CF3) Zone to remove the “h” holding provision.

Motion Passed

4. (2.3) Application - 184 Exeter Road - Removal of Holding Provisions (H-9168) (Relates to Bill No. 189)

Motion made by: M. Cassidy

That, on the recommendation of the Director, Development Services, based on the application by Southbridge Health Care G.P. Inc., relating to the property located at 184 Exeter Road, the proposed by-law appended to the staff report dated May 25, 2020 BE INTRODUCED at the Municipal Council meeting to be held on June 2, 2020 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning for a portion of 184 Exeter Road FROM a Holding Residential R5 Special Provision/R6 Special Provision/Residential R7 Special Provision (h*h-100*h-198*R5-4(22)/R6-5(50)/R7(21).D45.H17) Zone TO a Holding Residential R5 Special Provision/R6 Special Provision/Residential R7 Special Provision (h-100.R5-4(22)/R6-5(50)/R7(21).D45.H17) Zone to remove the “h” and “h-198” holding provisions.

Motion Passed

5. (2.4) Application - Exemption from Part-Lot Control - 2673 Asima Drive and 3313 Strawberry Walk (P-9191) (Relates to Bill No. 186)

Motion made by: M. Cassidy

That, on the recommendation of the Director, Development Services, based on the application by Rockwood Homes, the proposed by-law appended to the staff report dated May 25, 2020 BE INTRODUCED at the Municipal Council meeting on June 2, 2020 to exempt Blocks 50 and 51, Plan 33M-699 from the Part-Lot Control provisions of Subsection 50(7) of the Planning Act, for a period not exceeding three (3) years.

Motion Passed

6. (2.5) Application 1258 and 1388 Sunningdale Road West - Removal of Holding Provisions (H-9169) (Relates to Bill No. 190)

Motion made by: M. Cassidy

That, on the recommendation of the Director, Development Services, based on the application by Foxhollow North Kent Developments Inc., relating to the properties located at 1258 and 1388 Sunningdale Road West, the proposed by-law appended to the staff report dated May 25, 2020 BE INTRODUCED at the

Municipal Council meeting to be held on June 2, 2020 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*h-100*R1-3) Zone TO Residential R1 (R1-3) Zone to remove the “h” and h-100” holding provisions.

Motion Passed

7. (2.7) Application - 3425 Emily Carr Lane (H-9149) (Relates to Bill No. 191)

Motion made by: M. Cassidy

That, on the recommendation of the Director, Development Services, based on the application by 2557727 Ontario Inc., relating to the property located at 3425 Emily Carr Lane, the proposed by-law appended to the staff report dated May 25, 2020 BE INTRODUCED at the Municipal Council meeting to be held on June 2, 2020 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a Holding Residential R1 Special Provision (h-94*R1-3(7)) Zone TO a Residential R1 Special Provision (R1-3(7)) Zone to remove the “h-94” holding provision.

Motion Passed

8. (2.8) Building Division Monthly Report for March 2020

Motion made by: M. Cassidy

That the Building Division Monthly Report for the month of March, 2020 BE RECEIVED for information.

Motion Passed

9. (2.6) Application - 130, 136, 146 and 164 Pond Mills Road - Pond Mills Subdivision Special Provisions 39T-12501

Motion made by: M. Cassidy

That, on the recommendation of the Director, Development Services, 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 subdivision of land over Lot 1, Lot 7 and Lot 8 Registered Plan No. 284(C) and Part of Lot 17 and Lot 18 Broken Front Concession B (Geographic Township of Westminster) and Part of Block 73 Plan 33M-269 in the City of London, County of Middlesex; situated on the east of Pond Mills Road, south of the Thames River, and west of Shelborne Place, municipally known as 130, 136, 146 and 164 Pond Mills 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 Pond Mills Subdivision (39T-12501) appended to the staff report dated May 25, 2020 as Appendix “A”, BE APPROVED;

b) the Applicant BE ADVISED that Development Finance has summarized the claims and revenues appended to the staff report dated May 25, 2020 as Appendix “B”;

- c) the financing for this project BE APPROVED as set out in the Source of Financing Report appended to the staff report dated May 25, 2020 as Appendix “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.

Motion Passed

10. (5.1) Deferred Matters List

Motion made by: M. Cassidy

That, the following actions be taken with respect to the Deferred Matters List:

- a) Item 4 BE AMENDED to read Q4 2020;
- b) the Civic Administration BE REQUESTED to update the Expected Reply Dates and to report back at a future Planning and Environment Committee meeting; and,
- c) the Managing Director, Development and Compliance Services & Chief Building Official and the Managing Director, Planning and City Planner, BE DIRECTED to update the Deferred Matters List to remove any items that have been addressed by the Civic Administration.

Motion Passed

3. (2.2) Exception to Delegated Authority for Consent (Relates to Bill No. 185)

Motion made by: M. Cassidy

That on the recommendation of the Director, Development Services, the proposed by-law appended to the staff report dated May 25, 2020 BE INTRODUCED at the Municipal Council meeting to be held on June 2, 2020 to amend By-law CP-23 entitled the “Committee of Adjustment and Consent Authority By-law” to delegate the Consent Authority under section 53 of the Planning Act, 1990 to the Director, Development Services during the declared emergency under section 4 or 7.0.1 of the Emergency Management and Civil Protection Act, 1990 until December 1, 2020.

Amendment:

Motion made by: M. Cassidy

Seconded by: S. Hillier

That clause 2.2 BE AMENDED to read as follows:

That on the recommendation of the Director, Development Services, the proposed attached revised by-law BE INTRODUCED at the Municipal Council meeting to be held on June 2, 2020 to amend By-law CP-23, entitled “A by-law to provide for the Committee of Adjustment and Consent Authority” to delegate the Consent Authority under section 53 of the *Planning Act, 1990* to the Director, Development Services during the declared emergency

under section 4 or 7.0.1 of the *Emergency Management and Civil Protection Act, 1990*, until December 1, 2020.

Yeas: (15): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelosa, A. Kayabaga, and S. Hillier

Motion Passed (15 to 0)

Motion made by: M. Cassidy
Seconded by: S. Lewis

That clause 2.2, as amended, BE APPROVED.

Yeas: (15): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelosa, A. Kayabaga, and S. Hillier

Motion Passed (15 to 0)

8.3 6th Report of the Community and Protective Services Committee

Motion made by: S. Lewis

That the 6th Report of the Community and Protective Services Committee, BE APPROVED, excluding Items 3 (clause 4.1), 4 (clause 4.2), and 5 (clause 4.3).

Yeas: (15): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelosa, A. Kayabaga, and S. Hillier

Motion Passed (15 to 0)

1. Disclosures of Pecuniary Interest

Motion made by: S. Lewis

That it BE NOTED that no pecuniary interests were disclosed.

Motion Passed

2. (2.1) Continuation of Federal Community Action Program for Children (CAPC) Funding in London: 2020-2024

Motion made by: S. Lewis

That, on the recommendation of the Managing Director, Neighbourhood, Children and Fire Services, the staff report dated May 26, 2020, with respect to the continuation of the Federal Community Action Program for Children (CAPC) funding in London for 2020 to 2024, BE RECEIVED. (2020-S07)

Motion Passed

6. (5.1) Deferred Matters List

Motion made by: S. Lewis

That the Deferred Matters List for the Community and Protective Services Committee, as at May 15, 2020, BE RECEIVED.

Motion Passed

3. (4.1) Food Security Pilot - Backyard Chickens

At 4:23 PM, His Worship the Mayor leaves the Chair and takes a seat at the Council Board, placing Councillor P. Squire in the Chair.

At 4:24 PM, His Worship the Mayor resumes the Chair and Councillor P. Squire takes his seat at the Council Board.

Motion made by: S. Lewis

That NO ACTION BE TAKEN with respect to the communication dated April 21, 2020, from S. Eden, with respect to a pilot program to allow citizens to raise chickens in order to secure a supply of eggs and hens for their own consumption. (2020-P14)

Yeas: (11): Mayor E. Holder, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, P. Van Meerbergen, E. Pelosa, and S. Hillier

Nays: (3): M. van Holst, A. Hopkins, and A. Kayabaga

Recuse: (1): S. Turner

Motion Passed (11 to 3)

4. (4.2) Holy Roller Tank Memorial - Councillor S. Lewis

At 4:30 PM, His Worship the Mayor leaves the Chair and takes a seat at the Council Board, placing Councillor P. Squire in the Chair.

At 4:32 PM, His Worship the Mayor resumes the Chair and Councillor P. Squire takes his seat at the Council Board.

Motion made by: S. Lewis

That the following actions be taken with respect to the communication dated May 8, 2020 from Lt. Col. A. Finney, 1st Hussars and the communication from Councillor S. Lewis, appended to the agenda, with respect to the restoration of the Holy Roller tank memorial in Victoria Park:

a) the concurrence of Municipal Council BE COMMUNICATED to the Commanding Officer of the 1st Hussars to permit a major preservation of the Holy Roller memorial;

b) the Civic Administration BE AUTHORIZED to investigate all necessary steps to work with the 1st Hussars Calvary Fund to allow private donations to be received for the cost of this project;

c) the Civic Administration BE REQUESTED to report back at a future meeting of the Community and Protective Services Committee with a recommendation for other partnership measures that could be undertaken by the City of London, itself, toward this restoration effort in recognition of the historical significance of this municipally owned asset; and,

d) the above-noted communications, with respect to this matter, BE RECEIVED (2020-R01)

Motion made by: S. Lewis

Motion to approve parts a), c) and d):

That the following actions be taken with respect to the communication dated May 8, 2020 from Lt. Col. A. Finney, 1st Hussars and the communication from Councillor S. Lewis, appended to the agenda, with respect to the restoration of the Holy Roller tank memorial in Victoria Park:

- a) the concurrence of Municipal Council BE COMMUNICATED to the Commanding Officer of the 1st Hussars to permit a major preservation of the Holy Roller memorial;
- c) the Civic Administration BE REQUESTED to report back at a future meeting of the Community and Protective Services Committee with a recommendation for other partnership measures that could be undertaken by the City of London, itself, toward this restoration effort in recognition of the historical significance of this municipally owned asset; and,
- d) the above-noted communications, with respect to this matter, BE RECEIVED (2020-R01)

Yeas: (15): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelozza, A. Kayabaga, and S. Hillier

Motion Passed (15 to 0)

Motion made by: S. Lewis

Motion to approve part b):

- b) the Civic Administration BE AUTHORIZED to investigate all necessary steps to work with the 1st Hussars Calvary Fund to allow private donations to be received for the cost of this project;

Yeas: (1): J. Helmer

Nays: (14): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelozza, A. Kayabaga, and S. Hillier

Motion Failed (1 to 14)

The motion as enacted reads as follows:

That the following actions be taken with respect to the communication dated May 8, 2020 from Lt. Col. A. Finney, 1st Hussars and the communication from Councillor S. Lewis, appended to the agenda, with respect to the restoration of the Holy Roller tank memorial in Victoria Park:

- a) the concurrence of Municipal Council BE COMMUNICATED to the Commanding Officer of the 1st Hussars to permit a major preservation of the Holy Roller memorial;
- b) the Civic Administration BE REQUESTED to report back at a future meeting of the Community and Protective Services Committee with a recommendation for other partnership measures that could be undertaken by the City of London, itself, toward this restoration effort in recognition of the historical significance of this municipally owned asset; and,
- c) the above-noted communications, with respect to this matter, BE RECEIVED (2020-R01)

5. (4.3) Middlesex London Health Unit Asset Disposal - Councillor S. Lewis

Motion made by: S. Lewis

That the communication dated May 12, 2020, from Councillor S. Lewis, with respect to the disposal of Middlesex London Health Unit assets BE NOTED AND FILED. (2020-S08)

Yeas: (14): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, E. Peloza, A. Kayabaga, and S. Hillier

Recuse: (1): S. Turner

Motion Passed (14 to 0)

- 8.4 9th Report of the Corporate Services Committee

Motion made by: A. Kayabaga

That the 9th Report of the Corporate Services Committee, BE APPROVED, excluding Item 7 (clause 4.1).

Yeas: (15): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Peloza, A. Kayabaga, and S. Hillier

Motion Passed (15 to 0)

1. Disclosures of Pecuniary Interest

Motion made by: A. Kayabaga

That it BE NOTED that no pecuniary interests were disclosed.

Motion Passed

2. (2.1) SS20-07 Single Source Corporate Technology Assets (Relates to Bill No. 183)

Motion made by: A. Kayabaga

That, on the recommendation of the Director, Information Technology Services the following actions be taken, with respect to Corporate Technology Assets:

a) the extension of the existing Single Source contract, the Vendor of Record (VOR OSS-00466131), Province of Ontario Agreement (Schedule A appended to the staff report dated May 25, 2020) for an eighteen (18) month term for Desktop Management Products and Services from CompuCom Canada Co., 1830 Matheson Boulevard, Unit, Mississauga, ON, Canada L4W 0B3, BE APPROVED;

b) the proposed by-law appended to the staff report dated May 25, 2020 as Appendix A BE INTRODUCED at the Municipal Council meeting to be held on Tuesday, June 2, 2020 to:

i) approve the Amending Agreement between CompuCom Canada Co. (the "Supplier") and The Corporation of the City of London (the "Buyer") for the "Publicly Funded Organization Agreement" for Desktop Management Services and Products

(DMSP-03), forming a part of the by-law and attached as Schedule A to the staff report dated May 25, 2020; and

- ii) authorize the Mayor and City Clerk to execute the Agreement;
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this matter;
- d) the approval hereby given BE CONDITIONAL upon the Corporation negotiating the maintaining of satisfactory prices, terms and conditions with CompuCom Canada Co. to the satisfaction of the Director, Information Technology Services; and
- e) the approval hereby given BE CONDITIONAL upon the Corporation entering into a formal contract, agreement or having a purchase order relating to the subject matter of this approval.

Motion Passed

3. (2.2) Amendments to Property Tax By-laws for 2020 Final Tax Billing (Relates to Bill No.'s 181 and 182)

Motion made by: A. Kayabaga

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer the following actions be taken with respect to amendments to property tax by-laws for the 2020 Final Tax Billing:

- a) the proposed by-law appended to the staff report dated May 25, 2020 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on June 2, 2020 to amend By-Law No. A-8, as amended, being "The Property Tax Collection By-Law" to provide for the tax installment dates for 2020; and
- b) the proposed by-law appended to the staff report dated May 25, 2020 as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on June 2, 2020 to amend By-Law A.-5505-497, as amended, being "A by-law to authorize the implementation of a pre-authorized tax payment plan for The Corporation of the City of London" to provide for pre-authorized tax payment plan dates for the year 2020.

Motion Passed

4. (2.3) Procurement in Emergencies - COVID-19

Motion made by: A. Kayabaga

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, as per section 14.2 of the Procurement of Goods and Services Policy, a report of Emergency non-competitive individual purchases which exceed \$50,000 (pre-taxes), that the City has made up to the date of May 5, 2020 due to COVID-19, BE RECEIVED for information.

Motion Passed

5. (2.4) Cancellation - June 18, 2020 - 25-Year Club Annual Reunion

Motion made by: A. Kayabaga

That, on the recommendation of the City Manager, the staff report dated May 25, 2020 entitled "Cancellation – June 18, 2020 25-Year Club Annual Reunion", BE RECEIVED for information.

Motion Passed

6. (3.1) 2020 Debenture Issuance Report #2 (Relates to Bill No. 180)

Motion made by: A. Kayabaga

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the following actions be taken:

a) the issuance of serial debentures for a total of \$36,000,000 BE APPROVED, noting the average all-in rate is 1.673% over a 10-year term; and

b) the proposed by-law appended to the staff report dated May 25, 2020 as Appendix A BE INTRODUCED at the Municipal Council meeting to be held on June 2, 2020, to authorize the borrowing upon serial debentures in the aggregate principal amount of \$36,000,000 towards the cost of certain capital works of The Corporation of the City of London; it being noted that the Corporate Services Committee received a verbal presentation from D. Berner, National Bank of Canada, with respect to this matter.

Motion Passed

7. (4.1) New Commercial Property Tax Rate Out of Sync with Current Economic Reality - G. Macartney, CEO, London Chamber of Commerce

At 4:48 PM, His Worship the Mayor leaves the Chair and takes a seat at the Council Board, placing Councillor P. Squire in the Chair.

At 4:49 PM, His Worship the Mayor resumes the Chair and Councillor P. Squire takes his seat at the Council Board.

Motion made by: A. Kayabaga

That the following actions be taken with respect to the communication dated May 7, 2020 from G. Macartney, CEO, London Chamber of Commerce regarding the City of London commercial property tax rate:

a) the above-noted communication BE RECEIVED; and,

b) the Mayor BE DIRECTED to provide information to the London Chamber of Commerce, including past actions taken, to clarify the issues raised in the above-noted communication.

Motion made by: A. Kayabaga

Motion to approve part a):

That the following actions be taken with respect to the communication dated May 7, 2020 from G. Macartney, CEO, London Chamber of Commerce regarding the City of London commercial property tax rate:

a) the above-noted communication BE RECEIVED; and,

Yeas: (15): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelozza, A. Kayabaga, and S. Hillier

Motion Passed (15 to 0)

Motion made by: A. Kayabaga

Motion to approve part b):

b) the Mayor BE DIRECTED to provide information to the London Chamber of Commerce, including past actions taken, to clarify the issues raised in the above-noted communication.

Yeas: (10): Mayor E. Holder, M. van Holst, M. Salih, J. Helmer, M. Cassidy, J. Morgan, A. Hopkins, S. Turner, E. Pelozza, and A. Kayabaga

Nays: (5): S. Lewis, P. Squire, S. Lehman, P. Van Meerbergen, and S. Hillier

Motion Passed (10 to 5)

9. Added Reports

None.

10. Deferred Matters

None.

11. Enquiries

None.

12. Emergent Motions

None.

13. By-laws

Motion made by: J. Helmer

Seconded by: A. Hopkins

That Introduction and First Reading of Bill No.'s 179 to 191, including the revised Bill No. 185, BE APPROVED.

Yeas: (15): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelozza, A. Kayabaga, and S. Hillier

Motion Passed (15 to 0)

Motion made by: P. Van Meerbergen

Seconded by: E. Pelozza

That Second Reading of Bill No.'s 179 to 191, including the revised Bill No. 185, BE APPROVED.

Yeas: (15): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelosa, A. Kayabaga, and S. Hillier

Motion Passed (15 to 0)

Motion made by: S. Lehman

Seconded by: M. van Holst

That Third Reading and Enactment of Bill No.'s 179 to 191, including the revised Bill No. 185, BE APPROVED.

Yeas: (15): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelosa, A. Kayabaga, and S. Hillier

Motion Passed (15 to 0)

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

Bill	By-law
Bill No. 179	By-law No. A.-7983-134 – A by-law to confirm the proceedings of the Council Meeting held on the 2nd day of June, 2020. (City Clerk)
Bill No. 180	By-law No. D.-776-135 – A by-law to authorize the borrowing upon instalment debentures in the aggregate principal amount of \$36,000,000.00 towards the cost of certain capital works of The Corporation of the City of London. (3.1/9/CSC)
Bill No. 181	By-law No. A-8-20028 – A by-law to amend By-law No. A-8, as amended, being “The Property Tax Collection By-law to provide for tax installment dates for 2020. (2.2a/9/CSC)
Bill No. 182	By-law No. A.-5505(t)-136 – A by-law to amend By-law No. A.-5505-497, as amended being “A by-law to authorize the implementation of a pre-authorized tax payment plan for The Corporation of the City of London” to provide for pre-authorized tax payment plan dates for the year 2020”. (2.2b/9/CSC)
Bill No. 183	By-law No. A.-7984-137 – A by-law to approve the Amending Agreement to the “Publicly Funded Organization Agreement” between The Corporation of the City of London and CompuCom Canada Co; and to authorize the Mayor and City Clerk to execute the Amending Agreement. (2.1b/9/CSC)
Bill No. 184	By-law No. A.-7985-138 – A by-law to approve the Lease Agreement with SunSaver 4 Ltd. for the purpose of leasing parking spots on property owned by The Corporation of the City of London for use as publicly-accessible electric vehicle charging stations; and to authorize the Mayor and City Clerk to act on behalf the City of London and execute the Agreement. (2.5b/7/CWC)
Bill No. 185 REVISED	By-law No. CP-23-20001 – A by-law to amend By-law No. CP-23 entitled “Committee of Adjustment and Consent Authority By-law”. (2.2b/8/PEC)
Bill No. 186	By-law No. C.P.-1548-139 – A by-law to exempt from Part-Lot Control, lands located at 3313 Strawberry Walk and 2673 Asima Drive, legally described as Blocks 50 and 51, Plan 33M-699. (2.4/8/PEC)
Bill No. 187	By-law No. PS-113-20052 – A by-law to amend By-law PS-113 entitled, “A by-law to regulate traffic and the parking of motor vehicles in the City of London.” (2.2/7/CWC)
Bill No. 188	By-law No. Z.-1-202845 – A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at 1510 Fanshawe Park Road East. (2.1/8/PEC)

Bill No. 189	By-law No. Z.-1-202846 – A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning from lands located at 184 Exeter Road. (2.3/8/PEC)
Bill No. 190	By-law No. Z.-1-202847 – A by-law to amend By-law No. Z.-1 to remove holding provision from the zoning for lands located at 1258 and 1388 Sunningdale Road West. (2.5/8/PEC)
Bill No. 191	By-law No. Z.-1-202848 – A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at 3425 Emily Carr Lane (2.7/8/PEC)

14. Adjournment

Motion made by: S. Hillier

Seconded by: P. Van Meerbergen

That the meeting BE ADJOURNED.

Motion Passed

The meeting was adjourned at 5:00 PM.

Ed Holder, Mayor

Catharine Saunders, City Clerk

REVISED

Bill No.
2020

By-law No. CP-23_____

A by-law to amend By-law No. CP-23 entitled “A by-law to provide for the Committee of Adjustment and Consent Authority’ to delegate the Consent Authority under section 53 of the *Planning Act, 1990* to the Director, Development Services during the declared emergency under section 4 or 7.0.1 of the *Emergency Management and Civic Protection Act, 1990*, until December 1, 2020..

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

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

AND WHEREAS section 44 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, provides for a municipality to constitute and appoint a committee of adjustment;

AND WHEREAS section 45 of the *Planning Act*, as amended, sets out the powers of a committee of adjustment with respect to minor variance applications;

AND WHEREAS section 5 of the *Planning Act*, as amended, permits municipal council by by-law to delegate the authority of the Council under section 53 of the *Planning Act* to a committee of council or to an appointed officer identified in the by-law by name or position occupied;

AND WHEREAS subsection 54(5) of the *Planning Act*, as amended, provides that Municipal Council may by by-law delegate the authority of the council under section 53 of the Act or any part of that authority to an appointed officer identified in the by-law by name or position occupied or to the committee of adjustment;

AND WHEREAS on March 17, 2020 a Declaration of Emergency was made by the Province of Ontario pursuant to section 7.0.1 of the *Emergency Management and Civil Protections Act*, R.S.O., 1990, Chapter E.9 related to the Novel Coronavirus (COVID-19);

AND WHEREAS The Corporation of the City of London it is deemed appropriate to pass this by-law;

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

1. Section 2.2, Exception, London Consent Authority, of By-law No. CP-23 is amended by deleting the section in its entirety and by replacing it with the following new section 2.2:

2.2 Exception, London Consent Authority

- a) Notwithstanding the delegation described in 2.1 of this by-law, The Corporation of the City of London hereby delegates the following specific consent powers, when not in conjunction with lot creation or variance to zoning regulation, to the Director, Development Services, acting as the “London Consent Authority:
 - i) Lot additions/adjustments
 - ii) mortgages (over a part of a property)
 - iii) leases (over a part of a property when the term totals 21 years or more)

- iv) Rights-of-ways (easements)
 - v) Power of Sale
 - vi) Validation of Title.
- b) Notwithstanding the delegation described in 2.1 of this By-law, The Corporation of the City of London hereby delegates the authority with respect to the granting of consents provided for under section 53 of the *Planning Act*, 1990, c.P. 13, as amended, to the Director, Development Services, acting as the “London Consent Authority” during the Province of Ontario Declaration of Emergency declared pursuant to section 7.0.1 of the *Emergency Management and Civil Protections Act*, R.S.O., 1990, Chapter E.9 related to the Novel Coronavirus (COVID-19), and until December 1, 2020.
- c) The powers delegated to the Committee of Adjustment under 2.1 of this By-law shall be suspended for the period of the time described in 2.2 b) of this by-law. Notwithstanding this section, the Committee of Adjustment may continue to exercise powers delegated under section 1.3 of this By-law.
2. This by-law comes into force and effect on the day that is passed.

PASSED in Open Council on June 2, 2020.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First reading – June 2, 2020
Second reading – June 2, 2020
Third reading – June 2, 2020

	<p>THE COUNCIL OF THE CORPORATION OF THE CITY OF LONDON</p> <p>AS THE APPROVING AUTHORITY UNDER THE <i>EXPROPRIATIONS ACT</i></p> <p>MEETING ON JUNE 16, 2020</p>
FROM:	<p>KELLY SCHERR MANAGING DIRECTOR ENVIRONMENTAL AND ENGINEERING SERVICES AND CITY ENGINEER</p>
SUBJECT:	<p>EXPROPRIATION OF LANDS ADELAIDE STREET CP RAIL GRADE SEPARATION PROJECT</p>

RECOMMENDATION

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, with the concurrence of the Director, Roads and Transportation and on the advice of the Manager of Realty Services, the following actions be taken with respect to the expropriation of land as may be required for the project known as the Adelaide Street CP Rail Grade Separation Project, between Central Avenue and McMahan Street:

- a) the Council of The Corporation of the City of London as Approving Authority pursuant to the *Expropriations Act, R.S.O. 1990, c. E.26*, as amended, **HEREBY APPROVES** the proposed expropriation of land, as described in Schedule "A" attached hereto, in the City of London, County of Middlesex, it being noted that the reasons for making this decision are as follows:
 - i) the subject lands are required by The Corporation of the City of London for the Adelaide Street CP Rail Grade Separation Project;
 - ii) the design of the Project will address the current and future transportation demands along the corridor; and,
 - iii) the design is in accordance with the Municipal Class Environmental Assessment Study Recommendations for the Adelaide Street CP Rail Grade Separation Project approved by Municipal Council at the meeting held on August 28, 2018; and,
- b) subject to the approval of a) above, that a certificate of approval **BE ISSUED** by the City Clerk on behalf of the Approving Authority in the prescribed form;

it being noted that requests for Hearings of Necessity in relation to Part 1, Plan 33R-20554 (Parcel 1), Part 4, Plan 33R-20555 (Parcel 7), and the whole of PIN 08277-0034, (Parcel 8) were received and were all subsequently withdrawn.

PREVIOUS REPORTS PERTINENT TO THIS MATTER

- Environment and Transportation Committee – November 28, 2005 – Priority Setting Factors for Future Rail / Road Grade Separations
- Civic Works Committee – June 19, 2012 – London 2030 Transportation Master Plan
- Civic Works Committee – October 28, 2013 – Adelaide Street North / Canadian Pacific Railway Grade Separation Report
- Strategic Priorities and Policy Committee – June 23, 2014 – Approval of 2014 Development Charges By-Law and DC Background Study
- Civic Works Committee – January 5, 2016 – Environmental Assessment Appointment of Consulting Engineer
- Civic Works Committee – December 12, 2016 – Environmental Assessment Update
- Civic Works Committee – September 26, 2017 – Transport Canada Grade Crossing Regulations and Railway Funding Application
- Civic Works Committee – May 28, 2018 – Railway Rationalization
- Civic Works Committee – August 13, 2018 – Adelaide Street North / Canadian Pacific Railway Grade Separation Environmental Study Report
- Civic Works Committee – January 8, 2019 – Detailed Design & Tendering Appointment of Consulting Engineer
- Civic Works Committee – June 18, 2019 – Adelaide Street North Grade Separation Memorandum of Understanding with Canadian Pacific Railway
- The Council of The Corporation of the City of London The Approving Authority under the Expropriation Act – October 22, 2019

BACKGROUND

The subject properties are required to support the Adelaide Street CP Rail Grade Separation Project.

The CPR crossing is located on Adelaide Street North between McMahan Street / Pall Mall Street and Central Avenue. The broader Environmental (EA) study area extends from Oxford Street East (in the north) to Queens Avenue (in the south).

The Adelaide Street North / CPR Grade Separation Project was identified in the 2014 Transportation Development Charges Background Study with a recommendation for construction in 2031. Due to the area's strategic location, the Smart Moves 2030 Transportation Master Plan (TMP) also identifies the need for traffic capacity optimization and transit priority on this corridor. The Project timing was subsequently adjusted and the 2019 Development Charges Background Study indicates funding being available in 2020.

Construction of this Project is predominantly planned to take place in 2021/2022 with commencement of utility relocations and other advance work required in 2020 to facilitate the improvements. The Project received approval for the Adelaide Street CP Rail Separation Project Class Environmental Assessment and remains subject to property acquisitions.

There are twenty three property requirements, five of which are full buyouts, ten partial requirements, two permanent easements, and six limited interests.

Negotiations commenced in the Fall of 2018 with the current outstanding requirements standing at sixteen, being three full buyouts, seven partial requirements, two permanent easements, and four limited interests. Of the sixteen outstanding properties and interests, two signed agreements have been achieved and await completion on June 8, 2020, and a further two signed agreements have been achieved and await completion on July 31, 2020.

Negotiations are ongoing with the remaining twelve properties and interests.

The composition of the ownership interests in this area and more specifically along the corridor, is of an adept and sophisticated nature. Many of the owners own multiple properties both commercial and multi-tenant residential. There are several businesses that will be impacted and relocated.

The expropriation process was initiated at the request of the Roads and Transportation Department, Transportation Planning and Design Division which is endeavouring to ensure property clearance is achieved in order to support the tendering process. As a result, it is necessary to start the appropriate expropriation procedures for the outstanding properties in order for the project to proceed and meet the prescribed timelines. Realty Services will continue to review negotiations with the property owners in an effort to achieve acceptable outcomes to all parties involved.

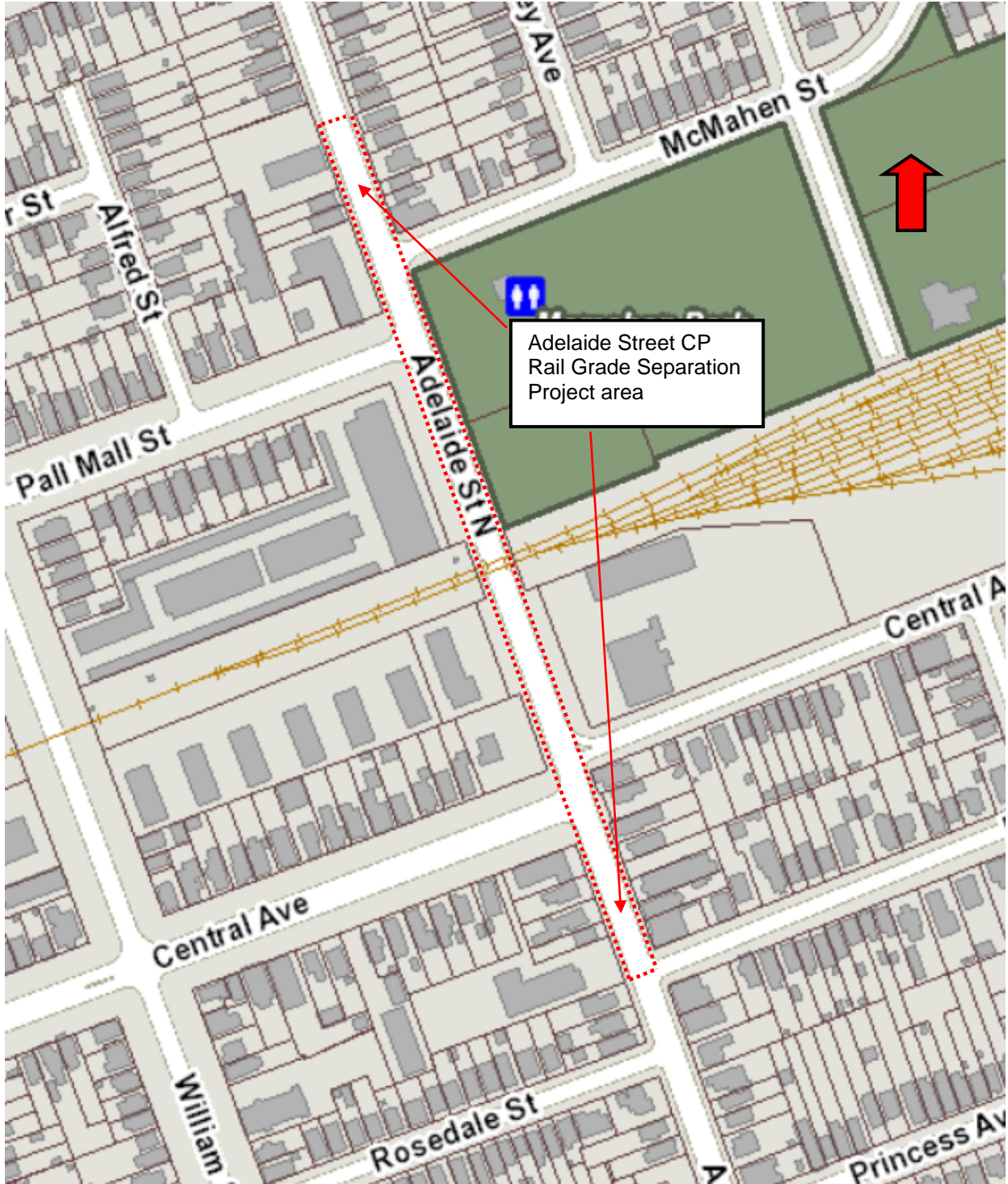
Hearing of Necessity requests were received from three owners and all were subsequently withdrawn.

Anticipated Construction Timeline

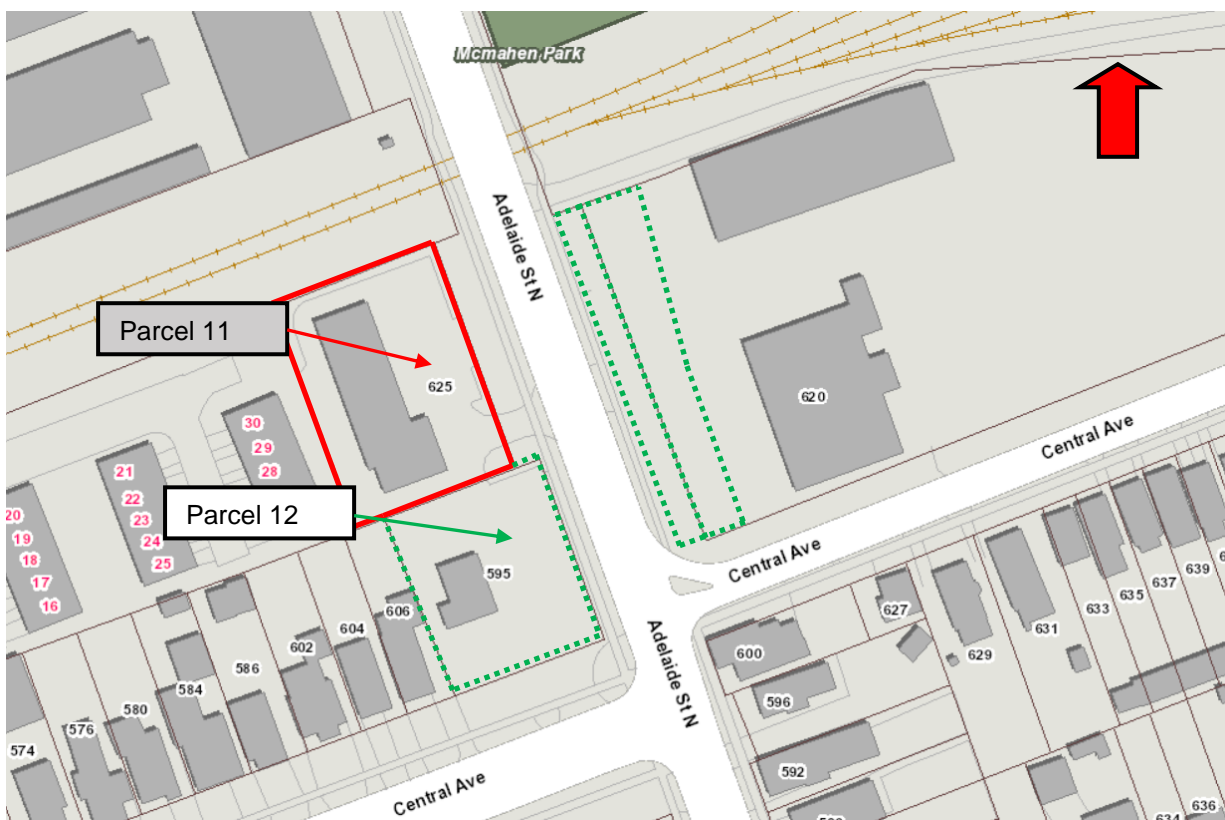
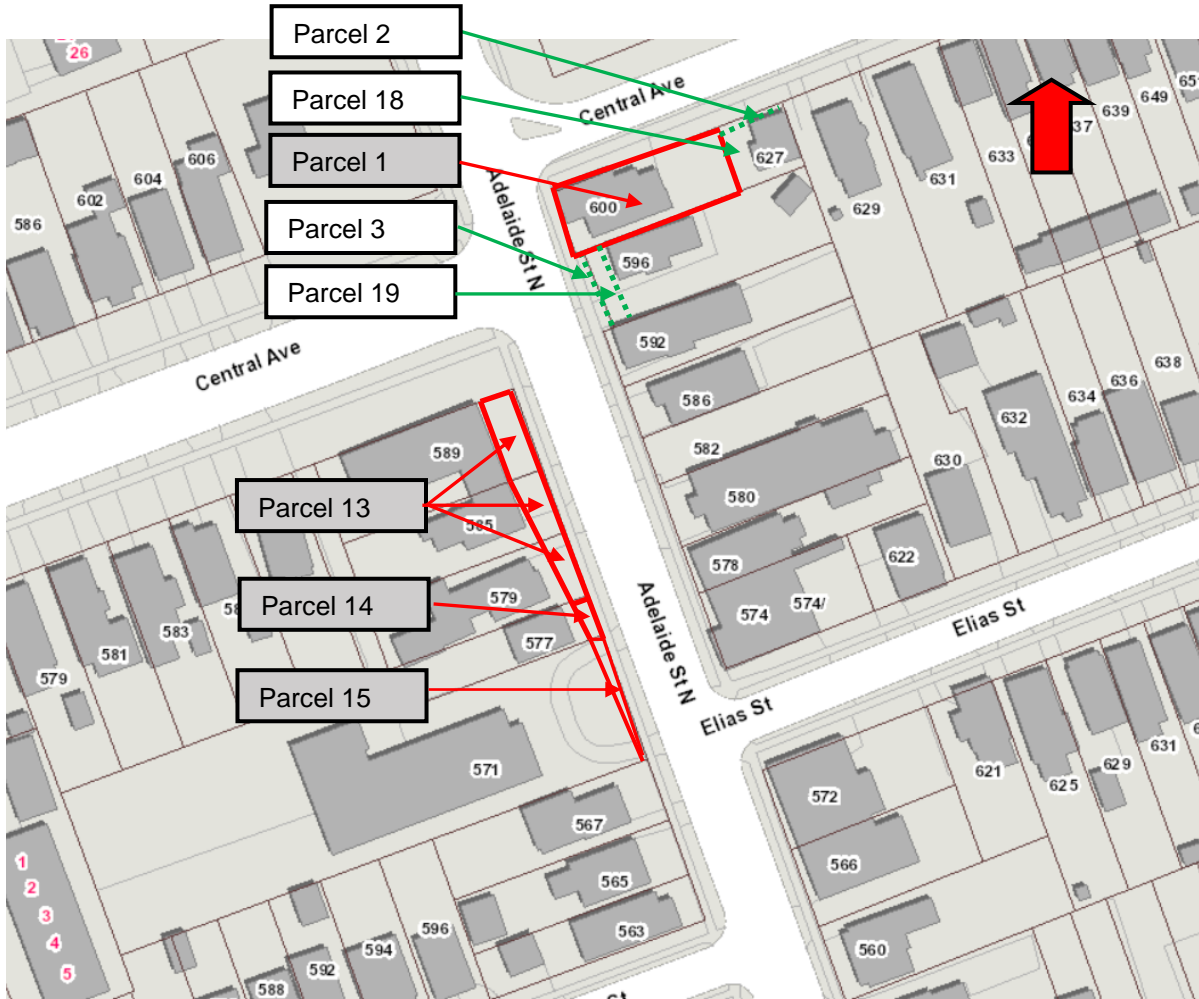
Property requirements to be secured for 2020/21 construction.

PREPARED BY:	REVIEWED AND CONCURRED BY:
BILL WARNER MANAGER OF REALTY SERVICES	DOUG MACRAE, P.Eng. DIRECTOR ROADS AND TRANSPORTATION
RECOMMENDED BY:	
KELLY SCHERR, P.Eng., MBA, FEC MANAGING DIRECTOR, ENVIRONMENTAL AND ENGINEERING SERVICES AND CITY ENGINEER	

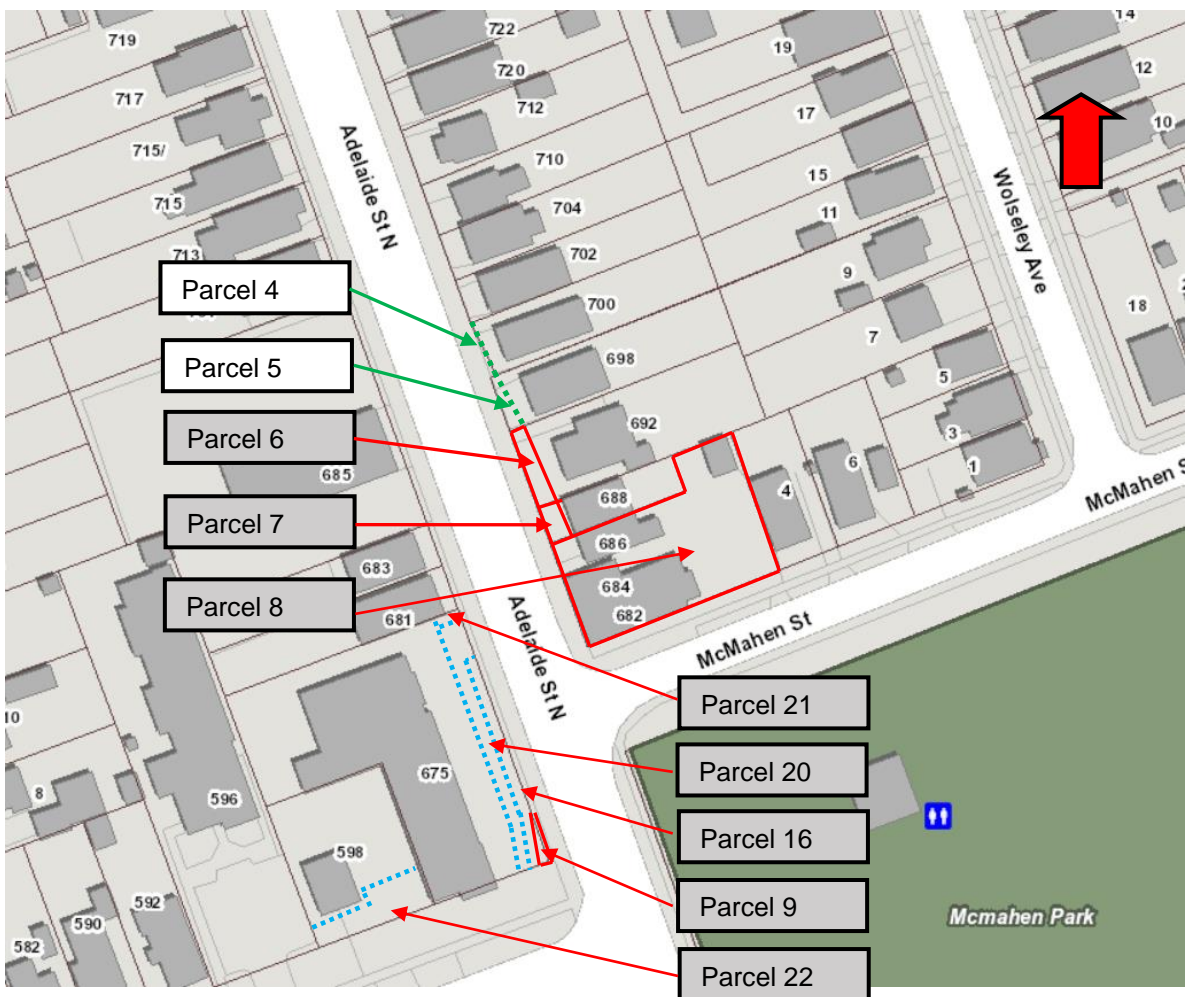
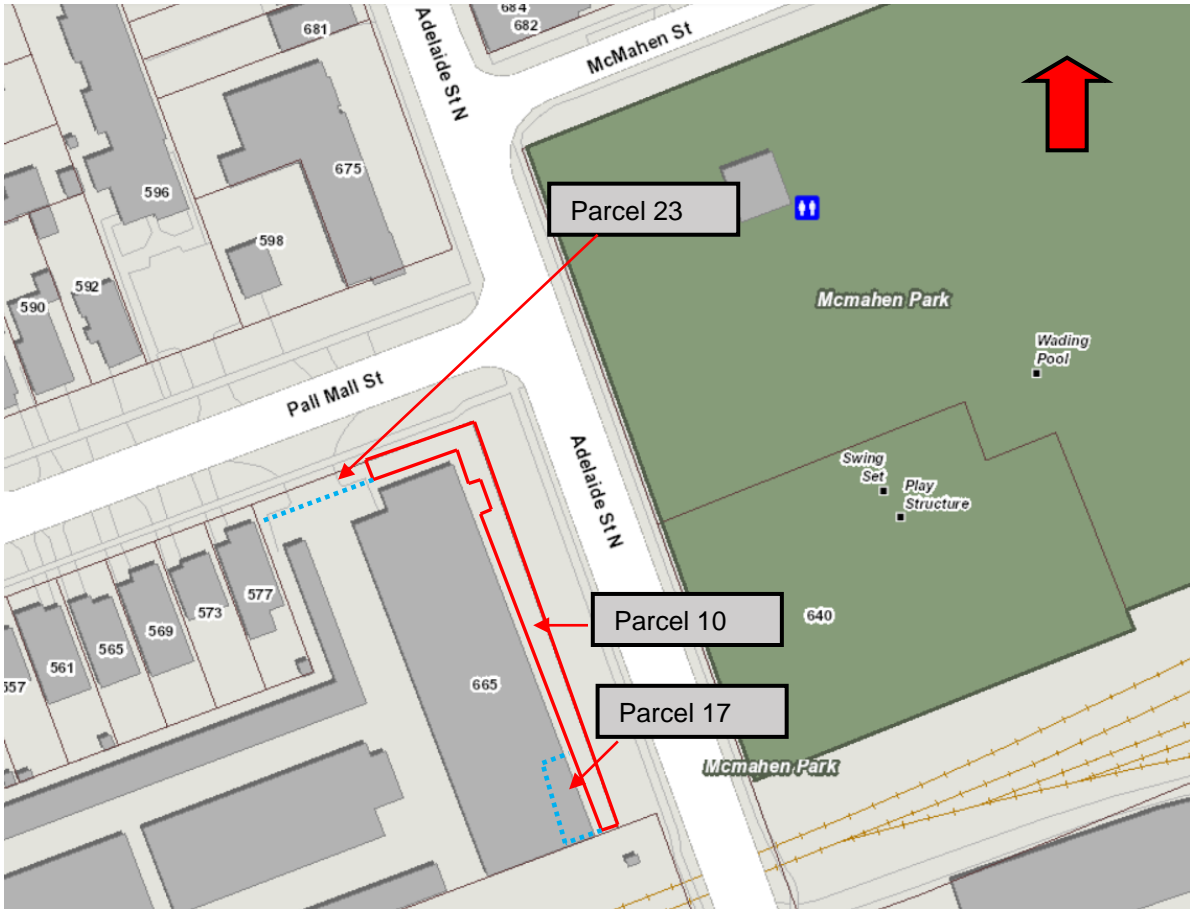
Location Maps



Location Map (cont'd)
Adelaide Street CP Rail Grade Separation Project



Location Map (cont'd)



SCHEDULE "A"

DESCRIPTION OF LANDS TO BE EXPROPRIATED FOR ADELAIDE STREET CP RAIL GRADE SEPARATION PROJECT BETWEEN ELIAS STREET AND NORTH OF McMAHEN STREET

The following lands are required:

Fee Simple:

Parcel 1: Part of Lot 3, East Side of Adelaide Street, Registered Plan No. 386(3rd) in the City of London, County of Middlesex designated as Part 1 on Plan 33R-20554 being all of PIN 08280-0004(LT)

Parcel 6: Part of Lot 4, Registered Plan No. 166(3rd) in the City of London, County of Middlesex designated as Part 3 on Plan 33R-20555 being part of PIN 08279-0060(LT)

Parcel 7: Part of Lot 4, Registered Plan No. 166(3rd) in the City of London, County of Middlesex designated as Part 4 on Plan 33R-20555 being part of PIN 08279-0061(LT)

Parcel 8: Part of Lot 4, Registered Plan No. 166(3rd) in the City of London, County of Middlesex being all of PIN 08279-0062(LT)

Parcel 9: Part of Lot 4, Registered Plan No. 54(E) in the City of London, County of Middlesex designated as Part 5 on Plan 33R-20555 being part of PIN 08278-0234(LT)

Parcel 10: Part of Lots 9 and 10, West of Adelaide Street and Part of Pall Mall Street (Closed by By-Law S-1091-287, Registered as Inst. No. LC133181) in the City of London, County of Middlesex designated as Part 1 on Plan 33R-20556 being part of PIN 08277-0124(LT)

Parcel 11: Part of Lots 7 and 8, West of Adelaide Street in the City of London, County of Middlesex designated as Part 4 on Plan 33R-20556 being all of PIN 08277-0134(LT)

Parcel 13: Part of Lots 1, 2 and 3, Registered Plan No. 194(E) in the City of London, County of Middlesex designated as Part 6 on Plan 33R-20556 being part of PIN 08277-0035(LT)

Parcel 14: Part of Lot 4, West of Adelaide Street in the City of London, County of Middlesex designated as Part 7 on Plan 33R-20556 being part of PIN 08277-0036(LT)

Parcel 15: Part of Lot 4, West of Adelaide Street in the City of London, County of Middlesex designated as Part 8 on Plan 33R-20556 being part of PIN 08277-0034(LT)

Parcels 2, 3, 4, 5 and 12 obtained and closed amicable agreements.

Permanent Interest (Easement):

Parcel 16: Part of Lots 4 and 5, Registered Plan No. 54(E) in the City of London, County of Middlesex designated as Part 6 on Plan 33R-20555 being part of PIN 08278-0234(LT)

Parcel 17: Part of Lot 9, West of Adelaide Street in the City of London, County of Middlesex designated as Part 2 on Plan 33R-20556 being part of PIN 08277-0124(LT)

Limited Interest (Easement):

Parcel 20: Part of Lots 4 and 5, Registered Plan No. 54(E) in the City of London, County of Middlesex designated as Part 7 on Plan 33R-20555 being part of PIN 08278-0234(LT)

Parcel 21: Part of Lot 5, Registered Plan No. 54(E) in the City of London, County of Middlesex designated as Part 8 on Plan 33R-20555 being part of PIN 08278-0234(LT)

Parcel 22: Part of Lot 4, Registered Plan No. 54(E) in the City of London, County of Middlesex designated as Part 9 on Plan 33R-20555 being part of PIN 08278-0235(LT)

Parcel 23: Part of Pall Mall Street (Closed by By-Law S-1091-287, Registered as Inst. No. LC133181) in the City of London, County of Middlesex designated as Part 3 on Plan 33R-20556 being part of PIN 08277-0124(LT)

Parcels 18 and 19 obtained and closed amicable agreements.

TO:	THE COUNCIL OF THE CORPORATION OF THE CITY OF LONDON AS THE EXPROPRIATING AUTHORITY UNDER THE <i>EXPROPRIATIONS ACT</i> MEETING ON JUNE 16, 2020
FROM:	KELLY SCHERR MANAGING DIRECTOR ENVIRONMENTAL AND ENGINEERING SERVICES AND CITY ENGINEER
SUBJECT:	EXPROPRIATION OF LANDS ADELAIDE STREET CP RAIL GRADE SEPARATION PROJECT

RECOMMENDATION

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, with the concurrence of the Director, Roads and Transportation and on the advice of the Manager of Realty Services, the following actions be taken with respect to the expropriation of land as may be required for the Project known as the Adelaide Street CP Rail Grade Separation Project, between Central Avenue and McMahan Street:

- a) the proposed bylaw attached as Appendix "A" being "A by-law to expropriate lands in the City of London, in the County of Middlesex, for the Adelaide Street CP Rail Grade Separation Project, between Central Avenue and McMahan Street", **BE INTRODUCED** at the Municipal Council meeting to be held on June 16, 2020;
- b) the Civic Administration **BE DIRECTED** to take all necessary steps to prepare a plan or plans showing the Expropriated Lands and to register such plan or plans in the appropriate registry or land titles office, pursuant to the *Expropriations Act, R.S.O. 1990, c. E.26*, within three (3) months of the Approving Authority granting approval of the said expropriation;
- c) the Mayor and City Clerk **BE AUTHORIZED** to sign on behalf of the Expropriating Authority, the plan or plans as signed by an Ontario Land Surveyor showing the Expropriated Lands; and,
- d) the City Clerk **BE AUTHORIZED AND DIRECTED** to execute and serve the notices of expropriation required by the *Expropriations Act, R.S.O. 1990, c. E.26* and such notices of possession that may be required to obtain possession of the Expropriated Lands.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
--

- Environment and Transportation Committee – November 28, 2005 – Priority Setting Factors for Future Rail / Road Grade Separations

- Civic Works Committee – June 19, 2012 – London 2030 Transportation Master Plan
- Civic Works Committee – October 28, 2013 – Adelaide Street North / Canadian Pacific Railway Grade Separation Report
- Strategic Priorities and Policy Committee – June 23, 2014 – Approval of 2014 Development Charges By-Law and DC Background Study
- Civic Works Committee – January 5, 2016 – Environmental Assessment Appointment of Consulting Engineer
- Civic Works Committee – December 12, 2016 – Environmental Assessment Update
- Civic Works Committee – September 26, 2017 – Transport Canada Grade Crossing Regulations and Railway Funding Application
- Civic Works Committee – May 28, 2018 – Railway Rationalization
- Civic Works Committee – August 13, 2018 – Adelaide Street North / Canadian Pacific Railway Grade Separation Environmental Study Report
- Civic Works Committee – January 8, 2019 – Detailed Design & Tendering Appointment of Consulting Engineer
- Civic Works Committee – June 18, 2019 – Adelaide Street North Grade Separation Memorandum of Understanding with Canadian Pacific Railway
- The Council of The Corporation of the City of London The Approving Authority under the Expropriation Act – October 22, 2019

BACKGROUND

The subject properties are required to support the Adelaide Street CP Rail Grade Separation Project.

The CPR crossing is located on Adelaide Street North between McMahan Street / Pall Mall Street and Central Avenue. The broader Environmental Assessment (EA) study area extends from Oxford Street East (in the north) to Queens Avenue (in the south).

The Adelaide Street North / CPR Grade Separation Project was identified in the 2014 Transportation Development Charges Background Study with a recommendation for construction in 2031. Due to the area's strategic location, the Smart Moves 2030 Transportation Master Plan (TMP) also identifies the need for traffic capacity optimization and transit priority on this corridor. The Project timing was subsequently adjusted and the 2019 Development Charges Background Study indicates funding being available in 2020.

Construction of this Project is predominantly planned to take place in 2021/2022 with commencement of utility relocations and other advance work required in 2020 to facilitate the improvements. The Project received approval for the Adelaide Street CP Rail Separation Project Class Environmental Assessment and remains subject to property acquisitions.

There are twenty three property requirements, five of which are full buyouts, ten partial requirements, two permanent easements, and six limited interests.

Negotiations commenced in the Fall of 2018 with the current outstanding requirements standing at sixteen, being three full buyouts, seven partial requirements, two permanent easements, and four limited interests. Of the sixteen outstanding properties and interests, two signed agreements have been achieved and await completion on June 8, 2020, and a further two signed agreements have been achieved and await completion on July 31, 2020.

Negotiations are ongoing with the remaining twelve properties and interests.

The composition of the ownership interests in this area and more specifically along the corridor is of an adept and sophisticated nature. Many of the owners own multiple properties both commercial and multi-tenant residential. There are several businesses that will be impacted and relocated.

The expropriation process was initiated at the request of the Roads and Transportation Department, Transportation Planning and Design Division which is endeavouring to ensure property clearance is achieved in order to support the tendering process. As a result, it is necessary to start the appropriate expropriation procedures for the outstanding properties in order for the project to proceed and meet the prescribed timelines. Realty Services will continue to review negotiations with the property owners in an effort to achieve acceptable outcomes to all parties involved.

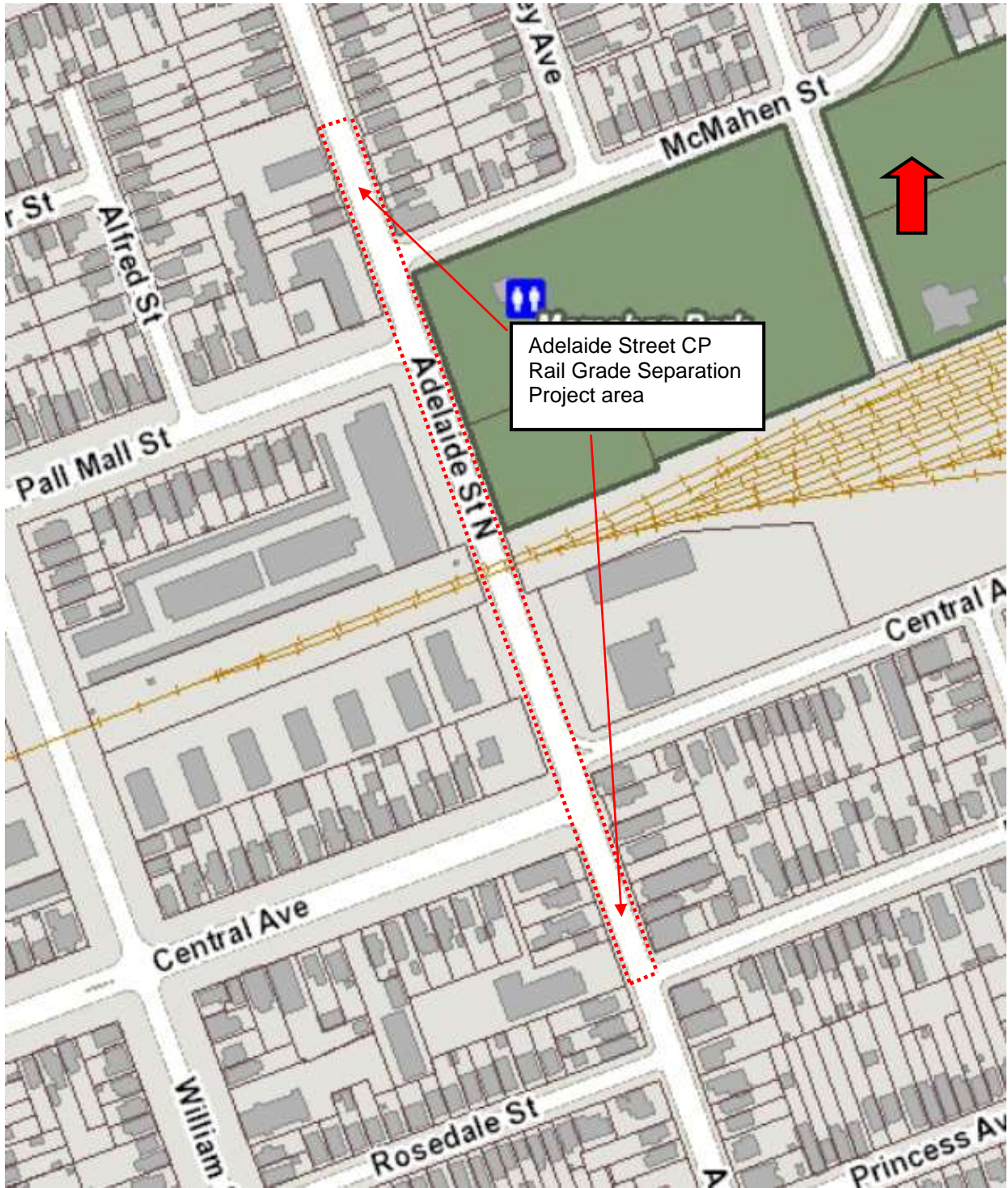
Hearing of Necessity requests were received from three owners and all were subsequently withdrawn.

Anticipated Construction Timeline

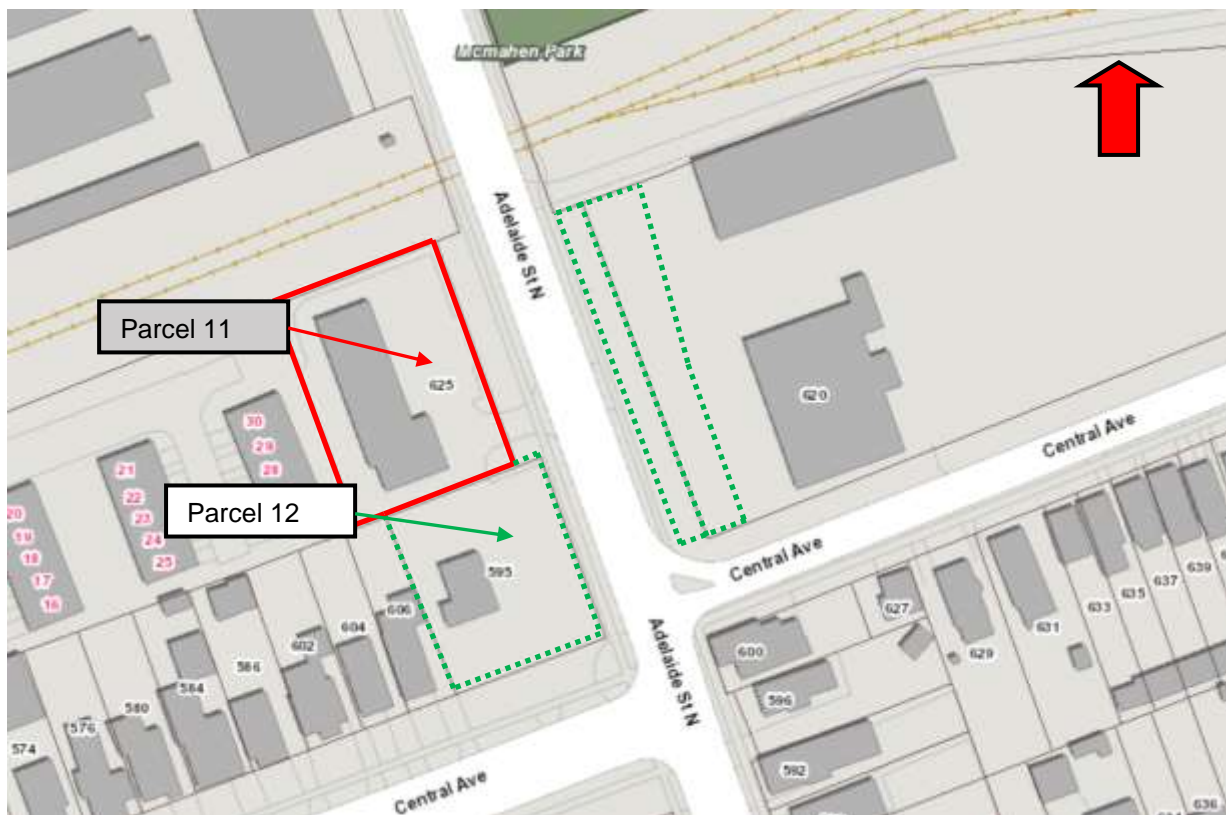
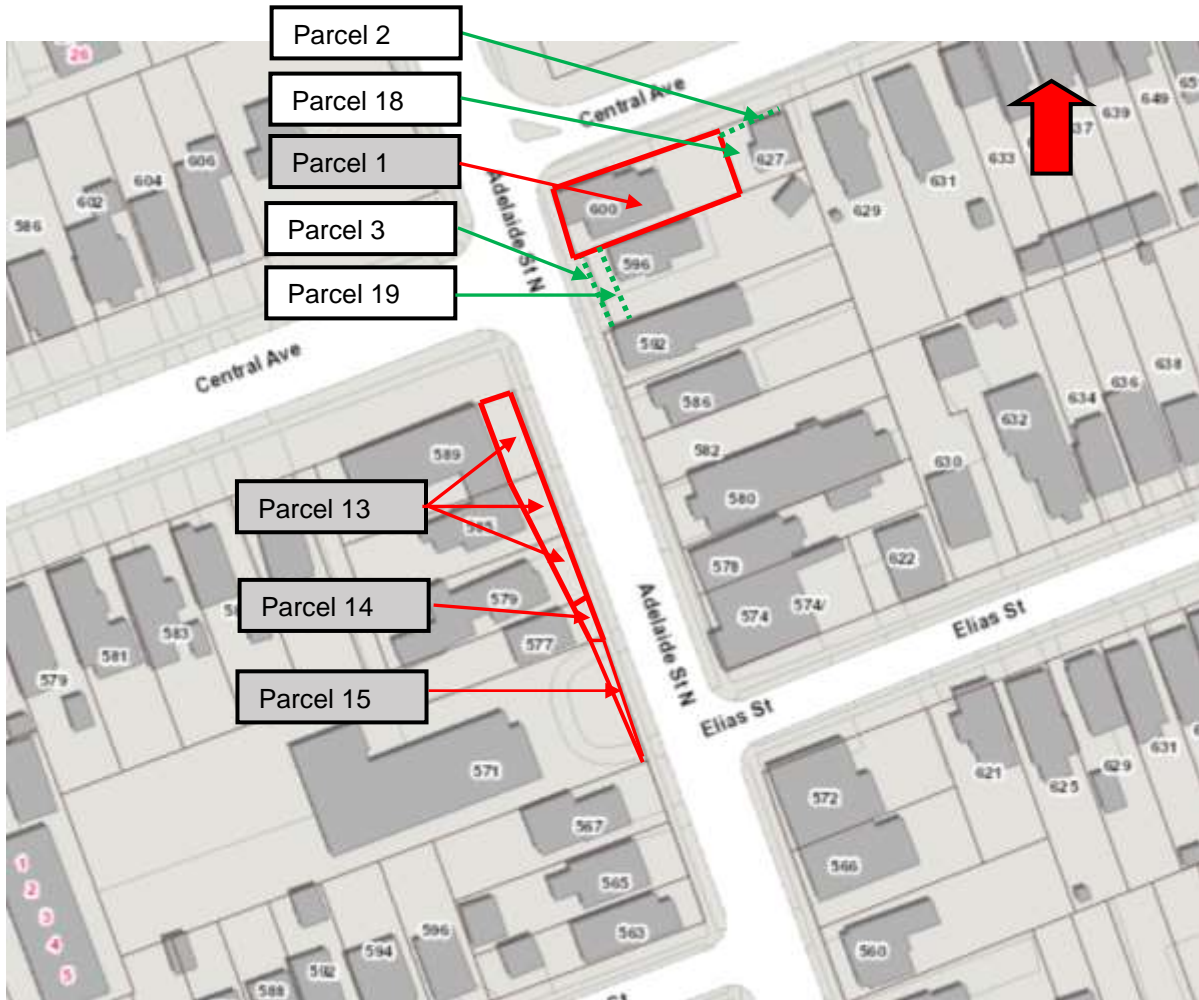
Property requirements to be secured for 2020/21 construction.

PREPARED BY:	REVIEWED AND CONCURRED BY:
BILL WARNER MANAGER OF REALTY SERVICES	DOUG MACRAE, P. Eng. DIRECTOR ROADS AND TRANSPORTATION
RECOMMENDED BY:	
KELLY SCHERR, P.Eng., MBA, FEC MANAGING DIRECTOR, ENVIRONMENTAL AND ENGINEERING SERVICES AND CITY ENGINEER	

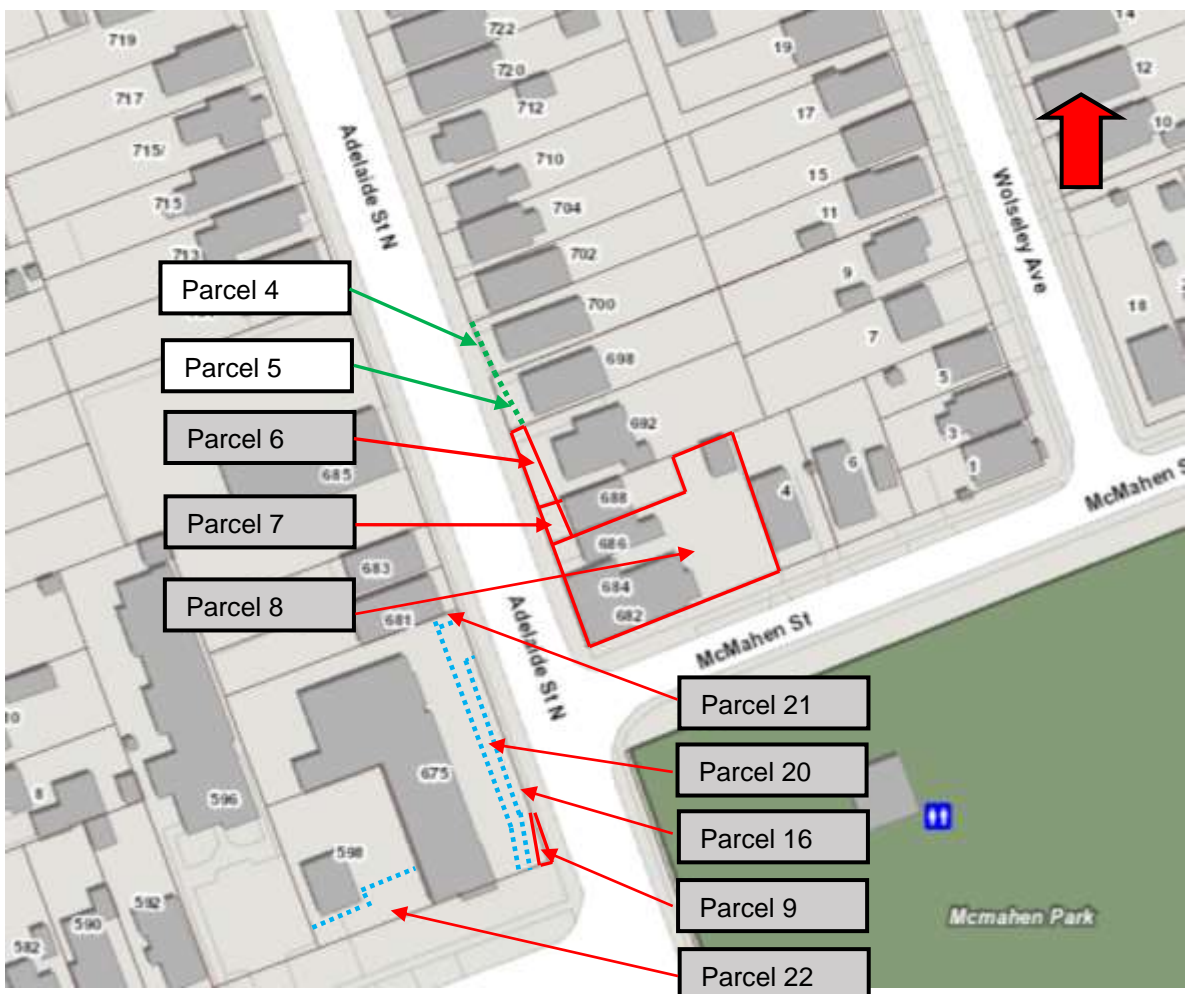
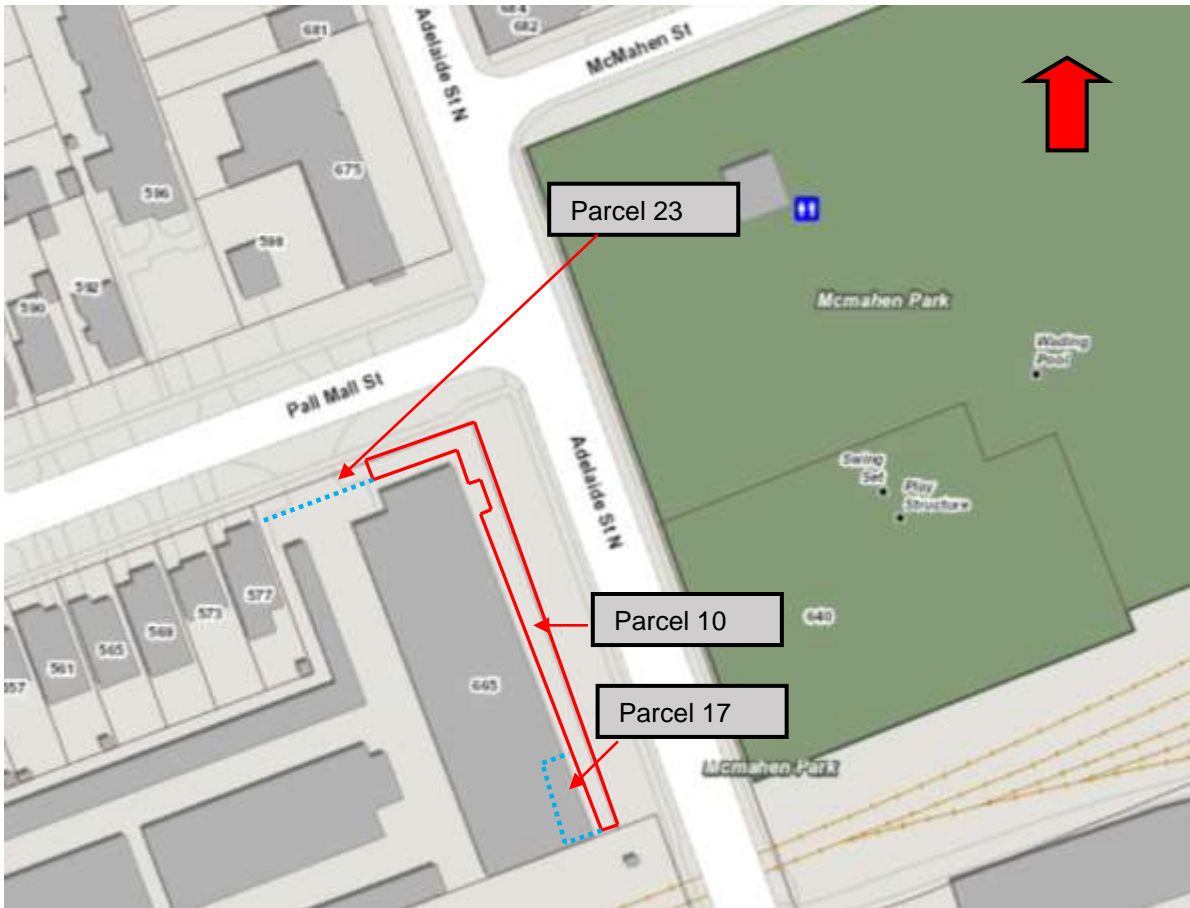
Location Maps



Location Map (cont'd)
Adelaide Street CP Rail Grade Separation Project



Location Map (cont'd)



SCHEDULE "A"

DESCRIPTION OF LANDS TO BE EXPROPRIATED FOR ADELAIDE STREET CP RAIL GRADE SEPARATION PROJECT BETWEEN ELIAS STREET AND NORTH OF McMAHEN STREET

The following lands are required:

Fee Simple:

Parcel 1: Part of Lot 3, East Side of Adelaide Street, Registered Plan No. 386(3rd) in the City of London, County of Middlesex designated as Part 1 on Plan 33R-20554 being all of PIN 08280-0004(LT)

Parcel 6: Part of Lot 4, Registered Plan No. 166(3rd) in the City of London, County of Middlesex designated as Part 3 on Plan 33R-20555 being part of PIN 08279-0060(LT)

Parcel 7: Part of Lot 4, Registered Plan No. 166(3rd) in the City of London, County of Middlesex designated as Part 4 on Plan 33R-20555 being part of PIN 08279-0061(LT)

Parcel 8: Part of Lot 4, Registered Plan No. 166(3rd) in the City of London, County of Middlesex being all of PIN 08279-0062(LT)

Parcel 9: Part of Lot 4, Registered Plan No. 54(E) in the City of London, County of Middlesex designated as Part 5 on Plan 33R-20555 being part of PIN 08278-0234(LT)

Parcel 10: Part of Lots 9 and 10, West of Adelaide Street and Part of Pall Mall Street (Closed by By-Law S-1091-287, Registered as Inst. No. LC133181) in the City of London, County of Middlesex designated as Part 1 on Plan 33R-20556 being part of PIN 08277-0124(LT)

Parcel 11: Part of Lots 7 and 8, West of Adelaide Street in the City of London, County of Middlesex designated as Part 4 on Plan 33R-20556 being all of PIN 08277-0134(LT)

Parcel 13: Part of Lots 1, 2 and 3, Registered Plan No. 194(E) in the City of London, County of Middlesex designated as Part 6 on Plan 33R-20556 being part of PIN 08277-0035(LT)

Parcel 14: Part of Lot 4, West of Adelaide Street in the City of London, County of Middlesex designated as Part 7 on Plan 33R-20556 being part of PIN 08277-0036(LT)

Parcel 15: Part of Lot 4, West of Adelaide Street in the City of London, County of Middlesex designated as Part 8 on Plan 33R-20556 being part of PIN 08277-0034(LT)

Parcels 2, 3, 4, 5 and 12 obtained and closed amicable agreements.

Permanent Interest (Easement):

Parcel 16: Part of Lots 4 and 5, Registered Plan No. 54(E) in the City of London, County of Middlesex designated as Part 6 on Plan 33R-20555 being part of PIN 08278-0234(LT)

Parcel 17: Part of Lot 9, West of Adelaide Street in the City of London, County of Middlesex designated as Part 2 on Plan 33R-20556 being part of PIN 08277-0124(LT)

Limited Interest (Easement):

Parcel 20: Part of Lots 4 and 5, Registered Plan No. 54(E) in the City of London, County of Middlesex designated as Part 7 on Plan 33R-20555 being part of PIN 08278-0234(LT)

Parcel 21: Part of Lot 5, Registered Plan No. 54(E) in the City of London, County of Middlesex designated as Part 8 on Plan 33R-20555 being part of PIN 08278-0234(LT)

Parcel 22: Part of Lot 4, Registered Plan No. 54(E) in the City of London, County of Middlesex designated as Part 9 on Plan 33R-20555 being part of PIN 08278-0235(LT)

Parcel 23: Part of Pall Mall Street (Closed by By-Law S-1091-287, Registered as Inst. No. LC133181) in the City of London, County of Middlesex designated as Part 3 on Plan 33R-20556 being part of PIN 08277-0124(LT)

Parcels 18 and 19 obtained and closed amicable agreements.

APPENDIX "A"

Bill No.
2020

By-law No. L.S.P.-_____

A by-law to expropriate lands in the City of London, in the County of Middlesex, for the the Adelaide Street CP Rail Grade Separation Project, between Central Avenue and McMahan Street:

WHEREAS the Municipal Council of The Corporation of the City of London, as Approving Authority, pursuant to the *Expropriations Act, R.S.O. 1990, c. E.26*, as amended, at its meeting held on October 22, 2019, approved the expropriation of the lands and premises hereinafter described in attached Schedule "A" of this by-law:

AND WHEREAS the said Approving Authority has directed that its Certificate of Approval be issued in the prescribed form;

AND WHEREAS The Corporation of the City of London, as Expropriating Authority, at its meeting held on October 22, 2019, accepted the recommendation of Approving Authority;

BE IT THEREFORE ENACTED by the Municipal Council of The Corporation of the City of London, as follows:

1. The lands described in attached Schedule "A" of this bylaw be, and the same, are hereby expropriated pursuant to the *Expropriations Act, R.S.O. 1990, c. E. 26*, and the *Municipal Act, 2001*, as amended.
2. The appropriate municipal officials are authorized and directed to take all proper and necessary steps and proceedings including the employment of valuers, to settle by arbitration or otherwise, the amount of compensation to be paid in respect of the expropriation of the said lands, providing that the amount of compensation shall not be reached by agreement unless adopted and approved by the Municipal Council of The Corporation of the City of London.
3. The appropriate municipal officials are authorized and directed to prepare a plan or plans, as necessary, showing the lands to be expropriated for registration in the appropriate Registry of Land Titles Office, and the Mayor and the Clerk are authorized and directed to sign the plan of expropriation, all pursuant to the *Expropriations Act*.
4. The appropriate municipal officials are authorized and directed to execute and serve the Notice of Expropriation and the Notice of Possession pursuant to the *Expropriations Act*.

5. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on June 16, 2020.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First reading – June 16, 2020
Second reading – June 16, 2020
Third reading – June 16, 2020

Schedule "A"

To By-law L.S.P.- _____

DESCRIPTION OF LANDS TO BE EXPROPRIATED FOR ADELAIDE STREET CP RAIL GRADE SEPARATION PROJECT BETWEEN ELIAS STREET AND NORTH OF McMAHEN STREET

The following lands are required in fee simple:

Fee Simple:

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Parcel 8: Part of Lot 4, Registered Plan No. 166(3rd) in the City of London, County of Middlesex being all of PIN 08279-0062(LT)

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Parcels 2, 3, 4, 5 and 12 obtained and closed amicable agreements.

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Limited Interest (Easement):

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Parcels 18 and 19 obtained and closed amicable agreements.

Kiwanis Park – Natural Play concept



* Final plan is subject to further public input.

Corporate Services Committee

Report

10th Meeting of the Corporate Services Committee
June 8, 2020

PRESENT: Councillors A. Kayabaga, M. van Holst (Acting Chair), J. Helmer, J. Morgan, A. Hopkins, Mayor E. Holder

ALSO PRESENT: S. Spring, B. Westlake-Power

Remote Attendance: Councillors S. Lewis, M. Cassidy, S. Hillier; L. Livingstone, A. Barbon, B. Card, C. Saunders, M. Schulthess, E. Skalski, B. Warner, T. Wellhauser

The meeting is called to order at 12:02 PM; it being noted that the follow Members were in remote attendance: Mayor E. Holder, J. Helmer, J. Morgan, A. Hopkins, A. Kayabaga

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Consent

2.1 Agreement Between The City of London and Donald Jones Management Services Inc. - Management of Centennial Hall

Moved by: A. Hopkins
Seconded by: E. Holder

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 June 8, 2020 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on June 16, 2020 to:

- a) approve a five year extension agreement to December 31, 2025 between The Corporation of the City of London (the City) and Donald Jones Management Services Inc. appended to the staff report dated June 8, 2020 as Appendix "B" to the by-law; and,
- b) authorize the Mayor and the City Clerk to execute the agreement approved in part a), above.

Yeas: (6): A. Kayabaga, M. van Holst, J. Helmer, J. Morgan, A. Hopkins, and E. Holder

Motion Passed (6 to 0)

2.2 Standing Committee Meetings and Annual Meeting Calendar

Moved by: J. Helmer
Seconded by: A. Hopkins

That the matter of the Annual Meeting Calendar BE REFERRED to the next meeting of the Corporate Services Committee for additional discussion.

Yeas: (6): A. Kayabaga, M. van Holst, J. Helmer, J. Morgan, A. Hopkins, and E. Holder

Motion Passed (6 to 0)

3. Scheduled Items

None.

4. Items for Direction

4.1 1st Report of the County/City Liaison Committee

Moved by: E. Holder

Seconded by: J. Helmer

That the 1st Report of the County/City Liaison Committee, from its meeting held on May 20, 2020, BE RECEIVED.

Yeas: (5): M. van Holst, J. Helmer, J. Morgan, A. Hopkins, and E. Holder

Absent: (1): A. Kayabaga

Motion Passed (5 to 0)

5. Deferred Matters/Additional Business

None.

6. Confidential (Enclosed for Members only.)

Moved by: A. Hopkins

Seconded by: J. Morgan

That the Corporate Services Committee convene, In Closed Session, for the purpose of considering the following:

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

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

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

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

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

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

6.4 Litigation/Potential Litigation / Solicitor-Client Privileged Advice

A matter pertaining to litigation or potential litigation and advice that is subject to solicitor-client privilege, including communications necessary for that purpose and directions and instructions to officers and employees or agents of the municipality.

Yeas: (6): A. Kayabaga, M. van Holst, J. Helmer, J. Morgan, A. Hopkins, and E. Holder

Motion Passed (6 to 0)

The Corporate Services Committee convenes, In Closed Session, from 12:32 PM to 12:58 PM.

7. Adjournment

The meeting adjourned at 12:59 PM.

Community and Protective Services Committee

Report

The 7th Meeting of the Community and Protective Services Committee
June 9, 2020

PRESENT: Councillors S. Lewis (Chair), M. van Holst, M. Salih, P. Squire, S. Hillier, Mayor E. Holder

ALSO PRESENT: J.Bunn, M. Schulthess and S. Spring

Remote attendance: Councillors A. Hopkins and E. Pelosa; G. Belch, K. Dickins, O. Katolyk, A. Macpherson, C. Saunders, C. Smith and S. Stafford

The meeting was called to order at 12:00 PM; it being noted that the following Members were in remote attendance: Mayor E. Holder, Councillors S. Hillier, M. Salih and M. van Holst

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Consent

2.1 Kiwanis Park Natural Playground RFP 20-25

Moved by: S. Lewis

Seconded by: S. Hillier

That on the recommendation of the Managing Director, Parks and Recreation, the following actions be taken with respect to the Kiwanis Park Natural Playground RFP 20-25:

a) the bid submitted by Earthscape, 7215 Wellington Rd 86, Wallenstein, Ontario, N0B 2S0, to construct the Kiwanis Park Natural Playground in accordance with RFP20-25, at its bid price of \$298,960.98, excluding HST, BE ACCEPTED in accordance with Section 12.1 of the City of London's Procurement of Goods and Services Policy; it being noted that the bid submitted by Earthscape was the only bid received and it meets the City's specifications and requirements in all areas;

b) the financing for this project BE APPROVED as set out in the Sources of Financing Report appended to the staff report dated June 9, 2020;

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 contractor 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. (2020-R04)

Yeas: (6): S. Lewis, M. van Holst, M. Salih, P. Squire, S. Hillier, and E. Holder

Motion Passed (6 to 0)

3. Scheduled Items

None.

4. Items for Direction

None.

5. Deferred Matters/Additional Business

5.1 Deferred Matters List

Moved by: M. van Holst

Seconded by: P. Squire

That the Deferred Matters List for the Community and Protective Services Committee, as at June 1, 2020, BE RECEIVED.

Yeas: (6): S. Lewis, M. van Holst, M. Salih, P. Squire, S. Hillier, and E. Holder

Motion Passed (6 to 0)

6. Adjournment

The meeting adjourned at 12:15 PM.

Strategic Priorities and Policy Committee

Report

11th Meeting of the Strategic Priorities and Policy Committee
June 9, 2020

PRESENT: Mayor E. Holder (Chair), Councillors M. van Holst, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelozza, A. Kayabaga, S. Hillier

ALSO PRESENT: C. Saunders, M. Schulthess, S. Spring, B. Westlake-Power
The following were in remote attendance: L. Livingstone, A.L. Barbon, B. Card, C. Cooper, K. Dickins, O. Katolyk, C. Smith, S. Stafford, P. Yeoman
The meeting is called to order at 4:01 PM; it being noted that the following were in remote attendance: M. van Holst, M. Salih, J. Helmer, M. Cassidy, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelozza, A. Kayabaga, S. Hillier

1. Disclosures of Pecuniary Interest

Councillor S. Turner discloses a pecuniary interest in Item 5.2 b), having to do with London Boards - Black Lives Matter Rally, specifically as it relates to the Middlesex London Health Unit (MLHU), by indicating that the MLHU is his employer.

Councillor J. Morgan discloses a pecuniary interest in Item 4.1, having to do with an appointment to the London Library Board, by indicating that one of the applicants is a Board Member of his employer, Western University.

2. Consent

None.

3. Scheduled Items

3.1 Housing Development Corporation, London - 2019 Annual Meeting of the Shareholder Annual Resolutions

Moved by: S. Turner

Seconded by: J. Morgan

That the following actions be taken with respect to the 2019 Annual General Meeting of the Housing Development Corporation, London:

a) the presentation by S. Giustizia, President and CEO, Housing Development Corporation, London BE RECEIVED;

b) the proposed by-law appended to the staff report dated June 9, 2020 as Appendix "A" entitled "A by-law to ratify and confirm the Annual Resolutions of the Shareholder of the Housing Development Corporation, London", BE INTRODUCED at the Municipal Council meeting to be held on June 16, 2020 to:

i) ratify and confirm the Annual Resolution of the Shareholder of Housing Development Corporation, London; and,

ii) authorize the Mayor and the City Clerk to execute the Annual Resolution of the Shareholder of Housing Development Corporation, London;

c) the Housing Development Corporation, London - 2019 Annual

Shareholder Report BE RECEIVED; and

d) the financial statements of the Housing Development Corporation, London year ended December 31, 2019 BE RECEIVED.

Yeas: (15): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelozza, A. Kayabaga, and S. Hillier

Motion Passed (15 to 0)

3.2 London & Middlesex Community Housing - 2019 Annual Meeting of the Shareholder Annual Resolutions

Moved by: P. Squire

Seconded by: S. Lewis

That the following actions be taken with respect to the 2019 Annual General Meeting of the London & Middlesex Community Housing Inc.:

a) the presentation from London & Middlesex Community Housing Inc. BE RECEIVED;

b) the proposed by-law appended to the staff report dated June 9, 2020 as Appendix "A" entitled "A by-law to ratify and confirm the Annual Resolutions of the Shareholder of London & Middlesex Community Housing Inc.", BE INTRODUCED at the Municipal Council meeting to be held on June 16, 2020 to:

i) ratify and confirm the Annual Resolution of the Shareholder of London & Middlesex Community Housing Inc.; and

ii) authorize the Mayor and the City Clerk to execute the Annual Resolution of the Shareholder of London & Middlesex Community Housing Inc.;

c) London & Middlesex Community Housing Inc. Audit Findings Report for the year ended December 31, 2019 BE RECEIVED; and

d) the financial statements of the London & Middlesex Community Housing Inc. year ended December 31, 2019 BE RECEIVED.

Yeas: (15): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelozza, A. Kayabaga, and S. Hillier

Motion Passed (15 to 0)

3.3 2019 Annual Meeting of the Shareholder Annual Resolutions

Moved by: M. van Holst

Seconded by: E. Pelozza

That the following actions be taken with respect to the 2019 Annual General Meeting of London Hydro Inc.;

a) the presentation by V. Sharma, CEO and G. Valente, Board Chair, London Hydro Inc., BE RECEIVED;

b) the proposed by-law appended to the staff report dated June 9, 2020 as Appendix "A" entitled "A by-law to ratify and confirm the Annual Resolutions of the Shareholder of London Hydro Inc." BE INTRODUCED

at the Municipal Council meeting to be held June 16, 2020 to:

i) ratify and confirm the Annual Resolution of the Shareholder of London Hydro Inc.; and,

ii) authorize the Mayor and the City Clerk to execute the Annual Resolution of the Shareholder of London Hydro Inc.; and,

c) the 2019 Report on Finance for London Hydro Inc., BE RECEIVED.

Yeas: (14): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, P. Van Meerbergen, S. Turner, E. Pelozza, A. Kayabaga, and S. Hillier

Absent: (1): A. Hopkins

Motion Passed (14 to 0)

4. Items for Direction

4.1 Consideration of Appointment to the London Public Library (Requires 1 Member)

Moved by: S. Lewis

Seconded by: S. Hillier

That the matter of the ballot appointment of a member to the London Public Library Board, BE REFERRED to a future meeting of the Strategic Priorities and Policy Committee, at such time when all the members are able to vote simultaneously.

Yeas: (12): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, S. Lehman, A. Hopkins, P. Van Meerbergen, A. Kayabaga, and S. Hillier

Nays: (2): S. Turner, and E. Pelozza

Recuse: (1): J. Morgan

Motion Passed (12 to 2)

Additional votes:

Moved by: S. Lewis

Seconded by: E. Pelozza

The appointment process which would proceed with a 26 name slate for consideration of appointment to the London Public Library Board, BE APPROVED.

Yeas: (9): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, P. Squire, S. Lehman, P. Van Meerbergen, E. Pelozza, and S. Hillier

Nays: (5): J. Helmer, M. Cassidy, A. Hopkins, S. Turner, and A. Kayabaga

Recuse: (1): J. Morgan

Motion Passed (9 to 5)

Moved by: M. van Holst

Shall the ruling of the Chair to proceed with consideration of a referral of the appointment process motion, BE SUSTAINED?

Yeas: (12): Mayor E. Holder, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, S. Lehman, A. Hopkins, S. Turner, E. Pelozza, A. Kayabaga, and S. Hillier

Nays: (2): M. van Holst, and P. Van Meerbergen

Recuse: (1): J. Morgan

Motion Passed (12 to 2)

4.2 Resignation from the Argyle Business Improvement Association

Moved by: S. Lewis
Seconded by: S. Hillier

That the communication dated May 22, 2020 from R. Sidhu, Executive Director, Argyle BIA with respect to the resignation of Dale Irwin BE ACCEPTED.

Yeas: (15): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelozza, A. Kayabaga, and S. Hillier

Motion Passed (15 to 0)

4.3 Resignation and Confirmation of Appointment to the Hyde Park Business Improvement Association

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

That the following actions be taken with respect to the Hyde Park Business Improvement Association:

a) the resignation of Mandi Hurst dated May 21, 2020 from the Hyde Park Business Improvement Association BE ACCEPTED; and,

b) Jean Coles BE APPOINTED to the Hyde Park Business Improvement Association for the term ending November 15, 2022.

Yeas: (15): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelozza, A. Kayabaga, and S. Hillier

Motion Passed (15 to 0)

4.4 Resignation from the Lower Thames Valley Conservation Authority

Moved by: J. Helmer
Seconded by: M. van Holst

That the communication dated May 19, 2020 regarding the resignation of Kimble F. Ainslie from the Lower Thames Valley Conservation Authority BE ACCEPTED.

Yeas: (15): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelozza, A. Kayabaga, and S. Hillier

Motion Passed (15 to 0)

5. Deferred Matters/Additional Business

5.1 Anti-Black, Anti-Indigenous, People of Colour Racism

Moved by: M. Salih
Seconded by: Mayor E. Holder

WHEREAS the Municipal Council of The Corporation of the City of London acknowledges that systemic anti-Black, anti-Indigenous and people of colour racism exists in London;

AND WHEREAS the Municipal Council unequivocally condemns racism in all of its forms:

AND WHEREAS the Municipal Council acknowledges that the Corporation's workforce is not reflective of the population it services and that it will continue to work to ensure a reflective workforce;

AND WHEREAS the Municipal Council affirms the commitment to help eradicate anti-Black, anti-Indigenous and people of colour oppression:

NOW THEREFORE IT BE RESOLVED THAT the Civic Administration BE DIRECTED to

- a) report back to a future meeting of the appropriate Standing Committee with an update on the implementation of the Community Diversity & Inclusion Strategy, providing specific details with respect to the equity and inclusion lens of the Strategy and the next steps that will be taken to end racism in London;
- b) report back to the appropriate Standing Committee with respect to metrics that may be or are currently implemented to demonstrate progress with respect to hiring to reflect the diversity of the community; and
- c) report back to the appropriate Standing Committee with respect the establishment of a Black Liaison Officer position at the City of London, similar to the previously approved Indigenous Liaison Officer position, including input from the community and related financing, with respect to this matter.

Yeas: (15): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelozza, A. Kayabaga, and S. Hillier

Motion Passed (15 to 0)

5.2 London Boards - Black Lives Matter Rally

Moved by: J. Helmer

Seconded by: Mayor E. Holder

That the following actions be taken with respect to the City of London Boards:

- a) the London Police Services Board and all School Boards operating in London BE REQUESTED to respond to the issues raised by Londoners during the Black Lives Matter Rally held on June 6, 2020; and,
- b) the Middlesex-London Health Unit Board BE REQUESTED to respond to the issues raised by Londoners during the Black Lives Matter Rally held on June 6, 2020.

Motion Passed

Voting Record:

Moved by: J. Helmer

Seconded by: Mayor E. Holder

That the London Police Services Board and all School Boards operating in London BE REQUESTED to respond to the issues raised by Londoners during the Black Lives Matter Rally held on June 6, 2020.

Yeas: (15): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelozza, A. Kayabaga, and S. Hillier

Motion Passed (15 to 0)

Moved by: J. Helmer
Seconded by: Mayor E. Holder

That the Middlesex-London Health Unit Board BE REQUESTED to respond to the issues raised by Londoners during the Black Lives Matter Rally held on June 6, 2020.

Yeas: (14): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, E. Pelozza, A. Kayabaga, and S. Hillier
Recuse: (1): S. Turner

Motion Passed (14 to 0)

6. Adjournment

The meeting adjourns at 7:31 PM.

June 16, 2020

Step 1 – Leave - Emergent Motion

Moved by: _____

Seconded by: _____

That pursuant to section 20.2 of the Council Procedure By-law leave BE GIVEN to introduce the following emergent motion to delegate authority to the Civic Administration to amend regulations to assist businesses to reopen.

Step 2 – Emergent Motions

Moved by: Councillor S. Turner

Seconded by:

WHEREAS the Province of Ontario on June 8, 2020 announced the next phase of opening businesses, previously ordered closed during COVID-19 pandemic response;

AND WHEREAS the Province of Ontario on June 8 announced an amendment to Regulation 719 under the *Liquor Licence Act* to support liquor sales licensees in temporarily extending their patios;

AND WHEREAS the municipality wishes to assist London businesses to achieve compliance with temporary regulations and requirements in a timely manner, with a focus on the principles of public safety and risk-based flexibility;

AND WHEREAS the Civic Administration has established a Back to Business Action Team and intake portal to receive and respond to requests from businesses;

AND WHEREAS the Civic Administration By-law permits the delegation of authority, therefore, the following actions be taken:

- a) the City Manager and all Managing Directors and designates BE DELEGATED the authority to amend the regulations related to reopening supportive actions including business application and permit processing procedures until December 31, 2020 in the following By-laws: Business Licence By-law, Streets By-law, Traffic and Parking By-law, Sign By-law, Parks and Recreation By-law, Sound By-law, Building By-law and Council Policy By-law;
- b) the Civic Administration BE DIRECTED to proactively raise challenges to the reopening of businesses in London to other levels of government where specific changes to regulatory and/or operational mechanisms are required in order for the City to respond quickly to the needs of local businesses; and,
- c) the Civic Administration BE DIRECTED to report back to the appropriate Standing Committee at an appropriate time to identify any impacts or changes made under this delegation;

it being noted that the above delegations and amendments shall apply only until December 31, 2020 or until as otherwise directed by Council;

it also being noted that the associated delegated authorities will assist with prompt reviews and approvals for business reopening items such as temporary restaurant patios, curbside pick-ups, vending stands and other applicable business practices;

it also be further noted the fees and charges associated with business applications, permits and encroachments can be considered with other financial matters at the June 23, 2020 meeting of the Strategic Priorities and Policy Committee.

Bill No. 192
2020

By-law No. A.-_____ - ____

A by-law to confirm the proceedings of the
Council Meeting held on the 16th day of June,
2020.

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

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

PASSED in Open Council on June 16, 2020.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – June 16, 2020
Second Reading – June 16, 2020
Third Reading – June 16, 2020

Bill No. 193
2020

By-law No. A.- _____ - _____

A by-law to authorize an Agreement between The Corporation of the City of London and Donald Jones Management Services Inc., for the operation and management of Centennial Hall, and to authorize the execution the Agreement.

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

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

AND WHEREAS section 23(1) of the *Municipal Act, 2001* authorizes the municipality to delegate its powers and duties to a person;

AND WHEREAS it is deemed expedient for The Corporation of the City of London (the "City") to enter into an Agreement with Donald Jones Management Services Inc. for the operation and management of Centennial Hall (the "Agreement");

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

1. The Agreement substantially in the form attached as Schedule "A" to this By-law, being an Agreement with Donald Jones Management Services Inc. for the operation and management of Centennial Hall is hereby AUTHORIZED AND APPROVED.
2. The Mayor and City Clerk are hereby authorized to execute the Agreement authorized and approved under section 1 of this by-law.
3. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on June 16, 2020

Ed Holder
Mayor

Catharine Saunders
City Clerk

First reading – June 16, 2020
Second reading – June 16, 2020
Third reading – June 16, 2020

SCHEDULE "A"

This Agreement made this day of June, 2020

THE CORPORATION OF THE CITY OF LONDON
(hereinafter called the "Owner")

- AND -

DONALD JONES MANAGEMENT SERVICES INC.
(hereinafter called the "Manager")

WHEREAS by an agreement dated the 1st day of January, 2006 (the "2006 Agreement"), the Owner engaged the Manager to operate and manage Centennial Hall at 550 Wellington Street in the City of London which is a multi-purpose public hall owned by the Owner;

AND WHEREAS by an agreement dated the 1st day of January, 2010 (the "2010 Agreement"), the Parties extended the term of engagement of the Manager to operate and manage the Hall for the Owner;

AND WHEREAS by an agreement dated the 17th day of September, 2012 (the "2012 Agreement"), the Parties extended the term of engagement of the Manager to operate and manage the Hall for the Owner;

AND WHEREAS by an agreement dated the 28th day of July, 2015 (the "2015 Agreement"), the Parties extended the term of engagement of the Manager to operate and manage the Hall for the Owner;

AND WHEREAS the parties wish to extend the term of engagement of the Manager for an additional five (5) year period;

NOW THEREFORE in consideration of the mutual covenants and agreements herein contained and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by the parties, the Owner and the Manager agree as follows:

1. The term of engagement of the Manager shall be extended for an additional five (5) year period commencing on the 1st day of January, 2021 and ending on the 31st day of December, 2025, on the same terms and conditions as set out in the 2006 Agreement, as amended.
2. Schedule "B" – Centennial Hall Rates and Requirements of the 2006 Agreement, as previously amended, is hereby deleted and replaced by the new Schedule "B" attached hereto.
3. In all other respects, the parties confirm that the 2006 Agreement, as amended by the 2010 Agreement, the 2012 Agreement and the 2015 Agreement shall remain in full force and effect.

IN WITNESS WHEREOF the Owner and Manager have executed this Agreement as evidenced by the signatures of their authorized officers.

THE CORPORATION OF THE CITY OF LONDON

Per: _____
Ed Holder, Mayor

Per: _____
Catharine Saunders, City Clerk

DONALD JONES MANAGEMENT SERVICES INC.

Per: _____
Donald Jones, President
I have the authority to bind the corporation.

SCHEDULE "B"

2020 FEES AND CHARGES CULTURE SERVICES

Service/Activity	2020 PROPOSED	
	Effective Date	Fee
<u>SERVICE GROUPING: CENTENNIAL HALL</u>		
i) Hall Rentals		
(a) Auditorium		
Theatre Style (Monday - Thursday, Sunday)	Jan. 1/20	\$2,500 or 10% gross gate to a maximum of \$4,000, whichever is greater
Banquet Style	Jan. 1/20	\$1,500.00
Banquet Style - June, July, August	Jan. 1/20	\$1,000.00
New Year's Eve	Jan. 1/20	\$2,500.00
Rehearsal Stage	Jan. 1/20	\$600.00
(b) Banquet Hall		
Monday through Friday	Jan. 1/20	\$1,000.00
Sunday, Saturday, Holidays	Jan. 1/20	\$1,000.00
New Year's Eve	Jan. 1/20	\$2,000.00
One-half Banquet Hall	Jan. 1/20	\$500.00
Trade Shows (per day)	Jan. 1/20	\$1,000.00
(c) Lounge		
Jan. 1/20	Jan. 1/20	\$250.00
(d) Lounge - After Events		
Jan. 1/20	Jan. 1/20	\$200.00
(e) Entire Building (Convention Rate)		
Jan. 1/20	Jan. 1/20	\$3,500.00
(f) Entire Building (Trade Show Rate)		
Jan. 1/20	Jan. 1/20	\$3,500.00
(g) Early/Late Access Charge/hour (Prior to 8:00 a.m./after 1:00 p.m.)		
Jan. 1/20	Jan. 1/20	\$50.00
(h) Move In/Move Out		
Jan. 1/20	Jan. 1/20	50% of applicable rate
(i) Women's Canadian Club		
Jan. 1/20	Jan. 1/20	\$850.00
(j) Teen Dances or Pub Nights (Banquet Hall only)		
Jan. 1/20	Jan. 1/20	\$1,000.00
(k) Catering Surcharge		
Jan. 1/20	Jan. 1/20	7% of gross catering revenue or \$0.70/person
ii) Bar Receipts		
Centennial Hall License - Rates	Jan. 1/20	Market
iii) Canteen Receipts - Snacks		
Jan. 1/20	Jan. 1/20	Market
iv) Checkroom Receipts		
Jan. 1/20	Jan. 1/20	Market
v) Sundry Receipts		
Jan. 1/20	Jan. 1/20	Market
vi) Chair Removal		
Jan. 1/20	Jan. 1/20	Market
vii) Catering Revenue		
Self Catering	Jan. 1/20	Market & 7% of admissions
viii) Ticket Surcharge		
Jan. 1/20	Jan. 1/20	\$1.00 per ticket
<i>Fanshawe Symphonic Chorus and Local Community Events are excluded.</i>		

Note:

1. Non-profit organizations which book a series of events, in advance, (at least six events per calendar year) and which require a very limited amount of set-up and maintenance will receive a reduced rate.

Bill No. 194
2020

By-law No. A.-_____ - ____

A by-law to ratify and confirm the Annual Resolutions of the Shareholder of the Housing Development Corporation, London.

WHEREAS the Housing Development Corporation, London is incorporated under the *Business Corporations Act* R.S.O. 1990, c.B.16 (the “BCA”);

AND WHEREAS subsection 104(1)(b) of the BCA provides that a resolution in writing dealing with all matters required by the BCA to be dealt with at a meeting of shareholders, and signed by all the shareholders or their attorney authorized in writing entitled to vote at the meeting, satisfies all the requirements of the BCA relating to that meeting of shareholders;

AND WHEREAS The Corporation of the City of London is the sole shareholder of Housing Development Corporation, London;

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

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

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

1. The Annual Resolutions of the Shareholder of the Housing Development Corporation, London for the fiscal year ended December 31, 2019, attached as Schedule “1” are ratified and confirmed.
2. The Mayor and the City Clerk are authorized to execute the Annual Resolutions of the Shareholder ratified and confirmed under section 1 of this by-law.
3. This by-law comes into force and effect on the day it is passed.

PASSED in Open Council on June 16, 2020.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – June 16, 2020
Second Reading – June 16, 2020
Third Reading – June 16, 2020

SCHEDULE "1"

HOUSING DEVELOPMENT CORPORATION, LONDON (the "Corporation")

WHEREAS subsection 104(1)(b) of the *Business Corporations Act* (Ontario) (the "Act") provides that a resolution in writing dealing with all matters required by the Act to be dealt with at a meeting of shareholders, and signed by all the shareholders or their attorney authorized in writing entitled to vote at the meeting, satisfies all the requirements of the Act relating to that meeting of shareholders;

The following resolutions, signed by the sole shareholder of the Corporation entitled to vote thereon, are hereby passed pursuant to the provisions of the Act:

FINANCIAL STATEMENTS

It is hereby acknowledged that the balance sheet of the Corporation as at December 31, 2019, and the other audited financial statements, together with Auditors' Report, of the Corporation for the financial year ended on such date have been received by the undersigned shareholder of the Corporation.

ELECTION OF INTERIM DIRECTOR

WHEREAS notwithstanding the Articles of Incorporation of the Housing Development Corporation, London provides for a minimum of three (3) directors, The Sole Shareholder, on September 17, 2019 resolved to appoint an interim director of the Corporation, being a member of the City of London's Civic Administration having expertise and experience in various housing service perspectives, homelessness prevention and supportive housing services; and

AND WHEREAS the term of the interim director expires at the annual meeting of the shareholders pursuant to paragraph 6.2 of the Declaration of the Sole Shareholder or at such time as the completion of the review of how affordable housing development services would be implemented in the future, whichever comes first;

NOW THEREFORE BE IT RESOLVED THAT:

1. The following person, being the interim director that is a member pursuant to section 6.2 of the Declaration of the Sole Shareholder is hereby elected as the interim director of the Corporation to hold office for a term with the expiry at the annual meeting of the shareholders or at such time as the completion of the review of how affordable housing development services would be implemented in the future, whichever comes first:

Craig Cooper, Manager, Homeless Prevention Services

APPOINTMENT OF AUDITORS

3. KPMG LLP are hereby appointed auditors of the Corporation to hold office until the close of the next annual meeting of the shareholders or until a successor is appointed by the shareholder at such remuneration as may be fixed by the directors and the directors are hereby authorized to fix such remuneration.

DATED this ____ day of _____, 2020.

The Corporation of the City of London

By: _____
Name: Ed Holder
Title: Mayor

By: _____
Name: Catharine Saunders
Title: City Clerk

Bill No. 195
2020

By-law No. A.-_____ - _____

A by-law to ratify and confirm the Annual Resolutions of the Shareholder of London & Middlesex Community Housing Inc.

WHEREAS London & Middlesex Community Housing Inc. is incorporated under the *Business Corporations Act* R.S.O. 1990, c.B.16 (the “BCA”);

AND WHEREAS subsection 104(1)(b) of the BCA provides that a resolution in writing dealing with all matters required by the BCA to be dealt with at a meeting of shareholders, and signed by all the shareholders or their attorney authorized in writing entitled to vote at the meeting, satisfies all the requirements of the BCA relating to that meeting of shareholders;

AND WHEREAS The Corporation of the City of London is the sole shareholder of London & Middlesex Community Housing Inc.;

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

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

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

1. The Annual Resolutions of the Shareholder of London & Middlesex Community Housing Inc. for the fiscal year ended December 31, 2019, attached as Schedule “1” are ratified and confirmed.
2. The Mayor and the City Clerk are authorized to execute the Annual Resolutions of the Shareholder ratified and confirmed under section 1 of this by-law.
3. This by-law comes into force and effect on the day it is passed.

PASSED in Open Council on June 16, 2020.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – June 16, 2020
Second Reading – June 16, 2020
Third Reading – June 16, 2020

SCHEDULE “1”

LONDON & MIDDLESEX COMMUNITY HOUSING INC. (the “Corporation”)

WHEREAS subsection 104(1)(b) of the *Business Corporations Act* (Ontario) (the “Act”) provides that a resolution in writing dealing with all matters required by the Act to be dealt with at a meeting of shareholders, and signed by all the shareholders or their attorney authorized in writing entitled to vote at the meeting, satisfies all the requirements of the Act relating to that meeting of shareholders;

The following resolutions, signed by the sole shareholder of the Corporation entitled to vote thereon, are hereby passed pursuant to the provisions of the Act:

FINANCIAL STATEMENTS

It is hereby acknowledged that the balance sheet of the Corporation as at December 31, 2019, and the other audited financial statements, together with Auditors’ Report, of the Corporation for the financial year ended on such date have been received by the undersigned shareholder of the Corporation.

ELECTION OF INTERIM BOARD OF DIRECTORS

WHEREAS pursuant to the Declaration of the Sole Shareholder, the interim board of directors of the Corporation shall consist of a minimum of three (3) members of the City of London’s Civic Administration having expertise and experience in various service perspectives, including Finance and Administration, Property Services and Facilities Management, Human and Community Services, Planning and Development and Governance; and

AND WHEREAS the term of the interim board of directors expires at the annual meeting of the shareholders pursuant to paragraph 6.2 of the Declaration of the Sole Shareholder or at such time as the Board determines and recommends to the Shareholder when and if revised composition is needed, whichever comes first;

NOW THEREFORE BE IT RESOLVED THAT:

1. Each of the following persons, being interim directors that are members pursuant to section 6.2 of the Declaration of the Sole Shareholder is hereby elected as an interim director of the Corporation to hold office for a term with the expiry at the annual meeting of the shareholders or at such time as the Board determines and recommends to the Shareholder when and if revised composition is needed, whichever comes first:

Rosanna Wilcox, Director, Service Innovation and Performance
John Millson, Senior Financial Business Administrator
Paul Yeoman, Director, Development Services
Aynsley Anderson, Solicitor II

APPOINTMENT OF AUDITORS

3. KPMG LLP are hereby appointed auditors of the Corporation to hold office until the close of the next annual meeting of the shareholders or until a successor is appointed by the shareholder at such remuneration as may be fixed by the directors and the directors are hereby authorized to fix such remuneration.

DATED this ____ day of _____, 2020.

The Corporation of the City of London

By: _____

Name: Ed Holder

Title: Mayor

By: _____

Name: Catharine Saunders

Title: City Clerk

Bill No. 196
2020

By-law No. A.-_____ - _____

A by-law to ratify and confirm the Annual Resolutions of the Shareholder of London Hydro Inc.

WHEREAS London Hydro Inc. is a corporation incorporated under the *Business Corporations Act* R.S.O. 1990, c.B.16;

AND WHEREAS subsection 104(1)(b) of the *Business Corporations Act* provides that a resolution in writing dealing with all matters required by this Act to be dealt with at a meeting of shareholders, and signed by all the shareholders or their attorney authorized in writing entitled to vote at the meeting, satisfies all the requirements of this Act relating to that meeting of shareholders;

AND WHEREAS The Corporation of the City of London is the sole shareholder of London Hydro Inc.;

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

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

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

1. The Annual Resolutions of the Shareholder of London Hydro Inc. for the fiscal year ended December 31, 2019, attached as Schedule "1" are ratified and confirmed.
2. The Mayor and the City Clerk are authorized to execute the Annual Resolutions of the Shareholder ratified and confirmed under section 1 of this by-law.
3. This by-law comes into force on the day it is passed.

PASSED in Open Council on the June 16, 2020.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading - June 16, 2020
Second Reading – June 16, 2020
Third Reading - June 16, 2020

SCHEDULE "1"

LONDON HYDRO INC. (the "Corporation")

WHEREAS subsection 104(1)(b) of the *Business Corporations Act* (Ontario) (the "Act") provides that a resolution in writing dealing with all matters required by the Act to be dealt with at a meeting of shareholders, and signed by all the shareholders or their attorney authorized in writing entitled to vote at the meeting, satisfies all the requirements of the Act relating to that meeting of shareholders;

The following resolutions, signed by the sole shareholder of the Corporation entitled to vote thereon, are hereby passed pursuant to the provisions of the Act:

FINANCIAL STATEMENTS

It is hereby acknowledged that the balance sheet of the Corporation as at December 31, 2019, and the other audited financial statements, together with Auditors' Report, of the Corporation for the financial year ended on such date have been received by the undersigned shareholder of the Corporation.

ELECTION OF DIRECTORS

WHEREAS pursuant to an Amended and Restated Shareholder Declaration, as amended (the "Amended and Restated Shareholder Declaration"), the board of directors of the Corporation shall consist of seven directors, six of which shall be composed of various classes of directors, each serving for a three-year term, and the seventh member of the fourth class shall serve as the representative of the municipal council of The Corporation of the City of London;

AND WHEREAS the terms of the directors that are members of the second class expire at the annual meeting of shareholders held in 2020 pursuant to paragraph 4.4 of the Shareholder Declaration;

NOW THEREFORE BE IT RESOLVED THAT:

1. Each of the following persons, being directors that are members of the second class pursuant to paragraph 4.4 of the Amended and Restated Shareholder Declaration, are hereby elected as a director of the Corporation to hold office for a term with the expiry as set out below, provided that when a successor is not duly elected at the close of the annual meeting described below, such director shall hold office until his or her successor is elected:

<u>Class</u>	<u>Name of Director</u>	<u>Term</u>
Second	Connie Graham	the close of the annual meeting of the shareholders to be held in 2023 for the financial year ending December 31, 2022
Second	Guy Holburn	the close of the annual meeting of the shareholders to be held in 2023 for the financial year ending December 31, 2022.

CONFIRMATION OF CONTINUING TERMS

2. Each of the following persons, being directors that are members of the first, third and fourth class, as provided for below, pursuant to paragraph 4.4 of the Shareholder Declaration, is hereby confirmed as having a term continuing until the expiry as set out below, provided that when a successor is not duly elected at the close of the annual meeting described below, such director shall hold office until his or her successor is elected:

<u>Class</u>	<u>Name of Director</u>	<u>Term</u>
First	Gabriel Valente	the close of the annual meeting of shareholders to be held in 2022 for the financial year ending December 31, 2021
First	Jack Smit	the close of the annual meeting of shareholders to be held in 2022 for the financial year ending December 31, 2021
Third	Marilyn Sinclair	the close of the annual meeting of shareholders to be held in 2021 for the financial year ending December 31, 2020
Third	Andrew Hrymak	The close of the annual meeting of the shareholders to be held in 2021 for the financial year ending December 31, 2020
Fourth	Michael van Holst	the term ending November 15, 2022

APPOINTMENT OF AUDITORS

3. KPMG LLP are hereby appointed auditors of the Corporation to hold office until the close of the next annual meeting of the shareholders or until a successor is appointed by the shareholder at such remuneration as may be fixed by the directors and the directors are hereby authorized to fix such remuneration.

DATED this _____ day of _____, 2020.

The Corporation of the City of London

By: _____
Name: Ed Holder
Title: Mayor

By: _____
Name: Catharine Saunders
Title: City Clerk

Bill No. 197
2020

By-law No. L.S.P.-_____ -_____

A by-law to expropriate lands in the City of London, in the County of Middlesex, for the the Adelaide Street CP Rail Grade Separation Project, between Central Avenue and McMahan Street.

WHEREAS the Municipal Council of The Corporation of the City of London, as Approving Authority, pursuant to the *Expropriations Act, R.S.O. 1990, c. E.26*, as amended, at its meeting held on October 22, 2019, approved the expropriation of the lands and premises hereinafter described in attached Schedule “A” of this by-law:

AND WHEREAS the said Approving Authority has directed that its Certificate of Approval be issued in the prescribed form;

AND WHEREAS The Corporation of the City of London, as Expropriating Authority, at its meeting held on October 22, 2019, accepted the recommendation of Approving Authority;

BE IT THEREFORE ENACTED by the Municipal Council of The Corporation of the City of London, as follows:

1. The lands described in attached Schedule “A” of this bylaw be, and the same, are hereby expropriated pursuant to the *Expropriations Act, R.S.O. 1990, c. E. 26*, and the *Municipal Act, 2001*, as amended.
2. The appropriate municipal officials are authorized and directed to take all proper and necessary steps and proceedings including the employment of valuers, to settle by arbitration or otherwise, the amount of compensation to be paid in respect of the expropriation of the said lands, providing that the amount of compensation shall not be reached by agreement unless adopted and approved by the Municipal Council of The Corporation of the City of London.
3. The appropriate municipal officials are authorized and directed to prepare a plan or plans, as necessary, showing the lands to be expropriated for registration in the appropriate Registry of Land Titles Office, and the Mayor and the Clerk are authorized and directed to sign the plan of expropriation, all pursuant to the *Expropriations Act*.
4. The appropriate municipal officials are authorized and directed to execute and serve the Notice of Expropriation and the Notice of Possession pursuant to the *Expropriations Act*.
5. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on June 16, 2020.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First reading – June 16, 2020
Second reading – June 16, 2020
Third reading – June 16, 2020

Schedule "A"

To By-law L.S.P.-_____ -_____

DESCRIPTION OF LANDS TO BE EXPROPRIATED FOR ADELAIDE STREET CP RAIL GRADE SEPARATION PROJECT BETWEEN ELIAS STREET AND NORTH OF McMAHEN STREET

The following lands are required in fee simple:

Fee Simple:

Parcel 1: Part of Lot 3, East Side of Adelaide Street, Registered Plan No. 386(3rd) in the City of London, County of Middlesex designated as Part 1 on Plan 33R-20554 being all of PIN 08280-0004(LT)

Parcel 6: Part of Lot 4, Registered Plan No. 166(3rd) in the City of London, County of Middlesex designated as Part 3 on Plan 33R-20555 being part of PIN 08279-0060(LT)

Parcel 7: Part of Lot 4, Registered Plan No. 166(3rd) in the City of London, County of Middlesex designated as Part 4 on Plan 33R-20555 being part of PIN 08279-0061(LT)

Parcel 8: Part of Lot 4, Registered Plan No. 166(3rd) in the City of London, County of Middlesex being all of PIN 08279-0062(LT)

Parcel 9: Part of Lot 4, Registered Plan No. 54(E) in the City of London, County of Middlesex designated as Part 5 on Plan 33R-20555 being part of PIN 08278-0234(LT)

Parcel 10: Part of Lots 9 and 10, West of Adelaide Street and Part of Pall Mall Street (Closed by By-Law S-1091-287, Registered as Inst. No. LC133181) in the City of London, County of Middlesex designated as Part 1 on Plan 33R-20556 being part of PIN 08277-0124(LT)

Parcel 11: Part of Lots 7 and 8, West of Adelaide Street in the City of London, County of Middlesex designated as Part 4 on Plan 33R-20556 being all of PIN 08277-0134(LT)

Parcel 13: Part of Lots 1, 2 and 3, Registered Plan No. 194(E) in the City of London, County of Middlesex designated as Part 6 on Plan 33R-20556 being part of PIN 08277-0035(LT)

Parcel 14: Part of Lot 4, West of Adelaide Street in the City of London, County of Middlesex designated as Part 7 on Plan 33R-20556 being part of PIN 08277-0036(LT)

Parcel 15: Part of Lot 4, West of Adelaide Street in the City of London, County of Middlesex designated as Part 8 on Plan 33R-20556 being part of PIN 08277-0034(LT)

Parcels 2, 3, 4, 5 and 12 obtained and closed amicable agreements.

Permanent Interest (Easement):

Parcel 16: Part of Lots 4 and 5, Registered Plan No. 54(E) in the City of London, County of Middlesex designated as Part 6 on Plan 33R-20555 being part of PIN 08278-0234(LT)

Parcel 17: Part of Lot 9, West of Adelaide Street in the City of London, County of Middlesex designated as Part 2 on Plan 33R-20556 being part of PIN 08277-0124(LT)

Limited Interest (Easement):

Parcel 20: Part of Lots 4 and 5, Registered Plan No. 54(E) in the City of London, County of Middlesex designated as Part 7 on Plan 33R-20555 being part of PIN 08278-0234(LT)

Parcel 21: Part of Lot 5, Registered Plan No. 54(E) in the City of London, County of Middlesex designated as Part 8 on Plan 33R-20555 being part of PIN 08278-0234(LT)

Parcel 22: Part of Lot 4, Registered Plan No. 54(E) in the City of London, County of Middlesex designated as Part 9 on Plan 33R-20555 being part of PIN 08278-0235(LT)

Parcel 23: Part of Pall Mall Street (Closed by By-Law S-1091-287, Registered as Inst. No. LC133181) in the City of London, County of Middlesex designated as Part 3 on Plan 33R-20556 being part of PIN 08277-0124(LT)

Parcels 18 and 19 obtained and closed amicable agreements.

Bill No. 198
2020

By-law No. S.-_____ - ____

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

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

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

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

Part of Lot 9, Concession 1, in the geographic Township of London, now in the City of London and County of Middlesex, designated as Parts 1, 2 and 3 on Reference Plan 33R-20511

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

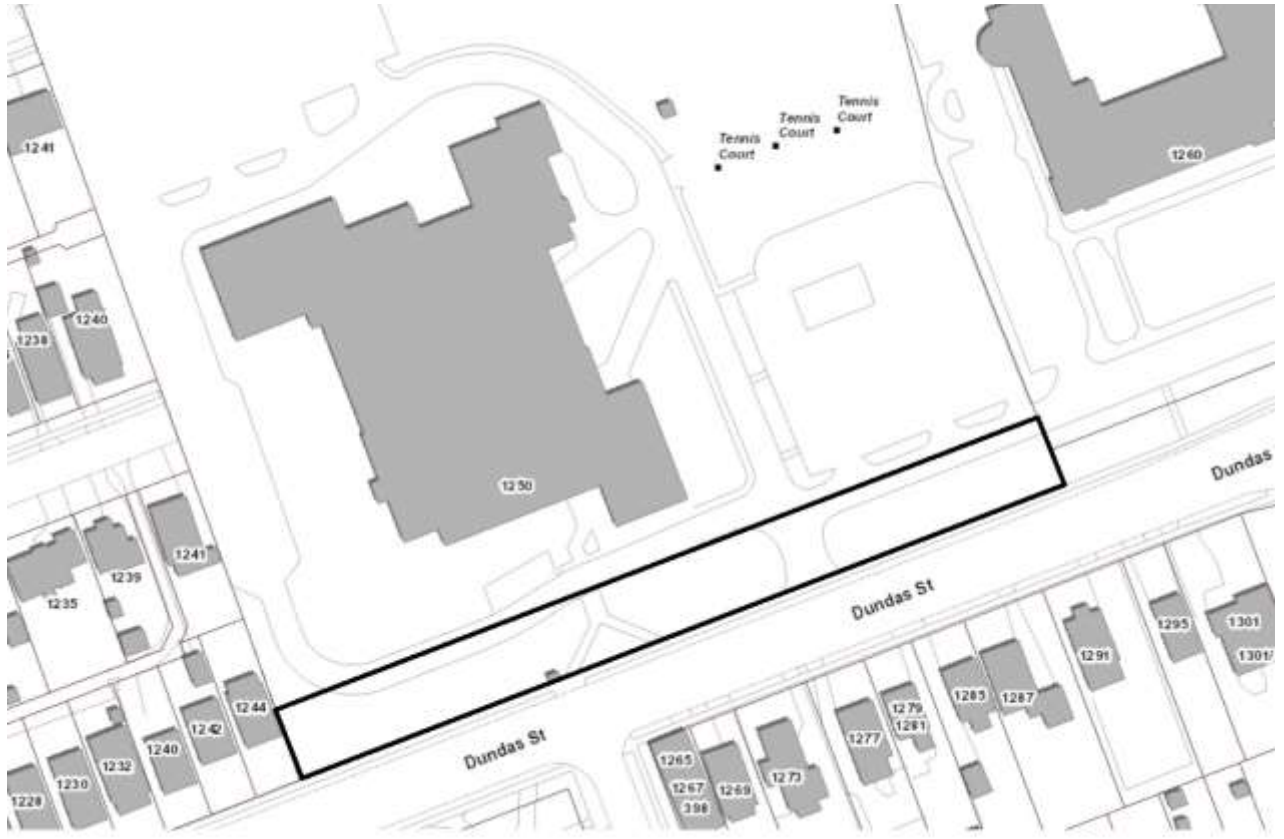
PASSED in Open Council on June 16, 2020.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – June 16, 2020
Second Reading – June 16, 2020
Third Reading – June 16, 2020

LOCATION MAP



 SUBJECT LANDS

Bill No. 199
2020

By-law No. S.-_____ - ____

A by-law to permit Khalid Hussain and Batsha Hussain to maintain and use a boulevard parking area upon the road allowance for 245 William Street, City of London.

WHEREAS Khalid Hussain and Batsha Hussain (the "Owners") represent that they are the registered owners of certain lands and premises in the City of London, in the County of Middlesex, known municipally as 245 William Street, in the said City of London, County of Middlesex, and which are more particularly described in the boulevard parking agreement attached hereto as Schedule "A" (the "said lands");

AND WHEREAS the Owners Khalid Hussain and Batsha Hussain have petitioned the Municipal Council of The Corporation of the City of London for permission to use a portion of the City-owned road allowance which abuts the said lands as a boulevard parking area (the "said parking area") for the purpose of parking motor vehicles;

AND WHEREAS the Municipal Council of The Corporation of the City of London has approved the entering into of a Boulevard Parking Agreement (the "said Agreement") with the Owners relating to the use of the said parking area;

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

1. The said Agreement attached hereto as Schedule "A" of this by-law is authorized and approved.
2. The Mayor and the City Clerk are authorized and directed to execute the attached Agreement on behalf of The Corporation of the City of London and to cause the seal of the Corporation to be affixed thereon.
3. The City Clerk is authorized upon the receipt of the required registration fee from the Owner and upon the authorization of the Site Plan Administrator for The Corporation of the City of London to register this by-law in the Land Registry Office for the Land Titles Division of Middlesex No. 33.
4. Nothing in this by-law limits the covenants and agreements between the parties to the said Agreement.
5. This by-law comes into force and effect on the day it is passed.

PASSED in open Council on June 16, 2020.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – June 16, 2020
Second Reading – June 16, 2020
Third Reading – June 16, 2020

Schedule "A"

THIS AGREEMENT made in duplicate this 4th day of June, 2020
BETWEEN

THE CORPORATION OF THE CITY OF LONDON
(hereinafter called "the Corporation")

OF THE FIRST PART

AND KHALID HUSSAIN
BATSHA HUSSAIN
(hereinafter called "the Owner")

OF THE SECOND PART

WHEREAS by section 11(1) of the *Municipal Act 2001*, as amended, the Corporation is authorized and empowered to pass by-laws for leasing or licensing the use of untravelled portions of highways, under the jurisdiction of the council, except highways that are extensions or connecting links of the King's Highway;

AND WHEREAS the Owner represents that it is the registered owner of certain lands and premises in the City of London, in the County of Middlesex, known municipally as, **245 William Street** in the City of London, County of Middlesex, and being more particularly described in Schedule "A" attached hereto;

AND WHEREAS the Owner has petitioned the Municipal Council of the Corporation for permission to use, for the purpose of parking motor vehicles, the lands and premises as shown on the parking plan attached hereto as Schedule "B", hereinafter called "the Premises" being part of the untravelled portion of the highway adjacent to **245 William Street** in the City of London on the terms and conditions as set out in this Agreement;

NOW THEREFORE THIS AGREEMENT witnesseth that in consideration of the premises and the sum of TWO DOLLARS (\$2.00) of lawful money of Canada, now paid by the Owner to the Corporation, the receipt whereof is hereby acknowledged, the Owner covenants and agrees with the City to do and perform, at its expense the following matters and things:

1. The Corporation agrees to allow the Owner, at the Owner's sole expense, to construct, maintain, repair and use in accordance with the terms of this Agreement a parking area on the Premises as set out in Schedule "B" attached.
2. The Owner shall pay all applicable realty taxes assessed against the parking area constructed on the Premises on or before the City of London tax instalment due date(s).
3. The Owner shall ensure that the parking area is constructed on the Premises in accordance with the approved parking plan attached as Schedule "B" and shall obtain approval from the City Engineer for the Corporation for a curb cut, if required.
4. All terms and conditions of this Agreement and all works to be carried out on the Premises shall be completed within one hundred and eighty days (180) days from the date of this Agreement or by such other date as may be specified in writing by the Corporation.
5. The Owner shall, at its expense, maintain the parking area on the Premises in accordance with the plan as set out in Schedule "B" and shall make no alterations or additions to the parking area on the Premises without the written approval of the Corporation which approval may not be unreasonably withheld.
6. The Owner covenants:
 - (a) to use the Premises solely for the purpose of parking motor vehicles and the parking must be accessory to an abutting legal residential use;
 - (b) to remove from the Premises, upon receiving written notice from the Corporation, any inoperable, unserviceable or incapacitated motor vehicles;
 - (c) not to permit nor to undertake the repair or servicing of motor vehicles on the Premises;
 - (d) to keep the Premises free from dust, papers and rubbish of any kind;

- (e) to use the Premises in a proper and orderly manner and not to permit anything to be done upon the Premises which is in violation of any by-law of the Corporation in force during the time of this Agreement or which may create a nuisance or be objectionable;
- (f) not to use the parking area constructed on the Premises to accommodate a vehicle with dimensions in excess of the following:

length	-	6.0 meters (20.0 feet)
width	-	2.4 meters (7.9 feet)
height	-	2.4 meters (7.9 feet)

or to accommodate any other vehicle which is deemed by City Council to be unacceptable; and

- (g) not to use the Premises for the storage of any materials.
 - (h) that the parking area constructed on the Premises shall not encroach onto adjacent properties.
7. The Owner acknowledges and agrees that the parking area constructed on the Premises is solely for the use and enjoyment of the resident or occupant of the Owner's lands as set out in Schedule "B".
 8. The Owner shall, at all times, indemnify and save harmless the Corporation of and from all loss, costs and damages which the Corporation may suffer, be at or be put to, for or by reason or on account of any matter or thing which may occur, be done or arise by reason of the use of the Premises or of any other property of the Corporation to gain ingress to or egress from the parking area or anything which may be done thereon or which may be neglected to be done thereon by the Owner, his agents, servants, or others.
 9. The Owner shall, throughout the term of this Agreement, at its own expense obtain and maintain and provide the Corporation with evidence of comprehensive general liability insurance for an amount not less than Two Million (\$2,000,000) dollars or such greater amount as the Corporation may advise is required and shall include the Corporation as an additional insured with respect to the Owner's obligations under this Agreement. The above-mentioned insurance will not be cancelled or permitted to lapse unless the Owner's insurer notifies the Corporation in writing at least thirty (30) days prior to the date of cancellation or expiry. The Owner will provide that evidence of such insurance shall be delivered to the Corporation promptly upon request.
 10. This Agreement may be terminated by either party upon sixty (60) days notice in writing and such notice having been given, this Agreement and all of the conditions, covenants and provisos herein shall cease on the day set out in the said notice.
 11. On termination of this Agreement for any reason, including but not limited to default, the Owner shall, within ninety (90) days therefrom, remove from the Premises all works associated with the parking area and restore, at its own expense, the Premises in a manner and to a condition satisfactory to the City Engineer which may include, but not be limited to, the restoration of the boulevard to grass and the construction of curbs to prevent ingress to or egress from the Premises.
 12. Notwithstanding anything contained herein, the Corporation shall have the right of free, uninterrupted and unobstructed access at all times to the Premises for the purpose of inspecting the facilities, works and matters, and for the purpose of installing and maintaining services and utilities and the Corporation shall only be liable to restore the premises to the approximate condition in which it existed at the time of each any every entry upon the premises.
 13. Any notice by the City to the Owner shall be effectually given by personal service upon or by first class registered mail to the Owner at the address shown on the last returned assessment roll as updated from time to time as to any change in ownership received in writing by the City Clerk, and every such notice shall be deemed to be given upon the day it was personally served or so mailed.
 14. It is intended that all provisions of this Agreement shall be fully binding and effective between the parties, but in the event that any particular provision or provisions or a part of one is found to be invalid or unenforceable for any reason whatever, then the particular provision or provisions or

part of the provision shall be deemed to be severed from the remainder of this Agreement and all other provisions shall remain in full force and effect.

15. This Agreement shall be binding upon the Owner, its heirs, executors, administrators, successors and assigns, as the case may be, as subsequent owners and occupiers of the said lands from time to time and "Owner" wherever used in this Agreement is intended and shall be construed to include such subsequent owners and occupiers.

IN WITNESSETH WHEREOF the Owner has hereunto set its hand and seal, or caused to be affixed its corporate seal duly attested by the hands of its proper signing officers, as the case may be, and the Corporation has caused to be affixed its corporate seal duly attested by the hands of its proper signing officers.


SIGNED, SEALED AND DELIVERED

in the presence of a Witness



Khalid Hussain





Batsha Hussain



THE CORPORATION OF THE CITY OF LONDON

Ed Holder, Mayor

Catharine Saunders, City Clerk

Page 4

SCHEDULE "A"

ALL AND SINGULAR that certain parcel or tract of land and premises, lying, being and situate on Part Lot 24 S/E Horton Street, Plan 178(E), as in 599602, London

