Council Agenda
Including Addeds

The 4th Meeting of City Council

February 23, 2021, 4:00 PM

2021 Meeting - Virtual Meeting during the COVID-19 Emergency

Please check the City website for current details of COVID-19 service impacts.

Meetings can be viewed via live-streaming on YouTube and the City website

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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. Solicitor-Client Privilege / Litigation or Potential Litigation

This report can be considered in a meeting closed to the public as the subject matter being considered pertains to advice that is subject to solicitor-client privilege, including communications necessary for that purpose from the solicitor and officers and employees of the Corporation; the subject matter pertains to litigation or potential litigation with respect to an appeal at the Local Planning Appeal Tribunal (“LPAT”), and for the purpose of providing instructions and directions to officers and employees of the Corporation. (6.1/3/PEC)

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

A matter pertaining to the proposed or pending acquisition of land by the municipality, including communications necessary for that purpose; advice that is subject to solicitor-client privilege; commercial and financial information, that belongs to the municipality and has monetary value or potential monetary value and a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality. (6.1/3/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. (6.2/3/CSC)

4.4. 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. (6.3/3/CSC)

4.5. Personal Matters/Identifiable Individuals

A matter pertaining to personal matters about identifiable individuals, labour relations or employee negotiations, including communications necessary for that purpose and, advice and recommendations of officers and employees of the Corporation, including communications necessary for that purpose and for the purpose of providing instructions and direction to officers and employees of the Corporation. (6.1/5/SPPC)

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

5.1. 3rd Meeting held on February 2, 2021 11

6. Communications and Petitions

6.1. London Community Recovery Network - Ideas for Action by Municipal Council

(Refer to the Planning and Environment Committee Stage for Consideration with item 10 (2.8) of the 3rd Report of the Planning and Environment Committee)

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2. J. Pastorius, Old East Village BIA 65

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(Refer to the Civic Works Committee Stage for Consideration with item 12 (2.6) of the 2nd Report of the Civic Works Committee)

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3. J. Menard, ACCAC - Request for Delegation Status at the Civic Works Committee Meeting on March 2, 2021 71

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31. C. Grass 102

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34. J. and K. New - Request for Delegation Status at the Civic Works Committee Meeting on March 2, 2021 105

35. E. and J. Grover 106

36. D. and B. Gibbs - Request for Delegation Status at the Civic Works Committee Meeting on March 2, 2021 107

(Note: A petition to Oppose Sidewalks on Imperial Road containing approximately 24 signatures is on file in the City Clerk's Office.)

37. S. and C. Cozens 108

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39. R. Rudell - Request for Delegation Status at the Civic Works Committee Meeting on March 2, 2021 110

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42. (ADDED) W. Henke *113*

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6.4. City of London Service Review: Recommended Closure of River Road Golf Course

(Refer to the Strategic Priorities and Policy Committee Stage for Consideration with item 2 (3.1) of the 5th Report of the Strategic Priorities and Policy Committee)

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2. P. Marshman 118

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4. (ADDED) Councillor M. van Holst - Controlling Golf Revenues *120*

7. Motions of Which Notice is Given

8. Reports

12. (2.6) New Sidewalks in 2021 Infrastructure Reconstruction Projects

13. (2.7) Stopping and Parking Restrictions in Bicycle Lanes (Relates to Bill No. 68)

14. (2.11) 2020 Drinking Water Annual Report and Summary Report for the City of London Drinking Water System

15. (4.1) Fleet Electrification Analysis Report

16. (5.1) Deferred Matters List

8.5. 5th Report of the Strategic Priorities and Policy Committee 169

1. Disclosures of Pecuniary Interest

2. (3.1) City of London Service Review: Recommended Closure of River Road Golf Course

3. (4.1) Consideration of Appointment to the RBC Place London Board

8.6. 1st Report of the Audit Committee 174

1. (1.1) Disclosures of Pecuniary Interest

2. (1.2) Election of Vice Chair for the term ending November 30, 2021

3. (4.1) Audit Planning Report for the Year Ended December 31, 2020

4. (4.2) London Downtown Closed Circuit Television Program – Report on Specified Auditing Procedures for the Year Ending December 31, 2020

5. (4.3) Internal Audit Summary Update

6. (4.4) Revised 2020-2022 Audit Plan by Audit Universe Area

7. (4.5) Internal Audit Dashboard as at January 29, 2021

8. (4.6) Audit Committee Observation Summary as at January 29, 2021

9. (4.7) Assumptions and Securities Review

10. (4.8) Class Replacement Project Post - Implementation Reconciliation Process Review

9. Added Reports

9.1. 4th Report of Council in Closed Session

10. Deferred Matters

11. Enquiries

11.1. Statement of Claim - CLC Tree Services Ltd. - Councillors P. Squire and S. Lewis 176

12. Emergent Motions

13. By-laws

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

13.1. Bill No. 63 By-law No. A.-_____-____ 177

A by-law to confirm the proceedings of the Council Meeting held on the 23rd day of February, 2021. (City Clerk)

13.2. Bill No. 64 By-law No. A.-_____-____ 178

A by-law to approve and authorize the execution of the current and future Letters of Agreement between Her Majesty the Queen in right of the Province of Ontario, as represented by the Minister of Transportation for the Province of Ontario and the City of London for the transfer of Dedicated Gas Tax Funds for Public Transportation Program. (2.2/3/CSC)

13.3. Bill No. 65 By-law No. A.-_____-____ 182

A by-law to approve and authorize the execution of the Transfer Payment Agreement between Her Majesty the Queen in right of the Province of Ontario, as represented by the Minister of Transportation for the Province of Ontario and the City of London for the reimbursement of funds under the Municipal Transit Enhanced Cleaning funding program. (2.3/3/CSC)

13.4. Bill No. 66 By-law No. A.-6825(__)-____ 211

A by-law to amend By-law A.-6825-162, as amended, entitled “A by-law to establish a municipal service board for the purpose of operating and managing Eldon House” to amend the Board composition to provide for the appointment of a past Chair of the Board as a Director. (2.5/4/CPSC)

13.5. Bill No. 67 By-law No. C.P.-_____-___ 212

A by-law to exempt from Part-Lot Control, lands located at 1160 Wharncliffe Road South, legally described as Block 2, 3, 4, 5 and 7 in Registered Plan 33M-786. (2.6/3/PEC)

13.6. Bill No. 68 By-law No. PS-113-21_____ 213

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.” (2.7/2/CWC)

13.7. Bill No. 69 By-law No. S.-5898(__)-____ 221

A by-law to amend By-law S.-5868-183 entitled “A by-law prohibiting and regulating signs, and regulating the placing of signs upon highways and buildings”. (2.3/4/CPSC)

13.8. Bill No. 70 By-law No. S.-_____-____ 222

A by-law to lay out, constitute, establish and assume certain reserves in the City of London as public highway. (as widening to Richmond Street between College Avenue and Grosvenor Street; and as widening to St. George Street between College Avenue and Grosvenor Street) (Chief Surveyor – pursuant to SPA20-035 and in accordance with Zoning By-

A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at 335 Kennington Way, 3959 and 3964 Avenue; legally described as Part of Block 1, Plan 33M765, Designated as Part 2 and 3 Plan 33R-20777 and Block 2, 33M 765. (2.3/3/PEC)

13.19. Bill No. 81 By-law No. Z.-1-21_____ 243

A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at 3542 Emilycarr Lane. (2.5/3/PEC)

13.20. Bill No. 82 By-law No. Z.-1-21_____ 245

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 3195 White Oak Road. (3.1/3/PEC)

13.21. Bill No. 83 By-law No. Z.-1-21_____ 247

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 185 Horton Street East. (3.3/3/PEC)

14. Adjournment

Council

Minutes

The 3rd Meeting of City Council
February 2, 2021, 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. Peloza, A. Kayabaga, S. Hillier

Also Present: M. Ribera, C. Saunders and B. Westlake-Power

Remote Attendance: L. Livingstone, A. Barbon, G. Barrett, B. Card, K. Dickins, M. Goldrup, A. Hagan, G. Kotsifas, P. McKague, K. Scherr, M. Schulthess, E. Skalski, C. Smith, S. Stafford, B. Warner, R. Wilcox, J. Wills, P. Yeoman.

The meeting was called to order at 4:01 PM, with Mayor E. Holder in the Chair and all Members participating, except Councillors M. Cassidy and P. Van Meerbergen; it being noted that the following Members attended the meeting remotely: M. van Holst, M. Salih, J. Helmer, M. Cassidy, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Peloza, A. Kayabaga and S. Hillier.

1. Disclosures of Pecuniary Interest

Mayor E. Holder discloses a pecuniary interest in Item 13 (5.1) of the 1st Report of the Civic Works Committee, having to do with the Deferred Matters List, specific to the properties located at 745 and 747 Waterloo Street, by indicating that his daughter and spouse own a business at that location.

Councillor S. Lehman discloses pecuniary interests in the following Items:

Item 5 (2.4) of the 2nd Report of the Corporate Services Committee and related Bill No. 40, having do with the approval of the London Downtown Business Association proposed 2021 budget, by indicating that he is a member of the Association; and,

Item 5 (4.2) of the 4th Report of the Strategic Priorities and Policy Committee, having to do with appointments to the Downtown London Business Association, by indicating that he is a member of the Association.

Councillor M. Cassidy discloses a pecuniary interest in Item 6 (2.4) of the 2nd Report of the Planning and Environment Committee and related Bill No. 55, having to do with an application related to the property located at 307 Fanshawe Park Road East, by indicating that she owns property in close vicinity to the subject property.

Councillor A. Hopkins discloses a pecuniary interest in Item 6.4 of the 2nd Report of the Corporate Services Committee and related Bill No. 60, having to do with the Collective Agreement between The Corporation of the City of London and the London Civic Employees Local Union No. 107 (Chartered by the Canadian Labour Congress), by indicating that her son is employed by the City of London and is a member of Local Union No. 107.

2. Recognitions

2.1 His Worship the Mayor announces the winners of the Diversity, Race Relations and Inclusivity Awards.

At 4:04 PM, Councillor M. Cassidy enters the meeting.

At 4:09 PM, Councillor P. Van Meerbergen enters the meeting.

3. Review of Confidential Matters to be Considered in Public

None.

Motion made by: E. Peloza
Seconded by: S. Hillier

That pursuant to section 6.5 of the Council Procedure By-law, the following changes in order BE APPROVED:

a) Stage 4 – Council, In Closed Session be considered after Stage 13- By-laws, with the exception of Bill No. 36, being a by-law to confirm the proceedings of the Council Meeting held on the 2nd Day of February, 2021, which will be considered, prior to Stage 14 – Adjournment; and

b) Stage 9 – Added Reports –Item 9.1 – 3rd Report of Council, In Closed Session be considered after Stage 4 – Council, In Closed Session.

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)

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

5.1 2nd Meeting held on January 12, 2021

Motion made by: S. Hillier
Seconded by: A. Hopkins

That Minutes of the 2nd Meeting held on January 12, 202, 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. Peloza, A. Kayabaga, and S. Hillier

Motion Passed (15 to 0)

6. Communications and Petitions

Motion made by: P. Van Meerbergen
Seconded by: M. van Holst

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

6.1 Application - 307 Fanshawe Park Road East (H-92255)

1. B. Day
2. C. Clausius
3. D. Beverley
4. F. Cull
5. M. Crawford

6.2 Application - 690, 696, 698, 700 King Street, 400 Lyle Street, 701, 725, 729, 735, 737 Dundas Street and 389, 391, 393 Hewitt Street

1. M. Carroll
2. J. Elizabeth

3. A.M. Valastro

4. (ADDED) A. Grzyb and R. Odegaard, Unity Project

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

Recuse: (1): M. Cassidy

Motion Passed (14 to 0)

7. Motions of Which Notice is Given

None.

8. Reports

8.1 3rd Report of the Community and Protective Services Committee

Motion made by: J. Helmer

That the 3rd Report of the Community and Protective Services Committee 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. Peloza, A. Kayabaga, and S. Hillier

Motion Passed (15 to 0)

1. Disclosures of Pecuniary Interest

Motion made by: J. Helmer

That it BE NOTED that no pecuniary interests were disclosed.

Motion Passed

2. (2.1) Homeless Prevention Head Lease Program (Single Source 20-34)

Motion made by: J. Helmer

That, on the recommendation of the Acting Managing Director, Housing, Social Services and Dearness Home and with the concurrence of the Director, Financial Services, the following actions be taken with respect to the staff report dated January 19, 2021, related to the award of contracts through Single Source procurement requiring Committee and City Council approval for awards greater than $50,000:

a) a Single Source Procurement (SS 20-34), as per section 14.4(a) of the Procurement of Goods and Services Policy, BE AWARDED to 186 King Street Holdings Incorporated for the provision of up to twenty (20) units at an estimated cost of $180,000 (excluding HST) for use in the Head Lease program for a one year term with an option to renew for two additional one year terms based on available funding/budget; and,

b) the Civic Administration BE AUTHORIZED to undertake all administrative acts that are necessary in connection with this matter. (2021-S14)

Motion Passed

3. (4.1) Development on Elm Street

Motion made by: J. Helmer

That the undated communication from Councillor M. van Holst regarding the construction of park facilities or a community hub at the Holy Cross School on Elm Street, BE RECEIVED. (2021-S11)

Motion Passed

4. (4.2) Housing First Emergency Youth Shelter

Motion made by: J. Helmer

That the delegation request by T. Gillis, S. Cordes and M. Doucet, Youth Opportunities Unlimited (YOU), with respect to funding awarded to YOU in 2017, BE APPROVED for a future meeting of the Community and Protective Services Committee; it being noted that a communication from T. Gillis, S. Cordes and M. Doucet, dated January 8, 2021, was received with respect to this matter. (2021-S11)

Motion Passed

5. (5.1) Deferred Matters List

Motion made by: J. Helmer

That the Deferred Matters List for the Community and Protective Services Committee, as at January 7, 2021, BE RECEIVED.

Motion Passed

8.2 2nd Report of the Corporate Services Committee

Motion made by: M. Cassidy

That the 2nd Report of the Corporate Services Committee BE APPROVED, excluding Items 5 (2.4) and 9 (2.7).

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: M. Cassidy

That it BE NOTED that no pecuniary interests were disclosed.

Motion Passed

2. (2.1) Argyle Business Improvement Area 2021 Proposed Budget - Municipal Special Levy (Relates to Bill No. 37)

Motion made by: M. Cassidy

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the following actions be taken with respect to the Argyle Business Improvement Area:

a) the Argyle Business Improvement Area proposed 2021 budget submission in the amount of $262,000 BE APPROVED as outlined in Schedule “A”, as appended to the staff report dated January 18, 2021;

b) the amount to be raised by The Corporation of the City of London for the 2021 fiscal year for the purposes of the Argyle Business Improvement Area and pursuant to subsection 208(1) of the *Municipal Act, 2001* BE FIXED at $215,000;

c) a special charge BE ESTABLISHED for the amount referred to in part b), above, by a levy in accordance with By-law A.-6873-292, as amended; it being noted that the special charge shall have priority lien status and shall be added to the tax roll pursuant to subsection 208(7) of the *Municipal Act, 2001*; and,

d) the proposed by-law appended to the staff report dated January 18, 2021 as Schedule “C” with respect to Municipal Special Levy for the Argyle Business Improvement Area BE INTRODUCED at the Municipal Council meeting to be held on February 2, 2021.

Motion Passed

3. (2.2) Hamilton Road Business Improvement Area 2021 Proposed Budget - Municipal Special Levy (Relates to Bill No. 38)

Motion made by: M. Cassidy

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the following actions be taken with respect to the Hamilton Road Business Improvement Area:

a) the Hamilton Road Business Improvement Area proposed 2021 budget submission in the amount of $135,231 BE APPROVED as outlined in Schedule “A” as appended to the staff report dated January 18, 2021;

b) the amount to be raised by The Corporation of the City of London for the 2021 fiscal year for the purposes of the Hamilton Road Business Improvement Area and pursuant to subsection 208(1) of the *Municipal Act, 2001* BE FIXED at $70,000;

c) a special charge BE ESTABLISHED for the amount referred to in part b), above, by a levy in accordance with By-law C.P.-1528-486, as amended; it being noted that the special charge shall have priority lien status and shall be added to the tax roll pursuant to subsection 208(7) of the *Municipal Act, 2001*; and,

d) the proposed by-law as appended to the staff report dated January 18, 2021 as Schedule “C” with respect to Municipal Special Levy for the Hamilton Road Business Improvement Area BE INTRODUCED at the Municipal Council meeting to be held on February 2, 2021.

Motion Passed

4. (2.3) Hyde Park Business Improvement Area 2021 Proposed Budget - Municipal Special Levy (Relates to Bill No. 39)

Motion made by: M. Cassidy

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the following actions be taken with respect to the Hyde Park Business Improvement Area:

a) the Hyde Park Business Improvement Area proposed 2021 budget submission in the amount of $442,000 BE APPROVED as outlined in Schedule “A” as appended to the staff report dated January 18, 2021;

b) the amount to be raised by The Corporation of the City of London for the 2021 fiscal year for the purposes of the Hyde Park Business Improvement Area and pursuant to subsection 208(1) of the *Municipal Act, 2001* BE FIXED at $434,000;

c) a special charge BE ESTABLISHED for the amount referred to in part b), above, by a levy in accordance with By-law CP-1519-490, as amended; it being noted that the special charge shall have priority lien status and shall be added to the tax roll pursuant to subsection 208(7) of the *Municipal Act, 2001*; and,

d) the proposed by-law as appended to the staff report dated January 18, 2021 as Schedule “C” with respect to Municipal Special Levy for the Hyde Park Business Improvement Area BE INTRODUCED at the Municipal Council meeting to be held on February 2, 2021.

Motion Passed

6. (2.5) Old East Village Business Improvement Area 2021 Proposed Budget - Municipal Special Levy (Relates to Bill No. 41)

Motion made by: M. Cassidy

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the following actions be taken with respect to the Old East Village Business Improvement Area:

a) the Old East Village Business Improvement Area proposed 2021 budget submission in the amount of $234,350 BE APPROVED as outlined in Schedule “A” as appended to the staff report dated January 18, 2021;

b) the amount to be raised by The Corporation of the City of London for the 2021 fiscal year for the purposes of the Old East Village Business Improvement Area and pursuant to subsection 208(1) of the *Municipal Act, 2001* BE FIXED at $42,000;

c) a special charge BE ESTABLISHED for the amount referred to in part b), above, by a levy in accordance with By-law CP-1, as amended; it being noted that the special charge shall have priority lien status and shall be added to the tax roll pursuant to subsection 208(7) of the *Municipal Act, 2001*; and,

d) the proposed by-law as appended to the staff report dated January 18, 2021 as Schedule “C” with respect to Municipal Special

Levy for the Old East Village Business Improvement Area BE INTRODUCED at the Municipal Council meeting to be held on February 2, 2021.

Motion Passed

7. (2.8) Appointment of Councillor Peloza to the National Board of the Climate Caucus

Motion made by: M. Cassidy

That the appointment of Councillor E. Peloza to the National Board of the Climate Caucus for the term commencing October 19, 2020 through November 2021 BE SUPPORTED.

Motion Passed

8. (2.6) Assessment Growth for 2021, Changes in Taxable Phase-Values, and Shifts in Taxation as a Result of Reassessments

Motion made by: M. Cassidy

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the staff report dated January 18, 2021, with respect to Assessment Growth for 2021, Changes in Taxable Phase-Values, and Shifts in Taxation as a Result of Reassessments BE RECEIVED.

Motion Passed

10. (4.1) Application - Issuance of Proclamation - London Black History Month 2021

Motion made by: M. Cassidy

That based on the application dated December 17, 2020, from London Black History Coordinating Committee, the month of February BE PROCLAIMED as Black History Month 2021.

Motion Passed

11. (5.1) Application - Issuance of Proclamation – International Day of Zero Tolerance for Female Genital Mutilation

Motion made by: M. Cassidy

That based on the application dated January 13, 2021, from the End FGM Canada Network, February 6, 2021 BE PROCLAIMED International Day of Zero Tolerance for Female Genital Mutilation.

Motion Passed

5. (2.4) London Downtown Business Association 2021 Proposed Budget - Municipal Special Levy (Relates to Bill No. 40)

Motion made by: M. Cassidy

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the following actions be taken with respect to the London Downtown Business Association:

a) the London Downtown Business Association proposed 2021 budget submission in the amount of $1,972,282 BE APPROVED as outlined in Schedule “A” as appended to the staff report dated January 18, 2021;

b) the amount to be raised by the Corporation of the City of London for the 2021 fiscal year for the purposes of the London Downtown Business Association and pursuant to subsection 208(1) of the *Municipal Act, 2001* BE FIXED at $1,877,082;

c) a special charge BE ESTABLISHED for the amount referred to in part b), above, by a levy in accordance with By-law CP-2, as amended; it being noted that the special charge shall have priority lien status and shall be added to the tax roll pursuant to subsection 208(7) of the *Municipal Act, 2001*; and,

d) the proposed by-law as appended to the staff report dated January 18, 2021 as Schedule “C” with respect to Municipal Special Levy for the London Downtown Business Association BE INTRODUCED at the Municipal Council meeting to be held on February 2, 2021.

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

Recuse: (1): S. Lehman

Motion Passed (14 to 0)

9. (2.7) Ontario Transfer Payment Agreement - Bill 218, Supporting Ontario's Recovery and Municipal Elections Act, 2020 (Relates to Bill No. 42)

At 4:36 PM, Mayor E. Holder places Deputy Mayor J. Morgan in the Chair and takes a seat at the Council Board.

At 4:40 PM, Mayor E. Holder resumes the Chair and Deputy Mayor J. Morgan takes his seat at the Council Board.

Motion made by: M. Cassidy

That, on the recommendation of the City Clerk, the proposed by-law as appended to the staff report dated January 18, 2021 as Appendix “A”, being a by-law to approve and authorize the Ontario Transfer Payment Agreement between Her Majesty the Queen in right of Ontario as represented by the Minister of Municipal Affairs and Housing (the “Province”) and The Corporation of the City of London (the “Recipient”) to provide funding for expenses related to the to return to first-past-the-post election framework for the 2022 Municipal Election, BE INTRODUCED at the Municipal Council meeting to be held on February 2, 2021.

Yeas: (9): Mayor E. Holder, M. van Holst, S. Lewis, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, and P. Van Meerbergen

Nays: (6): M. Salih, A. Hopkins, S. Turner, E. Peloza, A. Kayabaga, and S. Hillier

Motion Passed (9 to 6)

8.3 1st Report of the Civic Works Committee

Motion made by: E. Peloza

That the 1st Report of the Civic Works Committee BE APPROVED, excluding Items 12 (4.1) to 13 (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. Peloza, A. Kayabaga, and S. Hillier

Motion Passed (15 to 0)

1. (1.1) Disclosures of Pecuniary Interest

Motion made by: E. Peloza

Mayor E. Holder discloses a pecuniary interest in clause 5.1, having to do with Item 4 of the Deferred Matters List, related to the properties at 745 and 747 Waterloo Street, by indicating that his daughter owns a business located at 745 Waterloo Street.

Motion Passed

2. (1.2) Election of Vice Chair for the term ending November 30, 2021

Motion made by: E. Peloza

That Councillor S. Turner BE ELECTED Vice-Chair of the Civic Works Committee for the term ending November 30, 2021.

Motion Passed

3. (2.1) RFP 20-60 Large Diameter Watermain Inspection

Motion made by: E. Peloza

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the staff report dated January 19, 2021, related to the Large Diameter Watermain Inspection Project:

a) the bid submitted by Kenwave Solutions Inc., 7080 Derrycrest Drive, Mississauga, Ontario, L5W 0G5, in the amount of $1,041,546.00 (excluding H.S.T.) BE AWARDED in accordance with Section 15.2.e of the City of London’s Procurement of Goods and Services Policy;

b) the financing for this project BE APPROVED as set out in the Sources of Financing Report appended to the above-noted staff report;

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

d) the Mayor and the City Clerk BE AURTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2021-E08)

Motion Passed

4. (2.2) Proposed Expansion of the W12A Landfill Site - Updated Environmental Assessment Engineering Consulting Costs

Motion made by: E. Peloza

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the staff report dated January 19, 2021 related to the Proposed Expansion of the W12A Landfill Site and updated Environmental Assessment Engineering Consulting Costs:

a) Oakridge Environmental BE APPOINTED to carry out additional project coordination services as part of the Individual Environmental Assessment (EA) process for the proposed expansion of the W12A Landfill and provide advice/assistance on the Environmental Protection Act (EPA), Ontario Water Resource Act (OWRA) and Planning approvals for the Expansion of the W12A Landfill, in the total amount of $61,000 (excluding HST), in accordance with Section 15.2 (g) of the City of London's Procurement of Goods and Services Policy;

b) the financing for this project BE APPROVED in accordance with the Sources of Financing report appended to the above-noted staff report:

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

d) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2021-E07)

Motion Passed

5. (2.3) Huxley Street Closing (Relates to Bill No. 46)

Motion made by: E. Peloza

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 January 19, 2021, BE INTRODUCED at the Municipal Council meeting to be held on February 2, 2021, to close a part of Huxley Street, designated as Part 2 on Plan 33R-20888; it being noted that, subject to the passing and registration of the above-noted closing by-law in the Land Registry Office, utility easements shall be conveyed to Enbridge Gas, Bell Canada, Rogers Communications and London Hydro and the City will retain a municipal services easement and an easement for public walkway over the lands to be conveyed. (2021-T09)

Motion Passed

6. (2.5) Oxford Street West and Gideon Drive Intersection Improvements Environmental Assessment Study - Appointment of Consulting Engineer

Motion made by: E. Peloza

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the

following actions be taken with respect to the staff report dated January 19, 2021, related to the appointment of a Consulting Engineer for the Oxford Street West and Gideon Drive Intersection Improvements Environmental Assessment Study:

a) R.V. Anderson Associates Limited BE APPOINTED as a Consulting Engineer to complete the Schedule ‘B’ Municipal Class Environmental Assessment for the Oxford Street West and Gideon Drive Intersection Improvements at an upset amount of $174,471 (excluding HST) in accordance with RFP20-56 and Section 15.2 (e) of the Procurement of Goods and Services Policy;

b) the financing for this assignment BE APPROVED as set out in the Sources of Financing Report appended to the above-noted staff report;

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

d) the approvals given, herein, BE CONDITIONAL upon the Corporation entering into a formal contract with the consultant for the work; and,

e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents including agreements, if required, to give effect to these recommendations. (2021-T05/E05)

Motion Passed

7. (2.6) Appointment of Consulting Engineers - Springbank Dam Decommissioning

Motion made by: E. Peloza

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the staff report dated January 19, 2021 related to the Appointment of a Consulting Engineer for the Springbank Dam Decommissioning:

a) Stantec Consulting Ltd. BE APPOINTED Consulting Engineers to complete the pre-design and detailed design of the 2021 Springbank Dam Decommissioning, as per the recommendations outlined in the One River Environmental Assessment, in the total amount of $328,318.28, including contingency, (excluding HST);

b) the financing for this project BE APPROVED as set out in the Sources of Financing Report appended to the above-noted staff report;

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

d) the approvals given, herein, BE CONDITIONAL upon the Corporation entering into a formal contract with the consultant for the project; and,

e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2021-E21)

Motion Passed

8. (2.7) Amendments to the Traffic and Parking By-law (Relates to Bill No. 45)

Motion made by: E. Peloza

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 January 19, 2021, BE INTRODUCED at the Municipal Council meeting to be held on February 2, 2021 to amend By-law PS-113, entitled, “A by-law to regulate traffic and the parking of motor vehicles in the City of London”. (2021-T02/T08)

Motion Passed

9. (2.4) Ministry of Transportation Road Closures for the Highway 401/Highway 4 (Colonel Talbot Road) Interchange Improvements

Motion made by: E. Peloza

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the required municipal road closures related to the Highway 401 / Highway 4 (Colonel Talbot Road) interchange improvements and the Highway 4 and Glanworth Drive underpass bridge replacements BE ENDORSED, as outlined in the staff report dated January 19, 2021, in accordance with the approved Transportation Environmental Study Report prepared by the Ontario Ministry of Transportation (MTO). (2021-T09)

Motion Passed

10. (2.8) RFP 20-72 Supply and Delivery of Medium Duty Crew Cab Trucks

Motion made by: E. Peloza

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the staff report dated January 19, 2021, related to RFP20-72 for the Supply and Delivery of Medium Duty Crew Cab Trucks:

a) the submission from Carrier Centers, 90 Enterprise Drive, London, Ontario, N6N 1A8, BE ACCEPTED for the supply and delivery of four (4) medium duty crew cab trucks at a total purchase price of $578,955 (excluding HST), in accordance with Section 12.2 b) of the Goods and Services Policy which states “Awards under the Request for Approval (RFP) process require the following approval: Committee and City Council must approve an RFP award for purchases greater than $100,000”;

b) Fleet Services BE AUTHORIZED to award a contract term of one (1) year for the replacement of (4) four units in 2021, with three (3) option years to replace nine (9) units in 2022, and ten (10) units in 2023, as per the replacement schedule approved in the 2020-2023 capital budget, funded by ME202201 and ME202301 capital projects;

c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with these purchases;

d) approval, hereby given, BE CONDITIONAL upon the Corporation entering into a formal contract or having a purchase order, or contract record relating to the subject matter of this approval, in accordance with Section 12.2 b) of the Goods and Services Policy which states “Awards under the RFP process require the following approval: Committee and City Council must approve an RFP award for purchases greater than $100,000”; and,

e) the funding for this purchase BE APPROVED as set out in the Source of Financing Report appended to the above-noted staff report. (2021-V01)

Motion Passed

11. (3.1) Street Renaming Portion of Darlington Place (Plan 33M-773)

Motion made by: E. Peloza

That, on the recommendation of the Director, Development Services, with respect to the application by Sifton Properties Limited related to the renaming of Darlington Place, the portion of “Darlington Place” from Kettering Place southward to Lot 9, Concession 1, Part 2 of Reference Plan 33R-19902, within Registered Plan 33M-773, BE RENAMED to “Barn Swallow Place”; it being noted that no individuals spoke at the public participation meeting associated with this matter. (2021-T00)

Motion Passed

12. (4.1) Implementing Speed Bumps on Aldersbrook Gate

Motion made by: E. Peloza

That the communication from A. Mercer, dated December 29, 2020, related to Implementing Speed Bumps on Aldersbrook Gate, BE NOTED AND FILED, noting that the author has since requested the communication to be withdrawn; it being noted that the Civic Administration will undertake to review the current related policy. (2021-T04)

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)

13. (5.1) Deferred Matters List

Motion made by: E. Peloza

That the Civic Works Committee Deferred Matters List, as at January 7, 2021, 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. Peloza, A. Kayabaga, and S. Hillier

Recuse: (1): Mayor E. Holder

Motion Passed (14 to 0)

8.4 2nd Report of the Planning and Environment Committee

Motion made by: P. Squire

That the 2nd Report of the Planning and Environment Committee BE APPROVED, excluding Items 6 (2.4) and 7 (3.1).

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: P. Squire

That it BE NOTED that no pecuniary interests were disclosed.

Motion Passed

2. (2.2) Application - 2700 Buroak Drive (H-9284) (Relates to Bill No. 53)

Motion made by: P. Squire

That, on the recommendation of the Director, Development Services, based on the application by Foxhollow North Kent Developments Inc., relating to the property located at 2700 Buroak Drive, the proposed by-law appended to the staff report dated January 18, 2021 BE INTRODUCED at the Municipal Council meeting to be held on February 2, 2021 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 R6 (h*h-54*h-71*h-95*h-100*R6-5) Zone TO a Residential R6 (R6-5) Zone and FROM a Holding Residential R6/R7/R8 (h*h-54*h-71*h-95*h-100*R6-5/R7*H15* D75/R8*H15*D75) Zone TO a Residential R6/R7/R8 (R6-5/R7*H15*D75/ R8*H15*D75) Zone to remove the “h, h-54, h-71, h-95 and h-100” holding provisions.

Motion Passed

3. (2.3) Application - 2261 Linkway Boulevard - Removal of Holding Provision (H-9242) (Relates to Bill No. 54)

Motion made by: P. Squire

That, on the recommendation of the Director, Development Services, based on the application by Rembrandt Developments (Fanshawe) Inc., relating to lands located at 2261 Linkway Boulevard, legally described as Block 90 Plan 33M-768, the proposed by-law appended to the staff report dated January 18, 2021 BE INTRODUCED at the Municipal Council meeting to be held on February 2, 2021 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 R6 (h-54•h-71•R6-5) Zone TO a Residential R6 (R6-5) Zone to remove the h-54 and h-71 holding provisions.

Motion Passed

4. (2.5) Inclusionary Zoning Review: Terms of Reference

Motion made by: P. Squire

That, on the recommendation of the Director, City Planning and City Planner, the following actions be taken with respect to the Inclusionary Zoning review:

a) the Terms of Reference for the Inclusionary Zoning Review, appended to the staff report dated January 18, 2021, BE RECEIVED for information; and,

b) the Civic Administration BE DIRECTED to complete steps necessary to prepare the Draft Assessment Report, consistent with Provincial requirements; it being noted that a draft Assessment Report will be brought before a future meeting of the Planning and Environment Committee for Council’s consideration.

Motion Passed

5. (2.1) 2019 State of the Downtown Report

Motion made by: P. Squire

That, on the recommendation of the Director, Planning and City Planner, the staff report dated January 18, 2021 entitled "2019 State of the Downtown Report" BE RECEIVED for information.

Motion Passed

8. (4.1) Request for Amendment to our Hamilton Road Business Improvement Area By-laws

Motion made by: P. Squire

That the City Clerk BE DIRECTED to bring forward to a future meeting of Municipal Council a by-law to incorporate the proposed amendments to the Hamilton Road Business Improvement Area By-law as requested by the Hamilton Road Business Improvement Area Board of Management as outlined in the communication dated December 15, 2020 from R. Pinheiro, Chairman, Hamilton Road Business Improvement Area.

Motion Passed

6. (2.4) Application - 307 Fanshawe Park Road East (H-9255) (Relates to Bill No. 55)

Motion made by: P. Squire

That, on the recommendation of the Director, Development Services, based on the application by 1423197 Ontario Inc. (Royal Premier Homes), relating to the property located at 307 Fanshawe Park Road East, the proposed by-law appended to the staff report dated January 18, 2021 BE INTRODUCED at the Municipal Council meeting to be held on February 2, 2021 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 R5 Special Provision (h-5*h-54*h-89*R5-7(10)) Zone TO Residential R5 Special Provision (R5-7(10)) Zone to remove the “h-5, h-54 and h-89” holding provisions.

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

Recuse: (1): M. Cassidy

Motion Passed (14 to 0)

7. (3.1) Application - 690, 696, 698, 700 King Street, 400 Lyle Street, 701, 725, 729, 735, 737 Dundas Street and 389, 391, 393 Hewitt Street (Relates to Bill No. 56)

Motion made by: P. Squire

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application by East Village Holdings Limited, relating to the properties located at 690, 696, 698, 700 King Street, 400 Lyle Street, 701, 725, 729, 735, 737 Dundas Street, and 389, 391, 393 Hewitt Street:

a) the proposed by-law appended to the staff report dated January 18, 2021 BE INTRODUCED at the Municipal Council meeting to be held on February 2, 2021 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject properties BY AMENDING the Bonus (B-32) Zone, and to change the zoning of the subject property FROM a Business District Commercial Special Provision Bonus (BDC(24)*D160*H36*B-32) Zone and a Business District Commercial Special Provision (BDC(19)*D250*H46) Zone TO a holding Business District Commercial Special Provision Bonus (h*BDC(24)*D160*H36*B-32) Zone;

the Bonus Zone shall be implemented through one or more agreements to facilitate a high quality mixed-use commercial/residential apartment building, with a maximum height of 24 storeys (82m), and a maximum density of 750 units per hectare for the overall site, which substantively implements the Site Plan and Elevations appended to the staff report dated January 18, 2021 as Schedule “1” for phase 3 to the amending by-law in return for the following facilities, services and matters:

i) Exceptional Building Design

A) an active commercial ground floor design that divides the floor space along Dundas Street into multiple bays with separate and direct entrances to the sidewalk;
B) a minimum floor to ceiling height of 4.5m (15 ft) for the ground floor that is greater than the height of all other individual storeys, to activate the street and create a vibrant pedestrian realm;
C) the provision of a portion of the fifth floor roof as a landscaped outdoor amenity areas for residents;
D) a minimum step-back of 25m (82 ft) of the tower portion of the building from Dundas Street above the sixth storey;
E) a slim tower floor plate of less than 1,075m² (11,571sq ft) for floors 7-24 to minimize the overall mass, visual impact and sunlight disruption of the tower;
F) utilize changes in colour and material to visually break up the massing of the tower; and,
G) utilize building step-backs above the 22nd storey to define the building cap and completely conceal the mechanical and elevator penthouse within the overall architectural design;

ii) Provision of a minimum of 393 parking spaces within two levels of underground parking and structured parking within the podium;

iii) Provision of Affordable Housing

the provision of affordable housing shall consist of:

A) a total of thirteen (13) residential dwelling units provided as nine (9) one bedroom units, and four (4) two-bedroom units;
B) two of the residential dwelling units shall be provided as accessible units, which may be the one or two bedroom units, or a combination thereof;
C) rents not exceeding 80% of the Average Market Rent (AMR) for the London Census Metropolitan Area as determined by the CMHC at the time of building occupancy;
D) the duration of affordability shall be set at 30 years from the point of initial occupancy;

b) the Approval Authority BE ADVISED that the following issues were raised during the public participation meeting with respect to the application by East Village Holdings Limited, relating to the properties located at 690, 696, 698, 700 King Street, 400 Lyle Street, 701, 725, 729, 735, 737 Dundas Street, and 389, 391, 393 Hewitt Street:

i) the proposed number of affordable housing units should be increased;
ii) thirty rent geared to income units should be provided for a period of one hundred years instead of the proposed thirteen affordable housing units at eighty percent market rate for thirty years;
iii) the rationale for the bonus zoning needs to be further clarified;
iv) lack of greenspace proposed to be provided for the residents;
v) lack of trees being provided for on the proposed development;
vi) the negative impact of the shadows from the proposed building will have on neighbouring properties;
vii) the proposed density is too high;
viii) the proposed height of the building is too high;
ix) concerns with location of garbage bins;
x) concerns about the proposed reduced side yard setback;
x) concerns with the current maintenance of the interior and exterior of the existing building owned by the same Corporation; and,
xi) the walkway that was to be built between the building owned by the same Corporation and Dundas Street should be provided for;

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

- a communication from C. BakerBriden; and,
- the staff presentation;

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

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

- the recommended amendment is consistent with the Provincial Policy Statement, 2020 which promotes intensification, redevelopment and a compact form in strategic locations to minimize land consumption and servicing costs and provide for a range of housing types and densities to meet projected requirements of current and future residents, and by promoting a land use pattern, density and a mix of uses that serve to minimize the length and number of vehicle trips and support the development of viable choices and plans for public transit and other alternative transportation modes;
- the recommended amendment conforms to the in-force policies of the Old East Village Dundas Street Corridor Secondary Plan that promotes the continued revitalization of the area;
- the recommended amendment conforms to the in-force policies of The London Plan including but not limited to, Our City, Key Directions, and City Building, and will facilitate a built form that contributes to achieving a compact, mixed-use City;
- the recommended amendment conforms to the in-force policies of the 1989 Official Plan, including but not limited to the objectives of the Old East Village Main Street Commercial Corridor policies which encourages redevelopment in The Village Annex segments of the Main Street Commercial Corridor;
- the recommended amendment will facilitate an enhanced form of development in accordance with the Old East Village Commercial Corridor Urban Design Manual which includes an architecturally defined base, middle and top with the base serving to frame the pedestrian realm at a human-scale; and,
- the recommended amendment is appropriate for the site and surrounding context and will assist with the continued improvement and revitalization of the broader Old East Village.

At 5:14 PM, Mayor E. Holder places Deputy Mayor J. Morgan in the Chair and takes a seat at the Council Board.

At 5:16 PM, Mayor E. Holder resumes the Chair and Deputy Mayor J. Morgan takes his seat at the Council Board.

Motion made by: S. Turner
Seconded by: A. Hopkins

That clause 3.1 BE AMENDED in part a) to read as follows:

That, the following actions be taken with respect to the application by East Village Holdings Limited, relating to the properties located at 690, 696, 698, 700 King Street, 400 Lyle Street, 701, 725, 729, 735, 737 Dundas Street, and 389, 391, 393 Hewitt Street:

a) the proposed attached revised by-law BE INTRODUCED at the Municipal Council meeting to be held on February 2, 2021 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject properties BY AMENDING the Bonus (B-32) Zone, and to change the zoning of the subject property FROM a Business District Commercial Special Provision Bonus (BDC(24)*D160*H36*B-32) Zone and a Business District Commercial Special Provision (BDC(19)*D250*H46) Zone TO a holding Business District Commercial Special Provision Bonus (h*h-5*BDC(24)*D160*H36*B-32) Zone;

the Bonus Zone shall be implemented through one or more agreements to facilitate a high quality mixed-use commercial/residential apartment building, with a maximum height of 24 storeys (82m), and a maximum density of 750 units per hectare for the overall site, which substantively implements the Site Plan and Elevations appended to the staff report dated January 18,

2021 as Schedule “1” for phase 3 to the amending by-law in return for the following facilities, services and matters:

i) Exceptional Building Design

A) an active commercial ground floor design that divides the floor space along Dundas Street into multiple bays with separate and direct entrances to the sidewalk;
B) a minimum floor to ceiling height of 4.5m (15 ft) for the ground floor that is greater than the height of all other individual storeys, to activate the street and create a vibrant pedestrian realm;
C) the provision of a portion of the fifth floor roof as a landscaped outdoor amenity areas for residents;
D) a minimum step-back of 25m (82 ft) of the tower portion of the building from Dundas Street above the sixth storey;
E) a slim tower floor plate of less than 1,075m² (11,571sq ft) for floors 7-24 to minimize the overall mass, visual impact and sunlight disruption of the tower;
F) utilize changes in colour and material to visually break up the massing of the tower; and,
G) utilize building step-backs above the 22nd storey to define the building cap and completely conceal the mechanical and elevator penthouse within the overall architectural design;

ii) Provision of a minimum of 393 parking spaces within two levels of underground parking and structured parking within the podium;

iii) Provision of Affordable Housing

the provision of affordable housing shall consist of:

A) a total of thirteen (13) residential dwelling units provided as nine (9) one bedroom units, and four (4) two-bedroom units;
B) two of the residential dwelling units shall be provided as accessible units, which may be the one or two bedroom units, or a combination thereof;
C) rents not exceeding 80% of the Average Market Rent (AMR) for the London Census Metropolitan Area as determined by the CMHC at the time of building occupancy;
D) the duration of affordability shall be set at 30 years from the point of initial occupancy;

Yeas: (12): M. van Holst, S. Lewis, M. Salih, J. Helmer, M. Cassidy, J. Morgan, S. Lehman, A. Hopkins, S. Turner, E. Peloza, A. Kayabaga, and S. Hillier

Nays: (3): Mayor E. Holder, P. Squire, and P. Van Meerbergen

Motion Passed (12 to 3)

At 5:29 PM, Mayor E. Holder places Deputy Mayor J. Morgan in the Chair and takes a seat at the Council Board.

At 5:30 PM, Mayor E. Holder resumes the Chair and Deputy Mayor J. Morgan takes his seat at the Council Board.

Motion made by: P. Squire
Seconded by: S. Lewis

That the main motion, as amended BE APPROVED:

That, the following actions be taken with respect to the application by East Village Holdings Limited, relating to the properties located

at 690, 696, 698, 700 King Street, 400 Lyle Street, 701, 725, 729, 735, 737 Dundas Street, and 389, 391, 393 Hewitt Street:

a) the proposed attached revised by-law BE INTRODUCED at the Municipal Council meeting to be held on February 2, 2021 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject properties BY AMENDING the Bonus (B-32) Zone, and to change the zoning of the subject property FROM a Business District Commercial Special Provision Bonus (BDC(24)*D160*H36*B-32) Zone and a Business District Commercial Special Provision (BDC(19)*D250*H46) Zone TO a holding Business District Commercial Special Provision Bonus (h*h-5*BDC(24)*D160*H36*B-32) Zone;

the Bonus Zone shall be implemented through one or more agreements to facilitate a high quality mixed-use commercial/residential apartment building, with a maximum height of 24 storeys (82m), and a maximum density of 750 units per hectare for the overall site, which substantively implements the Site Plan and Elevations appended to the staff report dated January 18, 2021 as Schedule “1” for phase 3 to the amending by-law in return for the following facilities, services and matters:

i) Exceptional Building Design

A) an active commercial ground floor design that divides the floor space along Dundas Street into multiple bays with separate and direct entrances to the sidewalk;
B) a minimum floor to ceiling height of 4.5m (15 ft) for the ground floor that is greater than the height of all other individual storeys, to activate the street and create a vibrant pedestrian realm;
C) the provision of a portion of the fifth floor roof as a landscaped outdoor amenity areas for residents;
D) a minimum step-back of 25m (82 ft) of the tower portion of the building from Dundas Street above the sixth storey;
E) a slim tower floor plate of less than 1,075m² (11,571sq ft) for floors 7-24 to minimize the overall mass, visual impact and sunlight disruption of the tower;
F) utilize changes in colour and material to visually break up the massing of the tower; and,
G) utilize building step-backs above the 22nd storey to define the building cap and completely conceal the mechanical and elevator penthouse within the overall architectural design;

ii) Provision of a minimum of 393 parking spaces within two levels of underground parking and structured parking within the podium;

iii) Provision of Affordable Housing

the provision of affordable housing shall consist of:

A) a total of thirteen (13) residential dwelling units provided as nine (9) one bedroom units, and four (4) two-bedroom units;
B) two of the residential dwelling units shall be provided as accessible units, which may be the one or two bedroom units, or a combination thereof;
C) rents not exceeding 80% of the Average Market Rent (AMR) for the London Census Metropolitan Area as determined by the CMHC at the time of building occupancy;
D) the duration of affordability shall be set at 30 years from the point of initial occupancy;

b) the Approval Authority BE ADVISED that the following issues were raised during the public participation meeting with respect to

the application by East Village Holdings Limited, relating to the properties located at 690, 696, 698, 700 King Street, 400 Lyle Street, 701, 725, 729, 735, 737 Dundas Street, and 389, 391, 393 Hewitt Street:

i) the proposed number of affordable housing units should be increased;
ii) thirty rent geared to income units should be provided for a period of one hundred years instead of the proposed thirteen affordable housing units at eighty percent market rate for thirty years;
iii) the rationale for the bonus zoning needs to be further clarified;
iv) lack of greenspace proposed to be provided for the residents;
v) lack of trees being provided for on the proposed development;
vi) the negative impact of the shadows from the proposed building will have on neighbouring properties;
vii) the proposed density is too high;
viii) the proposed height of the building is too high;
ix) concerns with location of garbage bins;
x) concerns about the proposed reduced side yard setback;
x) concerns with the current maintenance of the interior and exterior of the existing building owned by the same Corporation; and,
xi) the walkway that was to be built between the building owned by the same Corporation and Dundas Street should be provided for;

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

- a communication from C. BakerBriden; and,
- the staff presentation;

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

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

- the recommended amendment is consistent with the Provincial Policy Statement, 2020 which promotes intensification, redevelopment and a compact form in strategic locations to minimize land consumption and servicing costs and provide for a range of housing types and densities to meet projected requirements of current and future residents, and by promoting a land use pattern, density and a mix of uses that serve to minimize the length and number of vehicle trips and support the development of viable choices and plans for public transit and other alternative transportation modes;
- the recommended amendment conforms to the in-force policies of the Old East Village Dundas Street Corridor Secondary Plan that promotes the continued revitalization of the area;
- the recommended amendment conforms to the in-force policies of The London Plan including but not limited to, Our City, Key Directions, and City Building, and will facilitate a built form that contributes to achieving a compact, mixed-use City;
- the recommended amendment conforms to the in-force policies of the 1989 Official Plan, including but not limited to the objectives of the Old East Village Main Street Commercial Corridor policies which encourages redevelopment in The Village Annex

segments of the Main Street Commercial Corridor;
- the recommended amendment will facilitate an enhanced form of development in accordance with the Old East Village Commercial Corridor Urban Design Manual which includes an architecturally defined base, middle and top with the base serving to frame the pedestrian realm at a human-scale; and,
- the recommended amendment is appropriate for the site and surrounding context and will assist with the continued improvement and revitalization of the broader Old East Village.

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)

8.5 4th Report of the Strategic Priorities and Policy Committee

Motion made by: J. Morgan

That the 4th Report of the Strategic Priorities and Policy Committee BE APPROVED, excluding Items 2 (2.1), 4 (4.1) and 5 (4.2).

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. Peloza, A. Kayabaga, and S. Hillier

Motion Passed (15 to 0)

1. Disclosures of Pecuniary Interest

Motion made by: J. Morgan

That it BE NOTED that Councillor S. Lehman disclosed a pecuniary interest in item 4.2, having to do with appointments to the Downtown London Business Association, by indicating that he is a member of the Association.

Motion Passed

3. (2.2) Truth and Reconciliation Commission Recommendations Update on City of London Efforts

Motion made by: J. Morgan

That, on the recommendation of the City Manager, the staff report dated January 26, 2021 entitled “Truth and Reconciliation Commissions – Update on City of London Efforts”, BE RECEIVED for information.

Motion Passed

6. (4.3) 1st Report of the Governance Working Group

Motion made by: J. Morgan

That the following actions be taken with respect to the 1st Meeting of the Governance Working Group meeting held on January 11, 2021:

a) the following actions be taken with respect to the Advisory Committee Review:

i) the report dated January 11, 2021 entitled "Advisory Committee Review - Interim Report IV", BE RECEIVED;

ii) the Civic Administration BE DIRECTED to proceed with drafting revised Terms of References for Advisory Committees based on the proposed changes set out in staff report dated November 10, 2020 entitled "Advisory Committee Review - Interim Report III", incorporating additional direction from the Municipal Council and the Governance Working Group; and,

iii) the Civic Administration BE DIRECTED to circulate the draft revised Terms of References noted in b) above, to the Advisory Committees for input and to report back to the Governance Working Group with the draft revised Terms of Reverence and comments received from the Advisory Committees;

b) the Civic Administration BE DIRECTED to prepare a draft revised Code of Conduct for Advisory Committees that would be similar in nature to the Code of Conduct for Council Members, including processes for both adjudication and enforcement of the revised Code of Conduct, and report back to the Governance Working Group with the draft revised Code of Conduct;

c) clause 1.1 BE RECEIVED for information;

d) the Additional Feedback from Current Advisory Committee Members BE RECEIVED; and

e) the communications dated March 15, 2019 and January 4, 2021 from the Transportation Advisory Committee BE RECEIVED.

Motion Passed

2. (2.1) London Community Grants Program Policy Update (Relates to Bill No. 43)

Motion made by: J. Morgan

That, on the recommendation of the Managing Director, Neighbourhood, Children and Fire Services, the following actions be taken with respect to the London Community Grants Policy:

a) the proposed by-law as appended to the staff report dated January 26, 2021 as Appendix "A" BE INTRODUCED at the Municipal Council Meeting to be held on February 2, 2021, to repeal and replace By-law No. CPOL.-390-124, entitled London Community Grants Policy;

b) that the staff report BE RECEIVED for information; and,

c) the Civic Administration BE DIRECTED to bring back recommendations for the potential introduction of an anonymized application process for the London Community Grants Program that could be implemented for 2022 funding allocations and be used going forward.

Motion made by: J. Morgan

That parts a) and b), BE APPROVED:

That, on the recommendation of the Managing Director, Neighbourhood, Children and Fire Services, the following actions be taken with respect to the London Community Grants Policy:

a) the proposed by-law as appended to the staff report dated January 26, 2021 as Appendix "A" BE INTRODUCED at the Municipal Council Meeting to be held on February 2, 2021, to repeal and replace By-law No. CPOL.-390-124, entitled London Community Grants Policy;

b) that the staff report BE RECEIVED for information; 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. Peloza, A. Kayabaga, and S. Hillier

Motion Passed (15 to 0)

Motion made by: J. Morgan

That part c), BE APPROVED:

c) the Civic Administration BE DIRECTED to bring back recommendations for the potential introduction of an anonymized application process for the London Community Grants Program that could be implemented for 2022 funding allocations and be used going forward.

Yeas: (13): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, J. Helmer, M. Cassidy, J. Morgan, S. Lehman, A. Hopkins, S. Turner, E. Peloza, A. Kayabaga, and S. Hillier

Nays: (2): P. Squire, and P. Van Meerbergen

Motion Passed (13 to 2)

4. (4.1) Comparison of Proposed London Hydro Restructuring Options

Motion made by: J. Morgan

That the following actions be taken with respect to the comparison of proposed London Hydro Inc. restructuring options:

a) the report dated January 26, 2021 entitled "Comparison of Proposed London Hydro Restructuring Options", BE RECEIVED;

b) the Civic Administration BE DIRECTED to report back to a future meeting of the Strategic Priorities and Policy Committee with the necessary by-laws and documentation to implement the proposed "Newco Option" with respect to London Hydro Inc. restructuring;

c) the Civic Administration BE DIRECTED to advise the Board of London Hydro Inc. that the Municipal Council will not be proceeding with the proposed "Holdco Option"; and,

d) the Board and staff of London Hydro Inc. and the Civic Administration of the City of London, BE THANKED for the work

undertaken with respect to London Hydro Inc. restructuring;

it being noted that the Strategic Priorities and Policy Committee received a communication dated January 24, 2021 from Councillor M. van Holst with respect to this matter.

Yeas: (14): Mayor E. Holder, 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

Nays: (1): M. van Holst

Motion Passed (14 to 1)

5. (4.2) Confirmation of Appointments to Downtown London

Motion made by: J. Morgan

That the following BE APPOINTED to the London Downtown Business Association for the term ending November 15, 2022:

Jerry Pribil - Marienbad Restaurant
Scott Collyer - Empyrean Communication Resources.

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

Recuse: (1): S. Lehman

Motion Passed (14 to 0)

10. Deferred Matters

None.

11. Enquiries

None.

12. Emergent Motions

None.

13. By-laws

Motion made by: M. van Holst
Seconded by: S. Turner

That Introduction and First Reading of Bill No'.s 37 to 54, excluding Bill No. 40, and the revised Bill No. 56, 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. Peloza, A. Kayabaga, and S. Hillier

Motion Passed (15 to 0)

Motion made by: E. Peloza
Seconded by: A. Hopkins

That Second Reading of Bill No'.s 37 to 54, excluding Bill No. 40, and the revised Bill No. 56, 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. Peloza, A. Kayabaga, and S. Hillier

Motion Passed (15 to 0)

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

That Third Reading and Enactment of Bill No'.s 37 to 54, excluding Bill No. 40, and the revised Bill No. 56, 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. Peloza, A. Kayabaga, and S. Hillier

Motion Passed (15 to 0)

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

That Introduction and First Reading of Bill No. 40, BE APPROVED.

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

Recuse: (1): S. Lehman

Motion Passed (14 to 0)

Motion made by: S. Turner
Seconded by: J. Helmer

That Second Reading of Bill No. 40, BE APPROVED.

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

Recuse: (1): S. Lehman

Motion Passed (14 to 0)

Motion made by: J. Helmer
Seconded by: P. Van Meerbergen

That Third Reading and Enactment of Bill No. 40, BE APPROVED.

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

Recuse: (1): S. Lehman

Motion Passed (14 to 0)

Motion made by: M. van Holst
Seconded by: S. Hillier

That Introduction and First Reading of Bill No. 55, BE APPROVED.

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

Recuse: (1): M. Cassidy

Motion Passed (14 to 0)

Motion made by: E. Peloza
Seconded by: A. Hopkins

That Second Reading of Bill No. 55, BE APPROVED.

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

Recuse: (1): M. Cassidy

Motion Passed (14 to 0)

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

That Third Reading and Enactment of Bill No. 55, BE APPROVED.

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

Recuse: (1): M. Cassidy

Motion Passed (14 to 0)

4. Council, In Closed Session

Motion made by: E. Peloza
Seconded by: P. Van Meerbergen

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

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

A matter pertaining to the proposed or pending acquisition of land by the municipality, including communications necessary for that purpose; advice that is subject to solicitor-client privilege; commercial and financial information, that belongs to the municipality and has monetary value or potential monetary value and a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality. (6.1/2/CSC)

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

A matter pertaining to the proposed or pending acquisition of land by the municipality, including communications necessary for that purpose; advice that is

subject to solicitor-client privilege; commercial and financial information, that belongs to the municipality and has monetary value or potential monetary value and a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality. (6.2/2/CSC)

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

A matter pertaining to the proposed or pending acquisition of land by the municipality, including communications necessary for that purpose; advice that is subject to solicitor-client privilege; commercial and financial information, that belongs to the municipality and has monetary value or potential monetary value and a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality. (6.3/2/CSC)

4.4 Labour Relations/Employee Negotiations / Solicitor-Client Privileged Advice

A matter pertaining to reports, advice and recommendations of officers and employees of the Corporation concerning labour relations and employee negotiations in regard to one of the Corporation's unions and advice which is subject to solicitor client-privilege and communications necessary for that purpose and for the purpose of providing directions to officers and employees of the Corporation. (6.4/2/CSC)

4.5 Labour Relations/Employee Negotiations / Solicitor-Client Privileged Advice

A matter pertaining to reports, advice and recommendations of officers and employees of the Corporation concerning labour relations and employee negotiations in regard to one of the Corporation's unions and advice which is subject to solicitor client-privilege and communications necessary for that purpose and for the purpose of providing directions to officers and employees of the Corporation. (6.5/2/CSC)

4.6 Labour Relations/Employee Negotiations / Solicitor-Client Privileged Advice

A matter pertaining to reports, advice and recommendations of officers and employees of the Corporation concerning labour relations and employee negotiations in regard to one of the Corporation's unions and advice which is subject to solicitor client-privilege and communications necessary for that purpose and for the purpose of providing directions to officers and employees of the Corporation. (6.6/2/CSC)

4.7 Solicitor-Client Privileged Advice

A matter pertaining to advice subject to solicitor-client privilege, including communications necessary for that purpose, and advice with respect to litigation with respect to various personal injury and property damage claims against the City. (6.7/2/CSC)

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)

The Council convenes, In Closed Session at 5:48 PM, with Mayor E. Holder in the Chair and all Members participating.

At 6:02 PM, Councillor A. Hopkins leaves the meeting.

At 6:05 PM, Councillor A. Hopkins enters the meeting.

At 6:11 PM, Council resumes in public session, with Mayor E. Holder in the Chair and all Members participating.

9. Added Reports

9.1 3rd Report of Council in Closed Session

Motion made by: S. Lewis
Seconded by: P. Squire

1. Partial Property Acquisition – 3095 Bostwick Road – Southdale Road West Improvements Project

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, with the concurrence of the Director, Roads and Transportation, and Division Manager, Transportation Planning and Design, on the advice of the Manager of Realty Services, with respect to the property located at 3095 Bostwick Road West, further described as Part of Lot 77, East of the North Branch of Talbot Road, designated as Parts 1, 5 and 6, Plan 33R-20759, being the part of PIN 08209-0298 (LT), as shown on the location map attached, for the purpose of future road improvement to accommodate the Southdale Road West Improvements Project, the following be taken:

a) the offer submitted by Glen Arrand Topping and Ronald William Topping (the Vendors), to sell the subject property to the City, for the sum of $213,000.00, and the City agreeing to pay a further sum of $5,000.00 in consideration of the Grant of Temporary Easement and Consent to Enter Agreement, subject to the additional conditions as outlined in the Agreement of Purchase and Sale and Grant of Temporary Easement and Consent to Enter Agreement attached as Appendix C BE ACCEPTED; subject to the following conditions:

i) the City agreeing to pay a further sum of $15,000.00 as full and final payment for loss of trees, shrubs, fencing, driveway and landscaping;

ii) the City agreeing to pay the Vendors' reasonable legal costs and appraisal costs (up to a limit of $10,000.00 for appraisal costs) including fees, disbursements, and applicable taxes, as incurred to complete the transaction;

iii) the City agrees for access to reserve over the Property a right of way for ingress and egress until such time as the Property is dedicated by by-law as a public highway;

iv) the City shall have a period of 45 days from the date of acceptance of this agreement to satisfy itself as to the soil, geotechnical, archeological and environmental condition of the Property;

v) the City agreeing to pay compensation for any bonus legally payable and for any loss incurred by reason of a difference in interest rates, pertaining to the existing mortgage; and

b) the financing for this acquisition BE APPROVED as set out in the Source of Financing Report attached hereto as Appendix "A".

2. Partial Property Acquisition – 4551 Wellington Road South – Dingman Drive Road Improvements

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, with the concurrence of the Director, Roads and Transportation and the Division Manager, Transportation Planning and Design, on the advice of the Manager of Realty Services, with respect to the property located at 4551 Wellington Road South, further described as Part Lot 16, Concession 4, in the City of London, County of Middlesex, designated as Parts 4, 5, and 6, on Draft Reference Plan to be deposited, being part of PIN 08204-0075, as shown on the Location Map attached as Appendix B, for the purpose of future road improvements to accommodate the Dingman Drive Road Improvements Project, the following actions be taken:

a) the offer submitted by Byrex Inc. (the “Vendor”), to sell the subject property to the City, for the sum of $133,000.00, BE ACCEPTED, subject to the following conditions:

i) the City agreeing to pay the Vendor’s reasonable legal, including fees, disbursements and applicable taxes, as incurred to complete this transaction;

ii) the City, at its expense, agreeing to prepare and deposit on title, on or before closing, a reference plan describing the subject property;

iii) the City agreeing to pay a further sum of $3,521.61 for appraisal and consulting fees; and

b) the financing for this acquisition BE APPROVED as set out in the Source of Financing Report attached hereto as Appendix A.

3. Partial Property Acquisition – 1185 Southdale Road West- Southdale Road West and Wickerson Road Improvements

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, with the concurrence of the Director, Roads and Transportation, and Division Manager, Transportation Planning and Design, on the advice of the Manager of Realty Services, with respect to the property located at 1185 Southdale Road West, further described as Part Lot 79, Concession West of the North Branch of Talbot Road Township of Westminster, Parts 1-9, Plan 33R-20381, in the City of London, County of Middlesex, being part of PIN 08224-0302, designated as Parts 1, 4, 5, 6, 7, 8, 9, and 10 on a draft plan to be deposited, as shown on the location map attached, for the purpose of future road improvement to accommodate the Southdale Road West and Wickerson Road improvements, the following actions be taken:

a) the offer submitted by Lecram Inc. (the “Vendor”), to sell the subject property to the City, for the sum of $170,000.00, BE ACCEPTED, subject to the following conditions:

i) the City agreeing to pay the Vendor’s reasonable legal, including fees, disbursements and applicable taxes, as incurred to complete this transaction;

ii) the City, at its expense, agreeing to prepare and deposit on title, on or before closing, a reference plan describing the subject property;

iii) the City agreeing to pay a further sum of $400.00 for a Grant of Temporary Easement and Consent to Enter Agreement, wherein additional compensation and additional terms have been agreed to between the Parties, being the “Related Transaction”; and

b) the financing for this acquisition BE APPROVED as set out in the Source of Financing Report attached hereto as Appendix “A”.

5. Execution of Collective Agreement – Service Employees International Union, Local 1 Canada (Registered Nurses Bargaining Unit) January 1, 2019 to December 31, 2020

That, on the recommendation of the Director, People Services, with the concurrence of the City Manager, the Civic Administration BE DIRECTED to undertake all administrative acts that are necessary in order for the Mayor and the City Clerk to obtain the necessary authorization to execute the Collective Agreement for the years 2019 to 2020, appended as Appendix “C” to the staff report dated January 18, 2021, pursuant to interest arbitration award dated August 6, 2020 (Appendix “A”), between The Corporation of the City of London and Service Employees International Union Local 1 Canada (Registered Nurses Bargaining Unit) (“SEIU RN”).

6. Execution of Collective Agreement – Service Employees International Union, Local 1 Canada (Full Time and Part Time Office Workers Bargaining Unit) January 1, 2019 to December 31, 2022

That, on the recommendation of the Director, People Services, with the concurrence of the City Manager, the Civic Administration BE DIRECTED to undertake all administrative acts that are necessary in order for the Mayor and the City Clerk to obtain the necessary authorization to execute the Collective Agreement for the years 2019 to 2022, appended as Appendix "C" to the staff report dated January 18, 2021, pursuant to the Memorandum of Agreement dated April 15, 2019 (Appendix "A"), between The Corporation of the City of London and Service Employees International Union Local 1 Canada (Full Time and Part Time Office Workers Bargaining Unit) ("SEIU Clerical").

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)

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

4. Execution of Collective Agreement – London Civic Employees Local Union No. 107 (Chartered by the Canadian Union of Public Employees and affiliated with the Canadian Labour Congress) for January 1, 2020 to December 31, 2023

That, on the recommendation of the Director, People Services, with the concurrence of the City Manager, the Civic Administration BE DIRECTED to undertake all administrative acts that are necessary in order for the Mayor and the City Clerk to obtain the necessary authorization to execute the Collective Agreement for the years 2020 to 2023, appended as Appendix "B" to the staff report dated January 18, 2021, pursuant to the Memorandum of Agreement dated October 23, 2019 (Appendix "A"), between The Corporation of the City of London and London Civic Employees Local Union No. 107 (Chartered by the Canadian Union of Public Employees and affiliated with the Canadian Labour Congress) ("CUPE 107").

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. Peloza, A. Kayabaga, and S. Hillier

Recuse: (1): A. Hopkins

Motion Passed (14 to 0)

Motion made by: S. Lehman
Seconded by: J. Helmer

That Introduction and First Reading of Bill No. 36 and Added Bill No.'s 57 to 59, 61 and 62, 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. Peloza, A. Kayabaga, and S. Hillier

Motion Passed (15 to 0)

Motion made by: P. Squire
Seconded by: A. Hopkins

That Second Reading of Bill No. 36 and Added Bill No.'s 57 to 59, 61 and 62, 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. Peloza, A. Kayabaga, and S. Hillier

Motion Passed (15 to 0)

Motion made by: J. Helmer
Seconded by: E. Peloza

That Third Reading and Enactment of Bill No. 36 and Added Bill No.'s 57 to 59, 61 and 62, 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. Peloza, A. Kayabaga, and S. Hillier

Motion Passed (15 to 0)

Motion made by: S. Turner
Seconded by: M. van Holst

That Introduction and First Reading of Added Bill No. 60, BE APPROVED.

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. Peloza, A. Kayabaga, and S. Hillier

Recuse: (1): A. Hopkins

Motion Passed (14 to 0)

Motion made by: P. Squire
Seconded by: S. Lehman

That Second Reading of Added Bill No. 60, BE APPROVED.

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. Peloza, A. Kayabaga, and S. Hillier

Recuse: (1): A. Hopkins

Motion Passed (14 to 0)

Motion made by: P. Van Meerbergen
Seconded by: P. Squire

That Third Reading and Enactment of Added Bill No. 60, BE APPROVED.

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. Peloza, A. Kayabaga, and S. Hillier

Recuse: (1): A. Hopkins

Motion Passed (14 to 0)

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

Bill	By-law
Bill No. 36	By-law No. A.-8052-28 - A by-law to confirm the proceedings of the Council Meeting held on the 2nd day of February, 2021. (City Clerk)
Bill No. 37	By-law No. A.-8053-29 - A by-law to raise the amount required for the purposes of the Argyle Business Improvement Area Board of Management for the year 2021 in accordance with section 208 of the Municipal Act, 2001. (2.1d/2/CSC)
Bill No. 38	By-law No. A.-8054-30 - A by-law to raise the amount required for the purposes of the Hamilton Road Business Improvement Area Board of Management for the year 2021 in accordance with section 208 of the Municipal Act, 2001. (2.2d/2/CSC)
Bill No. 39	By-law No. A.-8055-31 - A by-law to raise the amount required for the purposes of the Hyde Park Business Improvement Area Board of Management for the year 2021 in accordance with section 208 of the Municipal Act, 2001 (2.3d/2/CSC)
Bill No. 40	By-law No. A.-8056-32 - A by-law to raise the amount required for the purposes of the London Downtown Business Improvement Area Board of Management for the year 2021 in accordance with section 208 of the Municipal Act, 2001. (2.4d/2/CSC)
Bill No. 41	By-law No. A.-8057-33 - A by-law to raise the amount required for the purposes of the Old East Village Business Improvement Area Board of Management for the year 2021 in accordance with section 208 of the Municipal Act, 2001. (2.5d/2/CSC)
Bill No. 42	By-law No. A.-8058-34 - A by-law to approve the Ontario Transfer Payment Agreement between Her Majesty the Queen in Right of Ontario as represented by the Ministry of Municipal Affairs and Housing and The Corporation of the City of London for the reimbursement of election expenses incurred to return to first-past-the-post election framework. (2.7/2/CSC)
Bill No. 43	By-law No. CPOL.-402-35 - A by-law to repeal Council Policy related By-Law No. CPOL.-390-124 being “London Community Grants Policy” and replace it with a new Council policy entitled “London Community Grants Policy”. (2.1/4/SPPC)
Bill No. 44	By-law No. L.S.P.-3488-36 - A by-law to designate 75 Langarth Street East to be of cultural heritage value or interest. (5.1/18/PEC – 2020)

Bill No. 45	By-law No. PS-113-21058 - 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.” (2.7/1/CWC)
Bill No. 46	By-law No. S.-6098-37 - A by-law to stop up and close Huxley Street south of Base Line Road West. (2.3/1/CWC)
Bill No. 47	By-law No. S.-6099-38 - A by-law to lay out, constitute, establish and assume certain reserves in the City of London as public highway. (as widening to Colonel Talbot Road and Pack Road) (Chief Surveyor - registered as Instrument No. ER1173760)
Bill No. 48	By-law No. S.-6100-39 - A by-law to lay out, constitute, establish and assume certain reserves in the City of London as public highway. (as widening to Gainsborough Road, west of Wonderland Road North; and as widening to Wonderland Road North, south of Gainsborough Road) (Chief Surveyor - registered as Instrument No. ER1276950, pursuant to Consent B.021/19 and in accordance with Zoning By-law Z.-1)
Bill No. 49	By-law No. S.-6101-40 - A by-law to lay out, constitute, establish and assume certain reserves in the City of London as public highway. (as widening to Ridout Street North between Dundas and Fullarton Streets; and as widening to Queens Avenue east of Ridout Street) (Chief Surveyor - for the purposes of establishing lands as public highway)
Bill No. 50	By-law No. S.-6102-41 - A by-law to lay out, constitute, establish and assume certain reserves in the City of London as public highway. (as widening to South Street west of Maitland Street) (Chief Surveyor - registered as Instrument No. ER1331196, pursuant to Site Plan SPA19-057 and in accordance with Zoning By-law Z.-1)
Bill No. 51	By-law No. S.-6103-42 - A by-law to lay out, constitute, establish and assume certain reserves in the City of London as public highway. (as part of Buroak Drive) (Chief Surveyor - registration of Plan of Subdivision requires a 0.3m Reserve on the abutting Plan, being 33M-750, to be dedicated as public highway for unobstructed legal access throughout the Subdivision)
Bill No. 52	By-law No. W.-5598(b)-43 - A by-law to amend by-law No. W.-5598-54, as amended, entitled, “A by-law to authorize the East London Multi-Purpose Recreation Centre (Project RC2756).” (2.2/2/CPSC)

Bill No. 53	By-law No. Z.-1-212901 - A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at 2700 Buroak Drive. (2.2/2/PEC)
Bill No. 54	By-law No. Z.-1-212902 - A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at 2261 Linkway Boulevard; legally described as Block 90 Plan 33M-768. (2.3/2/PEC)
Bill No. 55	By-law No. Z.-1-212903 - A by-law to amend By-law No. Z.-1 to remove holding provision from the zoning for lands located at 307 Fanshawe Park Road East. (2.4/2/PEC)
Bill No. 56	(REVISED) By-law No. Z.-1-212904 - A by-law to amend By-law No. Z.-1 to rezone an area of land located at 690, 696, 698, 700 King Street, 400 Lyle Street, 701, 725, 729, 735, 737 Dundas Street, and 389, 391, 393 Hewitt Street. (3.1/2/PEC)
Bill No. 57	(ADDED) By-law No. A.-8059-44 - A by-law to authorize and approve an Agreement of Purchase and Sale between The Corporation of the City of London and Glen Arrand Topping and Ronald William Topping, for the partial acquisition of a portion of the property located at 3095 Bostwick Road West, in the City of London, for the Southdale Road West Road Improvements Project, and to authorize the Mayor and the City Clerk to execute the Agreement. (6.1/2/CSC)
Bill No. 58	(ADDED) By-law No. A.-8060-45 - A by-law to authorize and approve an Agreement of Purchase and Sale between The Corporation of the City of London and Byrex Inc., for the partial acquisition of a portion of the property located at 4551 Wellington Road South, in the City of London, for the Dingman Drive Road Improvements Project, and to authorize the Mayor and the City Clerk to execute the Agreement. (6.2/2/CSC)
Bill No. 59	(ADDED) By-law No. A.-8061-46 - A by-law to authorize and approve an Agreement of Purchase and Sale between The Corporation of the City of London and Lecram Inc., for the partial acquisition of a portion of the property located at 1185 Southdale Road West, in the City of London, for the Southdale Road West and Wickerson Road Improvements Project, and to authorize the Mayor and the City Clerk to execute the Agreement. (6.3/2/CSC)
Bill No. 60	(ADDED) By-law No. A.-8062-47 - A by-law to authorize the Mayor and City Clerk to execute the Collective Agreement between The Corporation of the City of London and London Civic Employees Local Union No. 107 (Chartered by the Canadian Labour Congress). (6.4/2/CSC)

Bill No. 61	(ADDED) By-law No. A.-8063-48 - A by-law to authorize the Mayor and City Clerk to execute the Collective Agreement between The Corporation of the City of London and Service Employees International Union, Local 1 Canada (Registered Nurses Bargaining Unit). (6.5/2/CSC)
Bill No. 62	(ADDED) By-law No. A.-8064-49 - A by-law to authorize the Mayor and City Clerk to execute the Collective Agreement between The Corporation of the City of London and Service Employees International Union, Local 1 Canada (Full Time and Part Time Office Workers Bargaining Unit). (6.6/2/CSC)

14. Adjournment

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

That the meeting BE ADJOURNED.

Motion Passed

The meeting adjourns at 6:28 PM.

_____

Ed Holder, Mayor

_____

Catharine Saunders, City Clerk

Appendix B Location Map

3095 Bostwick Road

Fee Simple Requirement
Temporary Working Easement

Appendix C Agreement of Purchase and Sale

AGREEMENT OF PURCHASE AND SALE

PURCHASER: THE CORPORATION OF THE CITY OF LONDON

VENDOR: GLEN ARRAND TOPPING and ESTATE OF RONALD WILLIAM TOPPING

REAL PROPERTY:

Address: Part of 3095 Bostwick Road, London, ON

Location: West side of Bostwick Road and South of Southdale Road West

Measurements: 0.8863 acres (0.35865 ha)

Legal Description: Part of Part Lot 77, Concession East of Talbot Road, Geographic Township of Westminster, in the City of London, County of Middlesex, further described as Parts 1, 5 and 6 on Plan 33R-20759, being part of PIN 08209-2098 (LT) (the "Property")

1. **OFFER TO PURCHASE:** The Purchaser agrees to purchase the Property from the Vendor in accordance with the terms and conditions as set out in this Agreement.

2. **SALE PRICE:** The purchase price, including injurious affection, shall be TWO HUNDRED AND THIRTEEN THOUSAND DOLLARS CDN ($213,000.00) payable as follows:

   a) a deposit of Two Dollars ($2.00) cash or cheque on the date hereof as a deposit; and

   b) the balance of the sale price, subject to adjustments, in cash or by cheque on completion of this Agreement.

3. **ADJUSTMENTS:** Any unearned fire insurance premiums, rents, mortgage interest, realty taxes including local improvements rates and unmetered public or private utility charges and unmetered cost of fuel, as applicable, shall be apportioned and allowed to the day of completion, the day of completion itself to be apportioned to the Purchaser.

4. **SCHEDULE(S):** The following Schedule(s) form(s) part of this Agreement:

   Schedule "A" Additional Terms and Conditions

5. **IRREVOCABILITY:** This Offer shall be irrevocable by the Vendor until considered by the Council of the Corporation of the City of London at a meeting to be held no later than **February 4th, 2020**, after which date, if not accepted, this Offer shall be null and void and the deposit shall be returned to the Purchaser in full without interest or deduction.

6. **TITLE SEARCH:** The Purchaser shall be allowed until 4:30 p.m. on **February 19, 2021** (Requisition Date) to examine the title to the Property and at its own expense and to satisfy itself that there are no outstanding work orders or deficiency notices affecting the Property, that its present use may be lawfully continued and that the principal building may be insured against risk of fire.

7. **COMPLETION DATE:** This Agreement shall be completed by no later than 4:30 p.m. **March 12, 2021**. Upon completion, vacant possession of the Property shall be given to the Purchaser unless otherwise provided for in this Agreement.

8. **NOTICES:** Any notice relating to or provided for in this Agreement shall be in writing.

9. **HST:** If this transaction is subject to Harmonized Sales Tax (HST) then such HST shall be in addition to and not included in the sale price, and HST shall be collected and remitted in accordance with applicable legislation. If this transaction is not subject to HST, the Vendor agrees to provide, on or before completion, to the Purchaser's solicitor, a certificate in a form satisfactory to the Purchaser's solicitor certifying that the transaction is not subject to HST.

10. **FUTURE USE:** Vendor and the Purchaser agree that there is no representation or warranty of any kind that the future intended use of the Property by the Purchaser is or will be lawful except as may be specifically provided for in this Agreement.

11. **TITLE:** Provided that the title to the Property is good and free from all encumbrances. If within the specified times referred to in paragraph 6 any valid objection to title or to any outstanding work order or deficiency notice, or to the fact the said present use may not lawfully be continued, or that the principal building may not be insured against risk of fire is made in writing to the Vendor and which Vendor is unable or unwilling to remove, remedy or satisfy and which the Purchaser will not waive, this Agreement notwithstanding any intermediate acts or negotiations in respect of such objections, shall be at an end and any deposit paid shall be returned without interest or deduction and Vendor shall not be liable for any costs or damages. Save as to any valid objection so made by such day and except for any objection going to the root of the title, the Purchaser shall be conclusively deemed to have accepted Vendor's title to the Property .

12. **DOCUMENTS AND DISCHARGE:** The Purchaser shall not call for the production of any title deed, abstract, survey or other evidence of title to the Property except such as are in the possession or control of Vendor. If requested by the Purchaser, Vendor will deliver any sketch or survey of the Property within Vendor's control to the Purchaser as soon as possible and prior to the Requisition Date. If a discharge of any Charge/Mortgage held by a corporation incorporated pursuant to the Loan Companies Act (Canada), Chartered Bank, Trust Company, Credit Union, Caisse Populaire or Insurance Company and which is not to be assumed by the Purchaser on completion, is not available in registerable form on completion, the Purchaser agrees to accept Vendor's lawyer's personal undertaking to obtain, out of the closing funds, a discharge in registerable form and to register same on title within a reasonable period of time after completion, provided that on or before completion Vendor shall provide to the Purchaser a mortgage statement prepared by the mortgagee setting out the balance required to obtain the discharge, together with a direction executed by Vendor directing payment to the mortgagee of the amount required to obtain the discharge out of the balance due on completion.

13. **DOCUMENT PREPARATION:** The Transfer/Deed shall, save for the Land Transfer Tax Affidavit, be prepared in registerable form at the expense of the Vendor.

14. **RESIDENCY:** The Purchaser shall be credited towards the Purchase Price with the amount, if any, necessary for the Purchaser to pay to the Minister of National Revenue to satisfy the Purchaser's liability in respect of tax payable by Vendor under the non-resident provisions of the Income Tax Act by reason of this sale. The Purchaser shall not claim such credit if Vendor delivers on completion the prescribed certificate or a statutory declaration that Vendor is not a non-resident of Canada.

15. **TIME LIMITS**: Time shall in all respects be of the essence hereof provided that the time for doing or completing of any matter provided for herein may be extended or abridged by an agreement in writing signed by Vendor and the Purchaser or their respective lawyers who are hereby specifically authorized in that regard.

16. **TENDER:** Any tender of documents or money hereunder may be made upon Vendor or the Purchaser or their respective solicitors on the day set for completion. Money may be tendered by bank draft or cheque by a Chartered Bank, Trust Company, Province of Ontario Savings Office, Credit Union or Caisse Populaire.

17. **FAMILY LAW ACT:** Vendor warrants that spousal consent is not necessary to this transaction under the provisions of the *Family Law Act*, R.S.O. 1990 unless Vendor's spouse has executed the consent provided.

18. **PLANNING ACT:** This Agreement shall be effective to create an interest in the property only if the subdivision control provisions of the Planning Act are complied with.

19. **CLOSING ARRANGEMENTS**: Where each of the Vendor and Purchaser retain a lawyer to complete the Agreement of Purchase and Sale of the property, and where the transaction will be completed by electronic registration pursuant to Part III of the Land Registration Reform Act, R.S.O. , Chapter L4, and any amendments thereto, the Vendor and Purchaser acknowledge and agree that the delivery of documents and the release thereof to the Vendor and Purchaser may, at the lawyer's discretion: (a) not occur contemporaneously with the registration of the Transfer/Deed (and other registerable documentation) and (b) be subject to conditions whereby the lawyer receiving documents and/or money will be required to hold them in trust and not release them except in accordance with the terms of a written agreement between the lawyers.

20. **AGREEMENT IN WRITING**: This Agreement, including any Schedule attached, shall constitute the entire Agreement between the Purchaser and Vendor. There is no representation, warranty, collateral agreement or condition, which affects this Agreement other than as expressed herein. This Agreement shall be read with all changes of gender or number required by the context.

21. **SECTION 25 PAYMENT:** The Parties acknowledge and agree that this Agreement represents an offer of compensation, that when executed by the Vendor and accepted by the Council of the Corporation of the City of London will constitute full payment of the market value of the land and as such shall be deemed to have satisfied all Section 25 requirements of the *Expropriations Act*.

22. **SUCCESSORS AND ASSIGNS:** The heirs, executors, administrators, successors and assigns of the undersigned are bound by the terms herein.

23. **ADDITIONAL AGREEMENT:** This Agreement is in addition to a Grant of Temporary Easement and Consent to Enter of even date wherein additional compensation and additional terms have been agreed to between the Parties, being the "Related Transaction".

24. **PERMISSION TO CONSTRUCT UPON ACCEPTANCE OF THE AGREEMENT**: Upon acceptance of this Agreement the Purchaser and/or Agents of the Purchaser shall have the right to enter upon the above lands for the purposes of London Hydro, Bell Canada, Union Gas and other utility relocations and/or construction purposes.

WE the undersigned Vendors agree to the above offer.

SIGNED, SEALED AND DELIVERED IN WITNESS whereof we hereunto set our hand and seal.

Witness

Witness

Glen Arrand Topping — Date: Dec 23 2020

Lynn Topping,
Ronald William Topping Estate — Date: Dec 23, 2020

The Corporation of the City of London hereby accepts the above Agreement of Purchase and Sale and agrees to carry out the same on the terms and conditions herein contained.

IN WITNESS WHEREOF The Corporation of the City of London hereto has hereunto caused to be affixed its Corporate Seal attested by the hands of its proper signing officers pursuant to the authority contained in By-law No. _____ of the Council of The Corporation of the City of London passed the _____ day of _____, 2020.

THE CORPORATION OF THE CITY OF LONDON

Ed Holder, Mayor

Catharine Saunders, City Clerk

PURCHASER'S LAWYER: Sachit Tatavarti, Solicitor, 519-661-2489 (CITY) Ext. 4709 Fax: 519-661-0082

VENDOR'S LAWYER: Tom Bates 519-472-0330

SCHEDULE "A"

1. **LEGAL COSTS:** As set out in Section 32 of the *Expropriations Act* the Purchaser agrees to pay the Vendors reasonable legal, including fees, disbursements and applicable taxes, to complete this transaction, subject to assessment.

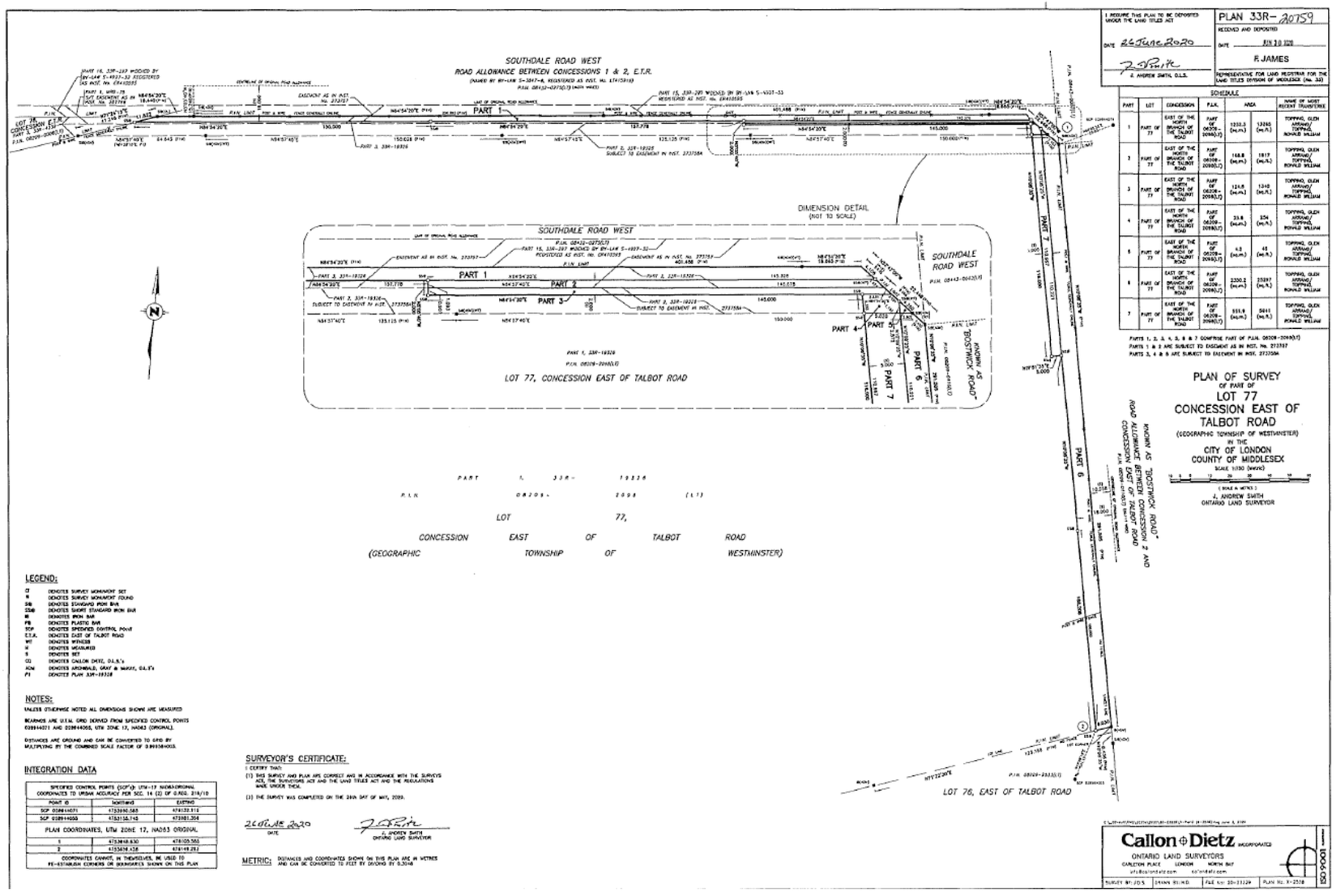
2. **APPRAISAL COSTS:** The City agrees to pay up to a maximum amount of **$10,000.00** including disbursements and applicable taxes for the appraisal costs incurred by the owner in assisting them in determining fair compensation.

3. **DISTURBANCE COSTS:** The Purchaser agrees to pay on completion, a further sum of **$15,000.00** as full and final payment for the loss of any and all trees, shrubs, fencing and landscaping located within the Property.

4. **ACCESS:** The Purchaser agrees to allow the Vendor to reserve over the Property a right of way for ingress and egress until such time as the Property is dedicated by by-law as a public highway.

5. **GEOTECHNICAL, ARCHEOLOGICAL, AND ENVIRONMENTAL TESTS:** The Purchaser shall have a period of 45 days from the date of acceptance of this Agreement to satisfy itself in its sole and absolute discretion as to the soil, geotechnical, archeological and environmental condition of the Property. The Purchaser may enter on the Property and have soil, geotechnical, archeological and environmental tests conducted using qualified agents or servants. The Purchaser agrees that all such tests shall be conducted using reasonable care and that the Property shall be restored to a condition as close as reasonably possible to its condition prior to entry. The Purchaser agrees to indemnify and save harmless the Vendor from and against all claims, demands, costs, including reasonable legal costs, damages, expenses and liabilities whatsoever arising out of its entry on the Property and the conducting of such test.

   If the results of the soil, geotechnical, archeological, and environmental tests are not satisfactory to the Purchaser in its sole and absolute discretion, it shall within the time limited deliver written notice to that effect to the Vendor and the Agreement shall be terminated and the deposit immediately returned to the Purchaser without interest or deduction; failing delivery of written notice, the condition shall be deemed to have been waived. This condition is inserted for the benefit of the Purchaser and may be waived by it at any time during the time limited period.



I, ANDREW SMITH, O.L.S. DATE 26 JUNE 2020

PLAN 33R-20759

RECEIVED AND DEPOSITED

DATE JUN 29 2020

R. JAMES

REPRESENTATIVE FOR LAND REGISTRAR FOR THE LAND TITLES DIVISION OF MIDDLESEX (No. 33)

SCHEDULE

PART	LOT	CONCESSION	P.I.N.	AREA	NAME OF MOST RECENT TRANSFEREE
1	PART OF 77	EAST OF THE NORTH BRANCH OF THE TALBOT ROAD	PART OF 08209-2098(LT)	1233.3 (sq.m.) 13285 (sq.ft.)	TOPPING, GLEN ARNAUD / TOPPING, RONALD WILLIAM
2	PART OF 77	EAST OF THE NORTH BRANCH OF THE TALBOT ROAD	PART OF 08209-2098(LT)	168.8 (sq.m.) 1817 (sq.ft.)	TOPPING, GLEN ARNAUD / TOPPING, RONALD WILLIAM
3	PART OF 77	EAST OF THE NORTH BRANCH OF THE TALBOT ROAD	PART OF 08209-2098(LT)	124.8 (sq.m.) 1343 (sq.ft.)	TOPPING, GLEN ARNAUD / TOPPING, RONALD WILLIAM
4	PART OF 77	EAST OF THE NORTH BRANCH OF THE TALBOT ROAD	PART OF 08209-2098(LT)	23.8 (sq.m.) 256 (sq.ft.)	TOPPING, GLEN ARNAUD / TOPPING, RONALD WILLIAM
5	PART OF 77	EAST OF THE NORTH BRANCH OF THE TALBOT ROAD	PART OF 08209-2098(LT)	4.2 (sq.m.) 45 (sq.ft.)	TOPPING, GLEN ARNAUD / TOPPING, RONALD WILLIAM
6	PART OF 77	EAST OF THE NORTH BRANCH OF THE TALBOT ROAD	PART OF 08209-2098(LT)	2300.2 (sq.m.) 24767 (sq.ft.)	TOPPING, GLEN ARNAUD / TOPPING, RONALD WILLIAM
7	PART OF 77	EAST OF THE NORTH BRANCH OF THE TALBOT ROAD	PART OF 08209-2098(LT)	551.8 (sq.m.) 5941 (sq.ft.)	TOPPING, GLEN ARNAUD / TOPPING, RONALD WILLIAM

PARTS 1, 2, 3, 4, 5, 6 & 7 COMPRISE PART OF P.I.N. 08209-2098(LT)
PARTS 1 & 2 ARE SUBJECT TO EASEMENT AS IN INST. No. 272357
PARTS 3, 4 & 5 ARE SUBJECT TO EASEMENT IN INST. 272358A

PLAN OF SURVEY
OF PART OF
LOT 77
CONCESSION EAST OF TALBOT ROAD
(GEOGRAPHIC TOWNSHIP OF WESTMINSTER)
IN THE
CITY OF LONDON
COUNTY OF MIDDLESEX

SCALE 1:1000 (metric)

0 10 20 30 40 50 60 70 80 90 100

(SCALE IN METRES)

J. ANDREW SMITH
ONTARIO LAND SURVEYOR

LEGEND:

IB	DENOTES SURVEY MONUMENT SET
●	DENOTES SURVEY MONUMENT FOUND
SIB	DENOTES STANDARD IRON BAR
SSIB	DENOTES SHORT STANDARD IRON BAR
IB	DENOTES IRON BAR
PB	DENOTES PLASTIC BAR
SCP	DENOTES SPECIFIED CONTROL POINT
C.T.A.	DENOTES CUT OF TALBOT ROAD
WIT	DENOTES WITNESS
M	DENOTES MEASURED
S	DENOTES SET
CD	DENOTES CALLON DIETZ, O.L.S.'s
AGM	DENOTES ARCHIBALD, GRAY & MCKAY, O.L.S.'s
PI	DENOTES PLAN 33R-19328

NOTES:

UNLESS OTHERWISE NOTED ALL DIMENSIONS SHOWN ARE MEASURED

BEARINGS ARE U.T.M. GRID DERIVED FROM SPECIFIED CONTROL POINTS 02894021 AND 02894008, UTM ZONE 17, NAD83 (ORIGINAL)

DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.9995814003.

INTEGRATION DATA

SPECIFIED CONTROL POINTS (SCP'S) UTM-17 NAD83-ORIGINAL COORDINATES TO URBAN ACCURACY PER SEC. 14 (2) OF O.REG. 216/10

POINT ID	NORTHING	EASTING
SCP 02894021	4753090.585	478132.918
SCP 02894008	4753132.745	477981.358

PLAN COORDINATES, UTM ZONE 17, NAD83 ORIGINAL

1	4753149.630	478100.580
2	4753609.428	478149.283

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN

SURVEYOR'S CERTIFICATE:

I CERTIFY THAT:

(1) THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.

(2) THE SURVEY WAS COMPLETED ON THE 26th DAY OF MAY, 2020.

26 JUNE 2020
DATE

J. ANDREW SMITH
ONTARIO LAND SURVEYOR

METRIC: DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

Callon Dietz INCORPORATED
ONTARIO LAND SURVEYORS
CARLETON PLACE LONDON NORTH BAY
info@callondietz.com callondietz.com

SURVEY BY: J.D.S. | DRAWN: R.L.W.D. | FILE No: 20-33329 | PLAN No: 9-2518

ISO 9001

GRANT OF TEMPORARY EASEMENT AND CONSENT TO ENTER

B E T W E E N:

THE CORPORATION OF THE CITY OF LONDON
(the "City")

AND:

GLEN ARRAND TOPPING, and
RONALD WILLAIM TOPPING

(the "Owners")

LEGAL DESCRIPTION: Part of PIN 08209-2098 (LT), being Part of Lot 77, Concession North of Talbot Road, Geographic Township of Westminster, in the City of London, County of Middlesex, designated as Parts 2, 3, 4 and 7, on Plan 33R-20759

(the "Property")

ADDRESS: 3095 Bostwick Road, City of London

We, Glen Arrand topping and Ronald William Topping, being the Owners of the property described above, CONSENT to the entry, by the City, its contractors and employees, on the Property for the purpose of a temporary working easement to blend new grades with existing elevations.

This Consent shall be in force for a period of one year commencing January 1, 2022 through December 31, 2022.

The City hereby offers the sum of FIVE THOUSAND DOLLARS CDN ($5,000.00) in payment for the Temporary Easement payable as follows:

FIVE THOUSAND DOLLARS CND ($5,000.00) on the completion of the Related Transaction set out in clause 2 of the Additional Terms and Conditions herein.

SCHEDULE(S): The following Schedules form part of this Agreement:

Schedule "A" – Additional Terms and Conditions

The City may renew the rights granted under this Grant of Temporary Easement and Consent to Enter for an additional term of 1 year commencing at the end of the original term upon notice to the Owners and the payment of $5,000.00.

The City agrees:

1. To restore the property to a condition as near as possible to its original condition.

2. That the Property will not be used for the storage of any construction vehicles, or construction materials, or the placement of any work trailers, at any time during the term of this Consent.

3. To indemnify, defend with counsel and save harmless the Owners from and against any and all claims, liabilities, demands, and cause of action of every kind and character, including claims of creditors of the City, liability on account of injury to, or death of, persons or damage of property and all costs and expenses of investigation and defence and all fines, fees, penalties, interest, judgements, compromises, settlements, other costs and legal fees incurred by in defence of same, on the count of or in any way incident to the use of the said property by the City's employees, agents and contractors, pursuant to this Consent.

4. Upon acceptance of this Consent, the City shall have the right to enter upon the lands for the period and purposes set out herein.

5. The proposed use of the Consent has been discussed with me/us and the sum set out as the consideration in this Consent is intended to include the payment for any reduction in market value suffered to my/our lands, if any, as a result of the City's use thereof, but excludes any physical damage to any portion of my/our lands which may occur during the construction period.

ADDITIONAL TERMS AND CONDITIONS:

1. **SUCCESSORS AND ASSIGNS:** The heirs, executors, administrators, successors and assigns of the undersigned are bound by the terms herein.

2. **ADDITIONAL/SUPPLEMENTAL AGREEMENT:** This Agreement is in addition to and Supplemental to an Agreement of Purchase and Sale of even date wherein additional compensation and additional terms have been agreed to between the Parties, being the "Related Transaction".

WE, the undersigned agree to the the above Grant of Temporary Easement and Consent to Enter hereto.

SIGNED, SEALED AND DELIVERED IN WITNESS whereof we hereunto set our hand and seal.

Witness

Glen Arrand Topping — Date: Dec 23/2020

Witness

Ronald William Topping ESTATE — Date: Dec 23, 2020

L.J.

The Corporation of the City of London hereby accepts the above Grant of Temporary Easement and Consent to Enter and agrees to carry out the same on the terms and conditions herein contained.

IN WITNESS WHEREOF The Corporation of the City of London hereto has hereunto caused to be affixed its Corporate Seal attested by the hands of its proper signing officers pursuant to the authority contained in By-Law No. of the Council of the Corporation of the City of London passed the _____ day of _____, 2020.

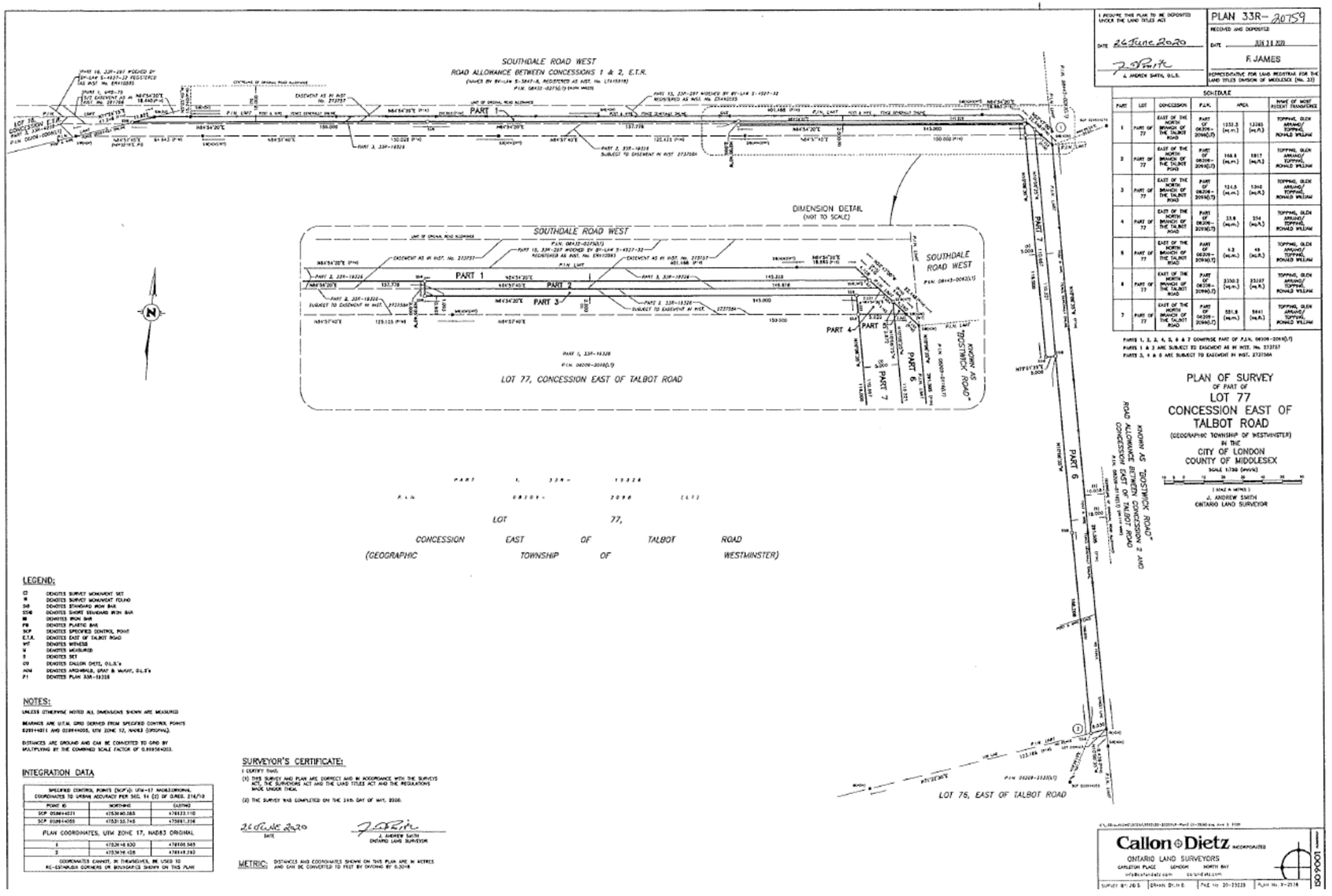
THE CORPORATION OF THE CITY OF LONDON

_____
Ed Holder, Mayor

_____
Catharine Saunders, City Clerk

SCHEDULE "A"

1. **LEGAL COSTS:** The Purchaser agrees to pay the Vendor's reasonable legal costs, including fees, disbursements and applicable taxes, to complete this transaction.



I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT

DATE 26 June 2020

J. ANDREW SMITH, O.L.S.

PLAN 33R- 20759

RECEIVED AND DEPOSITED

DATE JUN 29 2020

F. JAMES

LAND REGISTRAR FOR THE LAND TITLES DIVISION OF MIDDLESEX (No. 33)

SCHEDULE

PART	LOT	CONCESSION	P.I.N.	AREA		NAME OF MOST RECENT TRANSFEREE
1	PART OF 77	EAST OF THE NORTH BRANCH OF THE TALBOT ROAD	PART OF 08309-2096(LT)	1233.3 (sq.m.)	13285 (sq.ft.)	TOPPING, GLEN ARMAND/ TOPPING, ROWLIE WILLIAM
2	PART OF 77	EAST OF THE NORTH BRANCH OF THE TALBOT ROAD	PART OF 08309-2096(LT)	168.8 (sq.m.)	1817 (sq.ft.)	TOPPING, GLEN ARMAND/ TOPPING, ROWLIE WILLIAM
3	PART OF 77	EAST OF THE NORTH BRANCH OF THE TALBOT ROAD	PART OF 08309-2096(LT)	121.8 (sq.m.)	1310 (sq.ft.)	TOPPING, GLEN ARMAND/ TOPPING, ROWLIE WILLIAM
4	PART OF 77	EAST OF THE NORTH BRANCH OF THE TALBOT ROAD	PART OF 08309-2096(LT)	23.8 (sq.m.)	256 (sq.ft.)	TOPPING, GLEN ARMAND/ TOPPING, ROWLIE WILLIAM
5	PART OF 77	EAST OF THE NORTH BRANCH OF THE TALBOT ROAD	PART OF 08309-2096(LT)	4.2 (sq.m.)	45 (sq.ft.)	TOPPING, GLEN ARMAND/ TOPPING, ROWLIE WILLIAM
6	PART OF 77	EAST OF THE NORTH BRANCH OF THE TALBOT ROAD	PART OF 08308-2096(LT)	3330.3 (sq.m.)	35847 (sq.ft.)	TOPPING, GLEN ARMAND/ TOPPING, ROWLIE WILLIAM
7	PART OF 77	EAST OF THE NORTH BRANCH OF THE TALBOT ROAD	PART OF 08309-2096(LT)	551.8 (sq.m.)	5941 (sq.ft.)	TOPPING, GLEN ARMAND/ TOPPING, ROWLIE WILLIAM

PARTS 1, 2, 3, 4, 5, 6 & 7 COMPRISE PART OF P.I.N. 08309-2096(LT)
PARTS 1 & 3 ARE SUBJECT TO EASEMENT AS IN INST. No. 272757
PARTS 3, 4 & 6 ARE SUBJECT TO EASEMENT IN INST. 272758A

PLAN OF SURVEY
OF PART OF
LOT 77
CONCESSION EAST OF TALBOT ROAD
(GEOGRAPHIC TOWNSHIP OF WESTMINSTER)
IN THE
CITY OF LONDON
COUNTY OF MIDDLESEX

SCALE 1:750 (IMPERIAL)

0 5 10 15 20 25 30

(1 INCH = 62.5 METRES)

J. ANDREW SMITH
ONTARIO LAND SURVEYOR

PART 1, 33R-19326
P.I.N. 08309-2096(LT)

LOT 77,
CONCESSION EAST OF TALBOT ROAD
(GEOGRAPHIC TOWNSHIP OF WESTMINSTER)

LEGEND:

□	DENOTES SURVEY MONUMENT SET
■	DENOTES SURVEY MONUMENT FOUND
SIB	DENOTES STANDARD IRON BAR
SSIB	DENOTES SHORT STANDARD IRON BAR
IB	DENOTES IRON BAR
PB	DENOTES PLASTIC BAR
SCP	DENOTES SPECIFIED CONTROL POINT
E.T.R.	DENOTES EAST OF TALBOT ROAD
WIT	DENOTES WITNESS
M	DENOTES MEASURED
S	DENOTES SET
CD	DENOTES CALLON DIETZ, O.L.S.'s
AGM	DENOTES ARCHIBALD, GRAY & MCKAY, O.L.S.'s
P1	DENOTES PLAN 33R-19326

NOTES:

UNLESS OTHERWISE NOTED ALL DIMENSIONS SHOWN ARE MEASURED

BEARINGS ARE U.T.M. GRID DERIVED FROM SPECIFIED CONTROL POINTS 02891-4021 AND 02891-4055, UTM ZONE 17, NAD83 (ORIGINAL).

DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999564003.

INTEGRATION DATA

SPECIFIED CONTROL POINTS (SCP'S) UTM-17 (NAD83)(ORIGINAL) COORDINATES TO URBAN ACCURACY PER SEC. 14 (2) OF O.REG. 216/10		
POINT ID	NORTHING	EASTING
SCP 02891-4021	4753360.585	478323.110
SCP 02891-4055	4753155.745	479061.334
PLAN COORDINATES, UTM ZONE 17, NAD83 ORIGINAL		
1	4753414.830	478100.365
2	4753414.105	478148.263
COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN		

SURVEYOR'S CERTIFICATE:

I CERTIFY THAT:

(1) THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.

(2) THE SURVEY WAS COMPLETED ON THE 24th DAY OF MAY, 2020.

26 JUNE 2020
DATE

J. ANDREW SMITH
ONTARIO LAND SURVEYOR

METRIC: DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

Callon Dietz INCORPORATED
ONTARIO LAND SURVEYORS
CARLETON PLACE LONDON NORTH BAY

SURVEY BY: J.D.S. | DRAWN BY: H.D. | FILE No: 20-23229 | PLAN No: 9-2518

ISO 9001

Appendix A – Source of Financing Report

Appendix "A"
Confidential

#21008
January 18, 2021
(Property Acquisition)

Chair and Members
Corporate Services Committee

RE: Partial Property Acquisition
3095 Bostwick Road - Southdale Road West Improvements Project
(Subledger LD200004)
Capital Project TS1629-1 - Southdale Road West - Bostwick to Pine Valley
Glen Arrand Topping and Ronald William Topping - $213,000.00 (excluding HST)

Finance & Corporate Services Report on the Sources of Financing:
Finance & Corporate Services confirms that the cost of this purchase can be accommodated within the financing available for it in the Capital Budget, and that, subject to the approval of Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, with concurrence of the Director, Roads and Transportation, and the Division Manager, Transportation Planning and Design, on the advice of the Manager of Realty Services, the detailed source of financing for this purchase is:

Estimated Expenditures	**Approved Budget**	**Committed To Date**	**This Submission**	**Balance for Future Work**
Engineering	542,274	493,482	0	48,792
Land Acquisition	346,940	94,755	252,185	0
Construction	89,244	22,659	0	66,585
Utilites	127,926	0	0	127,926
City Related Expenses	14,015	14,010	0	5
Total Expenditures	$1,120,399	$624,906	$252,185	$243,308
Sources of Financing				
Debenture By-law No. W.-5618-64 (Note 2)	97,067	54,139	21,848	21,079
Drawdown from City Services - Roads Reserve Fund (Development Charges) (Note 1)	1,023,332	570,767	230,337	222,229
Total Financing	$1,120,399	$624,906	$252,185	$243,308

Financial Note:

Purchase Cost	$213,000
Add: Legal Fees etc.	33,000
Add: Land Transfer Tax	1,855
Add: HST @13%	31,980
Less: HST Rebate	-27,650
Total Purchase Cost	$252,185

Note 1: Development charges have been utilized in accordance with the underlying legislation and the approved 2019 Development Charges Background Study and the 2021 Development Charges Background Study Update.

Note 2: Note to City Clerks: The City Clerk be authorized to increase Debenture By-law No. W.-5618-64 as amended by W.-5618(b)-243 by $52,069 from $44,998 to $97,067.

Jason Davies
Manager of Financial Planning & Policy

Appendix B – Location Map

4551 Wellington Road South (Parent Parcel)

Subject Property

Appendix A – Source of Financing Report

Appendix "A"
Confidential

#21003
January 18, 2021
(Property Acquisition)

Chair and Members
Corporate Services Committee

RE: Property Acquisition
4551 Wellington Road South - Dingman Drive Road Improvements
(Subledger LD200054)
Capital Project TS1746 - Dingman Drive - HWY 401 to Wellington Road
Byrex Inc. - $133,000.00 (excluding HST)

Finance and Corporate Services Report on the Sources of Financing:
Finance and Corporate Services confirms that the cost of this purchase can be accommodated within the financing available for it in the Capital Budget, and that, subject to the approval of Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, with concurrence of the Director, Roads and Transportation and the Division Manager, Transportation Planning and Design, on the advice of the Manager of Realty Services, the detailed source of financing for this purchase is:

Estimated Expenditures	Approved Budget	Committed To Date	This Submission	Balance for Future Work
Engineering	1,291,950	112,284	0	1,179,666
Land Acquisition	200,000	43,571	144,050	12,379
Construction	8,641,300	0	0	8,641,300
Relocated Utilities	783,000	0	0	783,000
City Related Expenses	50,000	0	0	50,000
Total Expenditures	$10,966,250	$155,855	$144,050	$10,666,345
Sources of Financing				
Capital Levy	9,215	9,215	0	0
Debenture Quota (Note 2)	879,051	3,409	11,668	863,974
Drawdown from City Services - Roads Reserve Fund (Development Services) (Note 1)	2,136,629	143,231	132,382	1,861,016
Debenture Quota - Serviced through City Services - Roads Reserve Fund (Development Charges) (Notes 1 and 2)	7,941,355	0	0	7,941,355
Total Financing	$10,966,250	$155,855	$144,050	$10,666,345

Financial Note:

Purchase Cost	$133,000
Add: Legal Fees etc.	7,522
Add: Land Transfer Tax	1,055
Add: HST @13%	18,268
Less: HST Rebate	-15,795
Total Purchase Cost	$144,050

Note 1: Development charges have been utilized in accordance with the underlying legislation and the approved 2019 Development Charges Background Study and the 2021 Development Charges Background Study Update.

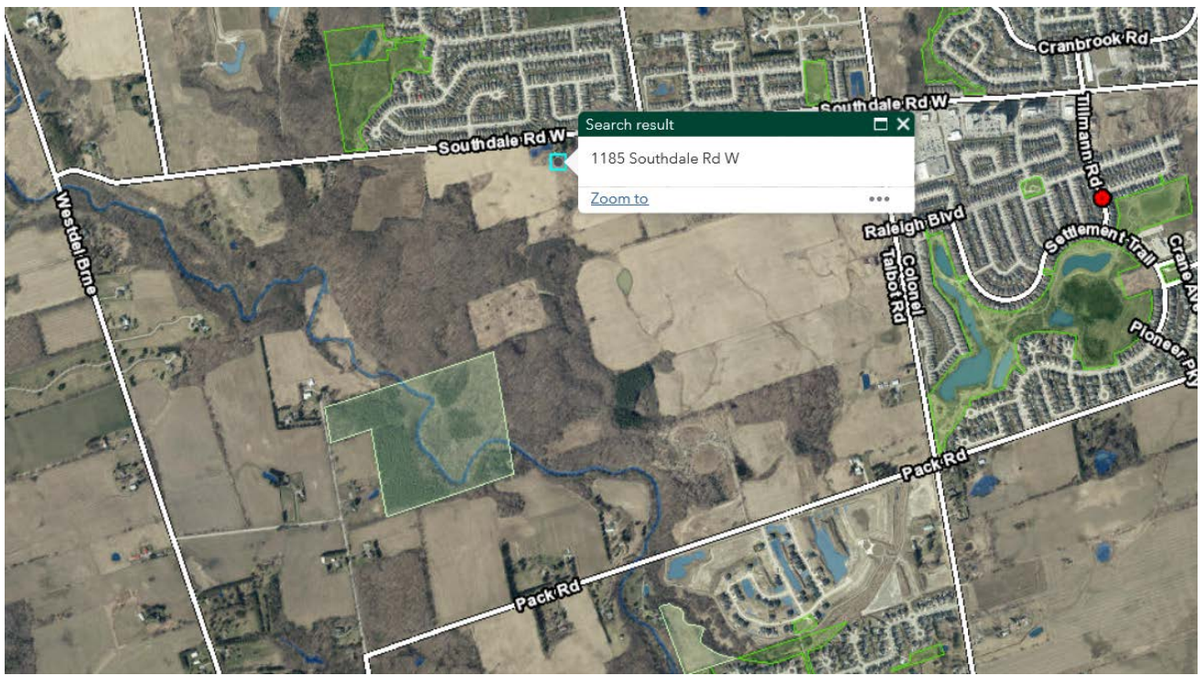
Note 2: Note to City Clerk: Administration hereby certifies that the estimated amounts payable in respect of this project does not exceed the annual financial debt and obligation limit for the Municipality from the Ministry of Municipal Affairs in accordance with the provisions of Ontario Regulation 403/02 made under the Municipal Act, and accordingly the City Clerk is hereby requested to prepare and introduce the necessary by-laws.

An authorizing by-law should be drafted to secure debenture financing for project TS1746 - Dingman Dr. - HWY 401 Bridge to Wellington Road for the net amount to be debentured of $8,820,406.

Jason Davies
Manager of Financial Planning & Policy

lp

Appendix B – Location Map



1185 Southdale Road West (Parent Parcel)

Appendix A – Source of Financing Report

Appendix "A"
Confidential

#21002
January 18, 2021
(Property Acquisition)

Chair and Members
Corporate Services Committee

RE: Property Acquisition
1185 Southdale Road West - Southdale Road West and Wickerson Road Improvements
(Subledger LD200076)
Capital Project TS1407-2 - Southdale - Wickerson Rd to Byronhills Dr.
Lecam Inc. - $170,000.00 (excluding HST)

Finance and Corporate Services Report on the Sources of Financing:
Finance and Corporate Services confirms that the cost of this purchase can be accommodated within the financing available for it in the Capital Budget, and that, subject to the approval of Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, with concurrence of the Director, Roads and Transportation, and the Division Manager, Transportation Planning and Design, on the advice of the Manager of Realty Services, the detailed source of financing for this purchase is:

Estimated Expenditures	**Approved Budget**	**Committed To Date**	**This Submission**	**Balance for Future Work**
Engineering	1,311,948	1,301,844	0	10,104
Land Acquisition	663,400	0	178,894	484,506
External Contractor	4,500,000	2,378	0	4,497,622
Relocated Utilities	917,152	0	0	917,152
City Related Expenses	100,000	4,996	0	95,004
Total Expenditures	$7,492,500	$1,309,218	$178,894	$6,004,388
Sources of Financing				
Debenture By-law No. W.-5607-237 (Note 2)	879,830	153,739	21,007	705,084
Drawdown from City Services - Roads Reserve Fund (Development Charges) (Note 1)	6,612,670	1,155,479	157,887	5,299,304
Total Financing	$7,492,500	$1,309,218	$178,894	$6,004,388

Financial Note:

Purchase Cost	$170,000
Add: Legal Fees etc.	4,400
Add: Land Transfer Tax	1,425
Add: HST @13%	22,672
Less: HST Rebate	-19,603
Total Purchase Cost	$178,894

Note 1: Development charges have been utilized in accordance with the underlying legislation and the approved 2019 Development Charges Background Study and the 2021 Development Charges Background Study Update.

Note 2: Note to City Clerks: The City Clerk be authorized to increase Debenture By-law No. W.-5607-237 as amended by W.-5067(a)-242 by $354,330 from $525,500 to $879,830.

Jason Davies
Manager of Financial Planning & Policy

km

DOWNTOWN LONDON

February 5, 2021

Re: Letter of Support for LCRN Actions Providing Immediate Support to Downtown London

Dear Committee Chair Squire,

This letter is in support of three specific consent items being brought forward to the Planning and Environment Committee on February 8, 2021, where we believe they can be immediate measures providing the most impact and support for downtown businesses during COVID recovery. These items are:

- 1.3: Break in the Clouds
- 2.5: Increase grant funding/Building Code for façade upgrades
- 3.5: Provide better market data to attract new businesses

Item 1.3 builds upon the success of the Business to Business process that City staff implemented last summer to establish a temporary permitting process to allow businesses to expand or create new patio space on their property. The actions outlined in item 1.3 will not only provide needed funding for restaurants to purchase patio materials, but it will allow another revenue generation stream by allowing restaurateurs to expand their space and assist in their financial recovery. This will also add immediate vibrancy in the downtown and provide longer term benefits that will assist in the overall recovery of the downtown.

The downtown has seen a significant increase in vandalism, break-ins and property damage since the start of COVID - a 40% increase in 2020 compared to 2019. This along with the lack of foot traffic in the downtown puts an additional financial strain on downtown merchants who need to repair and cover these costs. Additionally, downtown businesses continue to cover costs for pandemic related interior changes to their property to conform to public health regulations. With a minor amendment to the existing Upgrade to Building Code and Façade Improvement loan programs and guidelines, Item 2.5 will provide immediate support to many merchants who are needing to incur significant costs during this pandemic. Additionally, many property owners and tenants have had to hoard their building to ensure safety and security. This type of funding will provide an incentive to merchants and property owners to remove hoarding, beautify their space and improve perceptions that downtown is open for business and a welcoming environment once the COVID restrictions begin to lift.

Finally, Item 3.5 Environics system and the requested MobileScapes extension will be a valuable and powerful tool for the City and for economic development and helping to attract new businesses to the downtown. This data can also help the City of London and the community make evidence-based policy decisions and develop data driven strategies and plans.

Recognizing there are other recommended actions for implementation in the February 8, 2021 report, this letter is focused on those proposed initiatives that could be easily and quickly implemented within the existing City programs and staff expertise and would provide the most immediate impact on the recovery of the downtown. These three actions are also aligned with Downtown London's current COVID recovery programs and we would be pleased to offer any additional support to assist the City with the implementation of these actions.

Barbara Maly
Executive Director - Downtown London

cc. Andrew McClenaghan, Chair London Downtown Business Association
Don McCallum, Chair MainStreet London
Jennifer Pastorius, Executive Director- Old East Village

Old East Village
London, Ontario
Business Improvement Area

February 5, 2021

To: Planning and Environment Committee Chair, Councillor Squire
Members of Planning and Environment Committee

Re: Short Term Success Business Cases for Support

Hello Committee Chair Squire,

The included business cases noted in Consent Item 2.8 will be beneficial to support small business COVID recovery in London. However, there are three that can provide the most immediate support due to existing staff program understanding and infrastructure support. Those items are:

- 1.3: Break in the Clouds
- 2.5: Increase grant funding/Building Code for façade upgrades
- 3.5: Provide better market data to attract new businesses

These three initiatives have existing staff well versed in similar processes and these would simply build on existing programs and staff skills. Therefore they can be easily and quickly integrated into ongoing work.

Regarding small business supports, 1.3; Break in the Clouds patio initiative will allow businesses to prioritize expanding revenue generation on patios without having to weigh the financial risk of building such an opportunity.

Item 2.5 will be very valuable to Old East Village businesses as they have seen a sharp increase in vandalism over the past year. London Police Service can confirm that there has been a significant rise in broken windows, break-ins, graffiti and other offences perpetrated against Old East Village businesses and properties. Vandalism repairs are at this time costs businesses may not be able to afford and fixing damages is generally a much lower priority to basic revenue generation.

Item 3.5 is an extension to the already City utilized Environics systems. I understand City of London staff currently access Environics regularly and the requested MobileScapes is an

extension to that data focusing on information collected via cell phone tracking. This data will provide more tools in the City of London tool belt to assist London businesses generally, but will also further provide BIA's with empowering data to support their membership.

While all cases listed in 2.8 would have impact on the recovery process, these three businesses cases demonstrate quick supports that build on already existing programs and will have a direct benefit to businesses and business support organizations. The Old East Village BIA facilitates City of London support through existing programs and will be pleased to immediately assist these additional initiatives if funded.

Kind regards,

Jennifer Pastorius
General Manager
Old East Village BIA

Cc: Maria Drangova, Old East Village BIA Board Chair
Barbara Maly, Downtown London Executive Director

February 12, 2021

Arielle Kayabaga, Councillor, Ward 13
City of London
300 Dufferin Ave
London, ON N6B 1Z2

Dear Councillor Kayabaga:

On behalf of United Way Elgin Middlesex, I am pleased to offer support for your motion regarding enhancements to paid sick leave which you brought forward to the Corporate Services Committee on February 8, 2021. It is my understanding that this motion will be brought forward at the February 23, 2021 meeting of City Council.

Alongside other United Ways in Ontario and the members of the Ontario for All coalition, we support access to paid sick time for all workers during the COVID-19 pandemic and beyond. This call to action is also being championed by local social service agencies, public health experts, labour partners and workers' advocates in London and across Canada.

The COVID-19 pandemic has exposed the urgent need for paid sick days for all workers who often have to choose between being unable to support their family and going to work with an illness, further spreading COVID-19. We believe workers should not have to risk their own financial security to follow public health advice. We call on the Ontario provincial government to provide up to 14 days of paid infectious disease emergency leave and up to seven days of paid personal emergency leave for illness, injury, bereavement, or family care, without the requirement of a doctor's note.

United Way Elgin Middlesex supports your motion urging action from the Government of Ontario and Government of Canada to enhance paid sick leave. This is as an urgent health policy initiative and critical health equity measure that will curb the spread of COVID-19 and protect the health and financial security of workers, their families and their communities.

Thank you,

Kelly Ziegner, CFRE
President & Chief Executive Officer

cc: Ed Holder, Mayor, City of London
Cathy Saunders, City Clerk, City of London

United Way Elgin Middlesex
unitedwayem.ca | uw@unitedwayem.ca

Elgin office
103-10 Mondamin Street,
St. Thomas ON N5P 2V1
Ph: 519 631 3171

Middlesex office
409 King Street,
London ON N6B 1S5
Ph: 519 438 1721

As residents of Sherwood Forest we are definitely against the imposition of sidewalks to the residents of Friars Way, Abbey Rise and Doncaster Place. The character and community closeness is dependant on the history of large trees and quiet streetscapes. There is no need to rip apart this community- a complete waste of funds and effort. It was never the original plan or design of this neighborhood which has demonstrated a close community focus over the years.

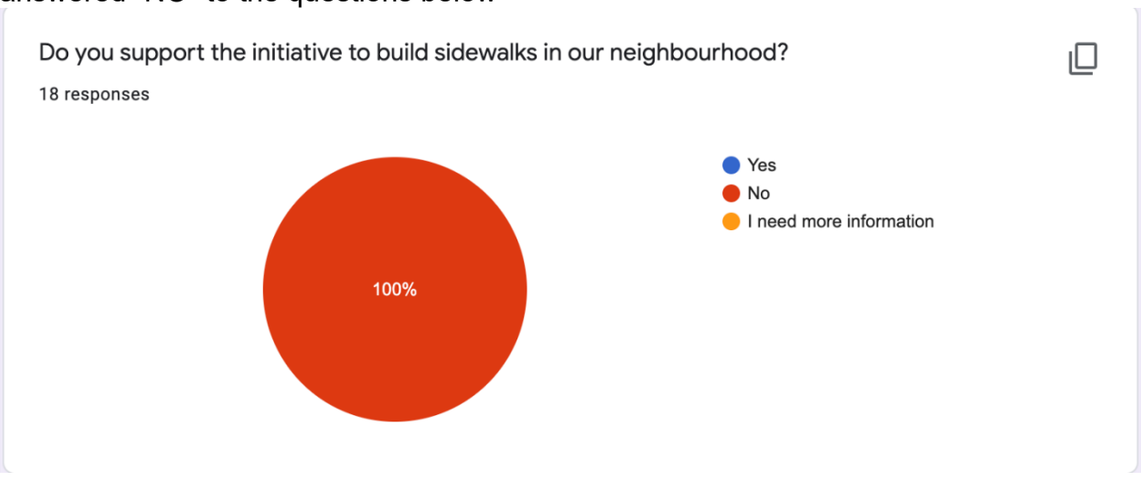
Gail and Rob Stoddart
26 Linksgate Road

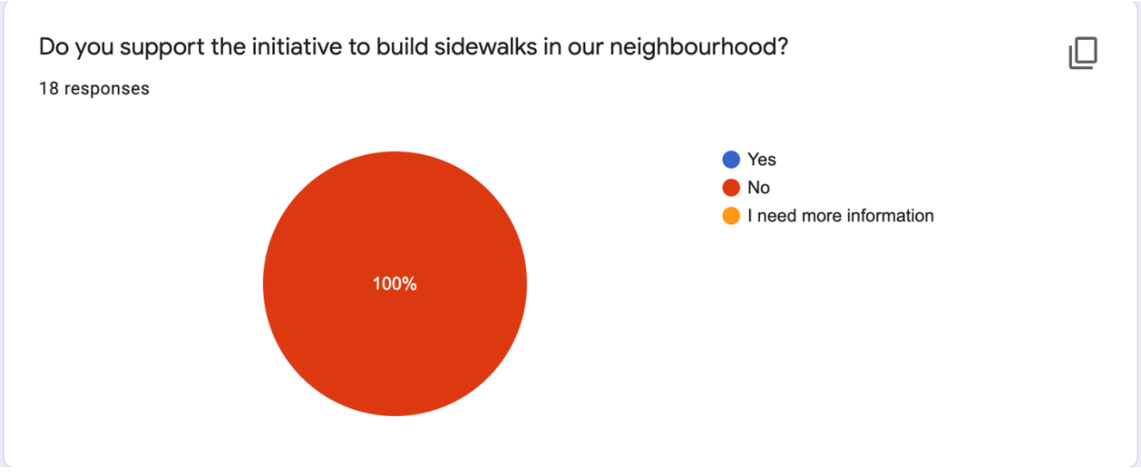
Dear Councillor Squire,

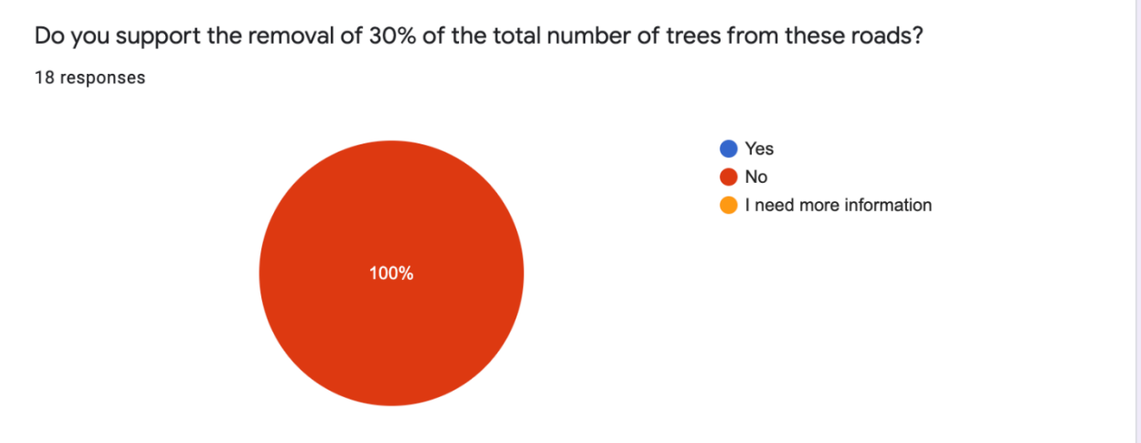
My name is Lila Kari and I am writing as resident of 56 Doncaster Place, regarding the recently announced sidewalk/tree-cutting project on our street and on adjacent streets in our neighbourhood (Friar's Way and Abbey Rise).

This is to let you know that in the short time since we found out about this, 18 households, from the Sherwood Forest - Orchard Park area (Friar's Way, Doncaster Place, Finsbury Cr., Linksgate and other neighbouring streets) have already voiced their serious concerns about, and opposition to, the City project to build-sidewalks/cut-mature-trees in our neighbourhood.

I would be happy to share with you the results of the 20-second survey we sent late last night about this issue. In particular, 100% of the residents who took the survey, answered "NO" to the questions below







The entire survey is accessible at

https://docs.google.com/forms/d/e/1FAIpQLScs5cCuGSTyl0dgQA6geHc9hkWDsCNWmRGKQct3N0MtYw6-xw/viewform?usp=sf_link

I would be happy to share the statistics regarding the responses to the other questions with you, as the response come in.

It is my understanding that residents from Friar's Way have already requested representation in the Civic Works Committee meeting of Tue Feb 9. Julia communicated with me yesterday, and again this morning, that the Friar's Way residents have already spoken with you and emailed the City, and she advised us that we do not need to ask separately for representation.

As residents of Doncaster Place and Sherwood Forest/Orchard Park area we would like to add our voices to theirs, enter the discussion and decision process, and start by communicating to the Civic Works Committee our grave concerns about, and opposition to, this sidewalk project in its current form.

Thank you,

Sincerely,

Lila Kari
Professor & University Research Chair
School of Computer Science
University of Waterloo
Adjunct Professor
The University of Western Ontario

(cc: Orchard Park Sherwood Forest Ratepayers)

Hello,

I would like to formally request delegation status for ACCAC for the Mar. 2, 2021 CWC meeting. It has come to our attention that a number of road reconstruction projects are facing community push-back on the installation of sidewalks. We would like to speak to those issues.

Thank you in advance for your time and consideration of this matter.

Jay

--
Jay Ménard
He/Him

Hello, The Urban league would like to request delegation status to Civic Works Committee for March 2 to speak to the issue of installation of sidewalks.

Can you please confirm the time of the meeting with me?

Thanks,
Shawna

Shawna Lewkowitz
President, Urban League of London

Dear committee members,

I would like to make known my feelings about the proposal to take down a number of mature trees and to put in a sidewalk on Friars Way. Friars Way does not get much traffic, and the vehicles that do travel on it do so at a modest rate of speed. I regularly walk on this street and feel quite safe.

Further, I am not in favour of taking down any of the mature trees that line our street. They add beauty and value to this quiet neighbourhood.

In sum, I do not believe that a sidewalk is necessary on this street, and its construction would diminish the appeal of this neighbourhood. Therefore, I do not support this proposal.

Thank you for your consideration.

Dr. Kathryn Noel
37 Friars Way
London

Subject: [EXTERNAL] Delegate status (March 2nd)

Hi Cathy,

I was hoping to get delegate status to discuss the importance of side walks at the March 2nd civic works meeting.

- Jeff

To the Civic Works Committee:

My name is Lila Kari and I am writing today to respectfully request Delegation Status at the March 2nd Civic Works Committee meeting, regarding the City of London "road reconstruction projects including sidewalks for Abbey Rise and Friars Way and maybe Doncaster Place".

Our family resides at 56 Doncaster Place, London, ON, N6G 2A5, and I represent 35+ residential households on Doncaster Place and neighbouring streets.

On behalf of the aforementioned residents, I would like to speak to the Civic Works Committee and express our concerns to this sidewalk project in its present form, especially regarding its side-effect of cutting around 50 mature trees in our neighbourhood.

I look forward to your hopefully positive reply.

Sincerely,

Lila Kari

56 Doncaster Place
London, ON

cc: Councillor Phil Squire

Lila Kari
Professor & University Research Chair
School of Computer Science, University of Waterloo Adjunct Professor Dept. of Computer Science, University of Western Ontario Editor-in-Chief, TCS, Elsevier

Protest to Sidewalks on Imperial Road

There are numerous problems with this plan:

1) Significant shortening of the parking space on driveways - will put increased parking on the road - Imperial Road is narrow and with cars on both sides of the road, EMS and service vehicles will not have room to maneuver. This is a huge safety risk. Many of us already use maximum parking space on our driveways with multiple cars. The street, lots, and placement of the houses on the lots were designed with out a sidewalk.

2) Trees: When Grenfell road was remade, 33+ trees were cut down over 1.1km. That is 1 tree every 33m; The current plan for Imperial would be 16 trees over 180m (planned and with engineer mistake the number will be higher as happened on Grenfell) - Currently it would be 1 tree every 11 m - Unacceptable - for the "forest city". There are many very large trees planned to be cut down. New trees will not provide sufficient shade in my life time.

3) Sidewalks - are not necessarily safer - it has been safer to walk on the road in the snowy weather since so many people do not shovel down to the cement when clearing the walk way. Over the long term, tree roots break up the side walk and become risks for people too.

4) Privacy: our house placement and design of our house puts our living area at the front. New houses typically have the garage at the front and living area more posterior. The privacy in our house will be significantly affected by the sidewalk since it is so close to our living area in the house.

This is not good use of tax payer money. Not one person on our street wants a sidewalk or the mature trees to be cut down. This is one reason we bought our house in this subdivision. There are many other streets in town that do not have sidewalks and it would be better to use your money there (Such as Stoneybrook Cresent which runs from Fanshawe Road to Phillbrook Drive- much heavier traffic then our small street).

Please take these points for your consideration:

Trish and Kris MacLeod
2 Imperial Road
London ON

Hello Cathy.

I would like to request permission to speak for up to 5 minutes at the upcoming meeting on March 2nd at 12 pm.

My request is as an alternate and not additional speaker, only in the event that Patti Crowley Traylen is unable to attend. She will present on behalf of home owners who are against the installation of a sidewalk on either side of Bartlett Crescent.

Thank you Cathy.

Please share my request with members of council by email.

Darlene Cuthbert
75 Kinnear Crescent (at Bartlett)

Dear Sir/Madam,

I am a resident of Sherwood Forest at 26 Abbey Rise in London. I would like to go on record as being opposed to sidewalks on our street. There are very few cars on our road and the impact on the mature trees will be significant. Please reconsider – there appears to be significant opposition within the neighbourhood and it is a large cost that could be avoided for the city and channeled into other projects. A win-win!

Would you please confirm that my opposition has been noted by the appropriate committee?

Thank you,
Heather Pilkington
Heather Pilkington, PhD, PEng

I am writing in objection to the construction of a new sidewalk on the west side of Imperial Road. While I believe infrastructure is required I do not want a sidewalk. This is one of the prettiest well kept streets in our area. Every family on this street maintains their houses and properties with pride. There is a total of 25 houses on both sides of the street.

There is very minimal vehicular traffic and while there are pedestrians they too are minimal because the street ends at Balcarres Road. It would seem that most traffic is due to people who reside on this street.

My biggest objection to the sidewalk would be the destination of trees. My property is 15 Balcarres Road and we face Imperial at the corner of Balcarres and Imperial. According to the plan we will lose several trees. Please refer to the plan as attached.

This is especially upsetting as we have already lost 3 large trees. A very large tree at the corner was lost to emerald ash boarer and the city has had to remove 2 lindens because they were planted too close to the road and were leaning into traffic (trash removal vehicles).

I have attached copies of our home and the beautiful trees we have. We do not want a sidewalk and do not want to lose our trees. Please save them!

Linda and Frank Welsby

IMPERIAL RD
PRELIMINARY
OT FOR CONSTRUCTION
WELSBY
IS Balcarres

From: PAIK MICHELLE

Dear Lehman,

I hope you continue to be well amid the current pandemic. I have been informed that the City is proposing to install a new sidewalk on the south side of Tarbart Terrace. I would like to share my comments with you. I'm considering the balance of the road. As you know, Tarbart Terrace is a fairly narrow road and is not a main street in the oakridge area. In other words, there are no drivers to use this road in order to cut the corner. Those who drive or walk on this road are just residents at their own homes. Therefore, I don't agree that a new sidewalk helps pedestrians keep safe because there are few cars and people come and go on this road in a day. You can tell if you keep an eye on that. I definitely don't think it's worth it. It's rather doubtful whether it's a waste of tax because I don't even think about the need for sidewalks when I go for a walk and I never feel it's uncomfortable and dangerous without a sidewalk. The bottom line is that new sidewalks may not bring more efficiency than expected for pedestrians and be able to narrow the road more than before. May the days of this construction program meet the expectations for me and our community.

Many thanks,
Ward 8 Resident

We would like the following below included in any discussions regarding the above. Jill Potter would also speak at any meeting where it is permitted.
Thank you

Our home we have lived in for 19 years 202 Wychwood Park is situated on a corner lot with our garage facing Scarlet and our frontage facing Wychwood Park looking out at the new construction of houses and condos on Wychwood Park.

Scarlet is not a busy street and is quite like Runnymede in a sense, off of Wychwood and not a thoroughfare. Only traffic going on these streets are homeowners coming and going from their home. It's very quiet and safe to walk these roads with out seeing many cars in motion.

It's devasting to us and the integrity of the neighbourhood to lose 2 beautiful healthy 56 year old trees or any trees for that matter. Our neighbourhood after all is called Sherwood Forest.

These trees not only beautify our property and the neighbourhood but also provide privacy and act as a noise buffer from the streets of Scarlet and Wychwood this is very important when living on a corner lot.

If the planning of sidewalks goes ahead the digging and cutting into our property will not only kill 2 of our trees but disturb the root system of a second mature White pine in the corner of our property thus killing it in the near future. Then we will have lost 3 mature privacy trees on our property which will totally be a shame to the beauty of the lot and the aesthetic of the street and neighbourhood. Thus exposing our backyard and raising the noise level.

Putting a sidewalk across the end of our driveway will have an impact on our parking space. Being on a corner lot with our driveway facing Scarlet we already have a smaller driveway than our neighbours around us. We will now lose 5 feet of an already shortened drive way. Pedestrians will now be walking right up close to our parked cars this will be a safety concern for both them and us.

There are side walks in the neighbourhood and one that runs across the front of our property on Wychwood. I agree with the placements of these sidewalks as they are on the busier streets and thoroughfares.

I have walked the streets of Sherwood Forest and Orchard park for 19 years now with my dogs everyday and have never felt unsafe walking on the streets without sidewalks. Actually these are the streets I much prefer as they allow me to spread out with the dogs and keep my distance from others which is very important as we have learned over the past year social distancing with Covid 19. The beauty and Character of the neighbourhood is what drew us here to purchase a house 19 years ago. We had very young children at the time 4 and 6 and never did we worry about not having sidewalks on every street.

Please reconsider your planning for sidewalks on Scarlet and AbbeyRise.

Thank you sincerely,
Jill Potter

City Clerk's Note: Ms. Potter is also requesting delegation status to speak to this matter at the March 2, 2021 Civic Works Committee meeting.

Dear Sir/Madam,
My son and I live on one of the streets in Sherwood Forest where you are considering adding sidewalks. I am in my 90th year, my son is 59 and is seriously handicapped, physically and intellectually. Some years ago we were told that trees were going to be planted along our street, including in front of our house. The reason given was that it would be healthier for us and would help the whole concept of London being the Forest City. We were pleased. Now we are told that for the sake of our health, said trees were to be demolished. Sidewalks would be built and our lawn would be considerably diminished, spoiling that aspect of our house and causing a reduction in its worth and we are far from pleased!

Indeed, this is a very bad idea, a waste of money and would spoil what has been a charming landscape for years. My son and I have been isolated in our home since March 2020 when his day program was closed. Now we are going to be even more isolated as the summer will be spent smothered in dirt, our quiet street will be surrounded by the noise of big equipment and, worst of all, unable to take my son on walks after a year of being very lonely and depressed.

The sidewalk and your timing are not good ideas. Such structures are never cleared in the winter, as you know, one cannot push a wheelchair in conditions of great lumps of ice and snow left in lumps. Not only have we had a very solitary year, it will continue when we cannot even enjoy our own gardens.

GRH

February 16, 2021

Councillor Elizabeth Peloza

Chair, Civic Works Committee

City of London

314 – 300 Dufferin Ave

London, ON N6B 1Z2

RE: Opposition to Sidewalk Proposal (St Anthony Rd)

Dear Councillor Peloza,

I am writing to voice my opposition to the proposed sidewalk along St Anthony Road between Hyde Park Rd and Hampton Crescent.

My primary concern is the number, and variety of species, of trees that would be affected by the installation of a sidewalk. I feel our neighbourhood is distinct due to the range of mature trees found throughout the area. To cut down healthy trees in order to install a sidewalk does not seem in keeping with either the character of the neighbourhood or the ethos of The Forest City.

I appreciate this opportunity to voice my opposition to the St Anthony Rd sidewalk proposal and look forward to hearing the outcomes of the March 2nd Civic Works Committee meeting. Please feel free to contact me should you require additional information.

Yours sincerely,

Maureen Ransom

London, ON

CC: Civic Works Committee

February 14, 2021
City of London

Attention: Mayor Ed Holder

Re: Balcarres/ Imperial Proposed Street Changes (see attached)

Dear Mayor Holder,

I am writing about this proposal as it affects Imperial Road. I do not live on it but my daughter and family do and I am close enough to walk to their house so am very familiar with the street scape. I am writing to add my voice to others in protesting the proposal.

It is difficult to understand the basis for the changes other than the fact that there probably is a city by-law or regulation which says “all streets shall have sidewalks on at least one side”. But one size does not fit all and certainly is not appropriate for Imperial Road. It is a short street, probably about 100 metres in length, which goes “no where”, meaning there is absolutely no through traffic - almost without exception the vehicular and pedestrian traffic is related to the residents of the street. Let me give you reasons why the changes should not be made, using my daughter’s house (2 Imperial) as a reference.

a. Street parking. The current setback of houses allows considerable driveway parking. My daughter can park four cars in their driveway. If the changes go through there will be room for only two. It is very seldom that one sees parking on the street; addition of a sidewalk and grass boulevard would force parking which is now on driveways on to the street. Why, why would you want to do that? On street parking complicates garbage pickup and certainly is a severe negative for snow clearance.
b. Safety. I suppose there could be a concern about the liability pedestrian/vehicle accidents where there is no sidewalk, but I think that would be over stated. There are both few walkers and few vehicles, with, as noted earlier, most of those vehicles belonging to the residents. I think too that planners often overlook the fact that sidewalks themselves create safety problems for walkers. In the winter there is often left a coating of snow which becomes slippery whereas streets with black asphalt and salting are generally more secure for pedestrians. There also is an additional year round problem with sidewalks; you do not have to do much walking before you encounter cracked sidewalks and ones where a portion has heaved due to frost or tree roots, creating a cause for seniors to stumble and fall. (Yes, over time these get ground down but not until they have existed for a period of years and this not only leaves unsightly scarring, but is not a permanent fix.) Separately but also a safety matter is the fact that the street lights are on the other side of the street, not where the sidewalk will be.
c. Environment: It is estimated there are 15 mature trees which would have to be removed. About three years ago my daughter sought permission to cut down a single tree in her backyard and permission was not granted. Now the city is about to embark on a project which would remove 15 trees from landowners’ property without any consultation. In the lifetime of the current residents these trees will never be replaced, depriving the homeowners of the beauty and shade of mature trees. This also would be contrary to the image the city tries to maintain, namely a “treed” city. Visitors entering London on some roads are greeted by a sign saying “London The Forest City”. Also the city logo proudly displays a Tree.
d. Cost. Two aspects of cost. The first is the cost of the project. Imperial Road needs a new surface however I would guess that the cost of creating the sidewalk plus all the ancillary touchups would be at least 2Xs the cost of the simple resurfacing. The second is the reduced property value of each affected property. The much shorter set back of the house and the elimination of those beautiful mature trees cannot be ignored, it does affect value - and from a city viewpoint, a lower property value also means a lower tax revenue.
e. Annoyance. Sidewalks bring snow plows and these plows invariably scoop up residents lawns. This generally happens with the first snowfall in December so the homeowner is left with an unsightly mess until spring. Then at his expense

and effort the lawn must be repaired. Not a critical matter but one which needs to be recognized. The city does not need to do unnecessary things to further antagonize homeowners.

So, in closing I will repeat an old phrase *"if it ain't broken, don't fix it" and* in terms of Imperial Road, it certainly isn't broken. Since this is a project which in my opinion is unnecessary and uses taxpayers money which could be better spent elsewhere, I am sending a copy of this letter along to the London Free Press.

Sincerely,

William J Roberts

620 Thistlewood Drive,
London, ON N5X 0A9

cc Councillor Maureen Cassidy
hlysynsk@london.ca (Trees and Forests)
Gregg Barrett (Director Planning)
Kyle Fairhurst (project mgr.)
Deris Dow (city mgr.)
London Free press

1118 St Anthony Road,

London, ON N6H 2P6

February 16, 2021

Civic Works Committee,

City of London, Ontario,

300 Dufferin Avenue,

London, Ontario.

Dear Committee Members,

I am writing to you regarding my objections to the proposal to construct a sidewalk on the south side of St. Anthony Road between Hyde Park Road and the west end of Hampton Crescent.

My husband and I have lived at the above address since July 1970. Over the years our two children attended John Dearness School and we never had any concerns about their safety when walking along the roads in this subdivision.

For many years I was actively involved with the Oakridge Hazelden Community Association and was a local coordinator of the Neighbourhood Watch program. As such, local issues were brought to the attention of both these organizations and I don't recall ever receiving a request from the residents for a sidewalk along this road. What has changed between then and now that would warrant a sidewalk to be constructed?

Many homes on this stretch of St. Anthony have in ground watering systems that reach the curbs. These will need to be reconfigured at significant cost. Also many homeowners have installed brick, stone or concrete driveways that would be crossed by a new sidewalk and therefore their aesthetic appeal would be diminished. It is assumed that the costs of the reconfiguration of watering systems and repair or reconstruction of driveways would be borne by the city, making the installation of a sidewalk that much more expensive.

I agree with the concerns raised by neighbours regarding loss of trees, the effect on landscaping and the fact that the proposed sidewalk goes from nowhere to nowhere.

Yours sincerely,

Rosemary Dickinson.

Hi Maureen

We received official notice on Friday of an upcoming reconstruction project for Imperial Rd which would include putting sidewalks on our street. We were aware of this project on Thursday as London News presented this project on their news feed. Our neighbors have been polled, a petition created and nobody wants a sidewalk on Imperial Rd.

Imperial Rd is a short street with 7 houses on the one side and 4 on the other side. There are an additional house on each side with an address on Grenfell and an additional house on each side with a Balcarres address. This is a short street with very little foot or vehicle traffic Me and my neighbors don't want a sidewalk for the following reasons:

1) Quantity of vehicle traffic is minimal. About the only people who drive on this street, live on the street.

2) There would be a number of parking problems created. With shortened driveways (can't block sidewalks) we would be forced to have at multiple vehicles on the street at all times and I don't know where to park in winter time.

3) Having the only small children on the street, I would be more concerned with the safety issue of getting hit passing between parked cars.

4) Parking on both sides of the street would make it difficult for service vehicles to go through the street.

5) We and several of our neighbors have concrete driveways which would be ruined with a sidewalk cutting through.

6) This is a quiet street with mature trees that would have to be removed. Being the Forest City we should be preserving this resource.

We purchased this house 3 years ago because there were no sidewalks and we required the full use of a laneway. The mature trees on this street are what sold us on this location. Don't put in a sidewalk and ruin this street.

There is a planning meeting on March 2, 2021 to discuss this project and I would like to attend to present my opposition to the sidewalk portion of this project.

Regards

Herman Post

4 Imperial Rd

London, ON

Good morning,

Please accept this e-mail as my request to attend and speak at the virtual meeting on March 2nd as delegation status for the proposed sidewalk on Bartlett Crescent. Please have this request be distributed to all members of the council by e-mail. We only received notice from the city of this in the mail yesterday, February 15th. Please let me know if I need to submit any further information to you before the deadline of 9am tomorrow morning (Feb. 17th).

Thanks,
Pam Hart
28 Bartlett Crescent

Counsellor Lehman,

I would like to express my opposition to the proposed sidewalk which would run on Saint Anthony Road between Hyde Park and the west end of Hampton Crescent.

As 17 year resident who walks daily in Old Hazelden, I have never felt unsafe. I live with a disability from a brain injury that affects perception and balance, and have walked without issue. Vehicles are infrequent and respectful - this is essentially a dead end subdivision with no destinations other than the residences. The proposed sidewalk is purposeless.

Furthermore, the required removal of trees (approximately 30%) seems to be at direct odds with the city's environmental initiatives. In light of the investments the city has made to improve tree cover, cutting down mature trees for an unnecessary and unwanted sidewalk seems frankly fiscally and environmentally irresponsible.

I would like to request delegation status, and I am happy to have you share this letter and my personal information with any concerned parties, including the City of London Civic works committee.

Yours sincerely,

Susan Skelton
21 Hampton Crescent

Hello Carol,

I am requesting to speak at the virtual meeting regarding the proposed instillation of a sidewalk along Bartlett Cr., as part of the reconstruction project, being held on March 2, 2021.

Please distribute my request to all members of the council, by email.

Thank you for your time,
Patti Crowley Traylen
40 Bartlett Cr.

Mr. Vanmeerbergen,

My husband and I have lived at 19 Bartlett Crescent for 34 years this April. While the street has needed paving practically that whole time, there is absolutely no reason to install sidewalks on either side of this extremely quiet crescent. The loss to frontal property, trees and parking would be a serious detriment to the enjoyment, usage and selling of our homes.

Also, having to hear about this possible change through newscasts is extremely disrespectful to the residents and taxpayers of this street.

I understand we were to receive a hand delivered communication from the city in regard to this proposed change. We have received absolutely nothing, which is completely outrageous. One would think there would have been a years long dialogue and communication of any sort on this proposal. We are the residents effected after all.

We are asking you as our representative to support the residents of this crescent, and your neighbours, by insisting that this proposal be quashed, or at least inviting the residents to have a say that is not based on a last minute shot gun situation. That is the least we should expect from our city.

Respectfully,
Doris and George Forbes

Hi Paul,

We are the owners and residents of 31 Bartlett Crescent.

We did not receive a hand delivered information package from the City of London. Thank you for providing the information yesterday.

We are emphatically against the addition of a sidewalk on Bartlett Crescent, as part of the 2021 road construction project.

Our reasons:

A sidewalk is not required for cut-through pedestrian travel from Viscount Road to Barclay Road - we already have a continuous sidewalk serving that purpose on the Kinnear Crescent portion of our circle.

There will be an unnecessary loss of trees that are integral to the charm and beauty of our streetscape. This directly contravenes the city's policy of protecting existing tree cover. Replacement trees will take years to contribute the environmental and aesthtiec benefits of the trees that are intended to be removed.

We have a lot of wildlife that inhabit our trees and their removal not only affects the birds, raccoons, squirrels etc., but has an impact on the health and wellness of all those who find solace in nature.

There will be decreased on-street safety for motorists, cyclists and other street users (basketball, ball hockey, 4-square etc.) due to increased on-street parking from residents and visitors, because of the loss of driveway spaces.

Unfairness: Recent purchasers and some established owners require the use of their full driveways, for their own use and to facilitate guests.

If a sidewalk is added, they will be unable to legally park cars that they currently park in their driveways.

Our street has a particular charm and desirability that is enhanced by its many trees and LACK of a sidewalk. These factors affected our decision to buy here 30 years ago, and also affected the purchase decisions of our newest neighbours.

Home Owners

Steve Chown and Jocelyn Brown

Mr. Vanmeerbergen

We have lived at 56 Bartlett Crescent for over 23 years. We do not want a sidewalk on either side of Bartlett Crescent. We live on a quiet crescent and walk our dog several times a day. This is a quiet street with no safety concerns. The "Forest City" should not be looking at removing mature trees along our street or anywhere else in the city. With our environmental footprint and global warming a strong sad reality we do not need a sidewalk.

Thank you for your time

Shirley and Mike Hillman

56 Bartlett Crescent

Good morning

My name is Scott McGregor and I am the owner of 52 Barlett Crescent. I would like to state my opposition to the proposed sidewalk project that is being planned for our street.

Please mark me down as NAY.

This proposed change will greatly impact my property as well as the rest of the street.

thank you

Scott McGregor

Dear Civic Works Committee Members

My name is Gail Turpin and I live with my husband, Robert, at 3 Imperial Road. We learned through the media this week that our street was scheduled to be rebuilt this year and a sidewalk would be added. We do not believe a sidewalk is necessary.

Our street is short and quiet with only a few houses and little traffic. There are few pedestrians and cars travel slowly because the road curves. Adding a sidewalk would remove mature trees, limit driveway parking and possibly make walking less safe in the winter.

Sidewalk snow plows leave a thin layer of snow on the sidewalks. This snow melts and refreezes until the sidewalks become icy and slippery. This makes walking dangerous. As a senior who walks most days, I often walk on the roads in our subdivision as they are well maintained.

Please circulate our concerns to the members of the committee.

Thank you,
Robert and Gail Turpin

I just wanted to voice my opinion on the proposal for a sidewalk on on St. Anthony in Hazelden. I am not in favour of it. It seems like it will be a sidewalk from nowhere to nowhere, it doesn't join any other sidewalk. It is destructive to the area. Has there been an engineering study on how this will effect drainage?

Having a sidewalk on Hyde Park Road from Riverside to St. Anthony would make more sense. Hyde Park is narrow, no curbs and in terrible shape. Hyde Park is busier, traffic uses Hyde Park and then splits to use 3 streets (St. Anthony, upper & lower Hampton) If walking out of the neighbourhood, most people use Hyde Park to walk up to the traffic lights. The neighbourhood is not used by vehicles to cut through to any other area, it is hardly busier now then it was 20-30 years ago. Hazelden area goes nowhere so putting sidewalks in the area will not enhance the neighbourhood.

It seems useless, destructive and costly to put a small section of sidewalk in a quiet neighbourhood.

Sincerely,
Janine Easton

Hello CWC,

Further to the email below, I would like “Delegation Status” at your next meeting.

Thanks,
Anne-Marie
49 Hampton Crescent

Anne-Marie Grantham

Dear CWC members,

The slated removal of 36 trees in Ward 6 on Friars Way and neighbouring streets has been well documented in the media of late, and I would like to take this opportunity to share my concerns with this proposal. While I am not a resident of this ward, I have similar experience with the drastic loss of many healthy, mature trees in my own neighbourhood as a result of road construction, and when I learned of another neighbourhood facing a similar fate, I immediately reached out to Ward 6 Councillor for advice on how I could have my comments shared more broadly with the CWC in attempt to have a greater impact on the eventual decision.

Many of the residents of the aforementioned neighbourhood have already voiced their own concerns regarding the drastic tree removal being proposed to make way for a sidewalk. I would like to take this opportunity to echo those concerns and to also voice my opposition to ongoing projects, like the one in question, happening throughout the city in conjunction with The London Plan. I don't personally take issue with the installation of sidewalks, but for this to occur only after dozens of mature trees across the city must first be "sacrificed", this strikes me as pure madness! No one is against making streets safer and more accessible for all, but if the London Plan is so short-sighted as to call for the deliberate removal of so many of London's magnificent trees (which provide untold benefits to the community) just in the name of adding a few additional kilometers of sidewalk, then perhaps it's time for an update to the plan. Is it not possible, for example, to find a compromise whereby sidewalks are installed around the existing trees so that they can still be preserved (some examples are pictured below)? Similarly, perhaps the roads in question could be made more narrow by a few feet to accommodate a sidewalk.

It just strikes me as so backwards that the London Plan would promote "safety" at all costs, without simultaneously advocating for solutions that call for more imagination and advanced problem solving skills. Like many other residents whom members of City Council have likely already heard from at different times in regards to different projects, the feedback is always the same: residents want to keep their trees! I don't understand why this is such a difficult circle to square, or why it always has to come down to a "fight" with the City about what shouldn't even be an issue at all. Why does a swell of local opposition need to always bubble to the surface before our local representatives in government begin to take pause on the rationale driving some of these ill-advised decisions? It should be a given that all healthy trees will be preserved -- no matter what -- and that if a sidewalk still needs to be installed, then alternative solutions will be brought to bear.

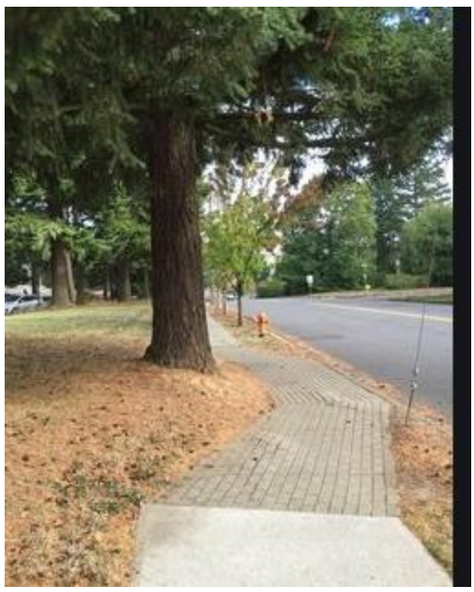
I truly do not want to see any more residents having to endure the painful loss of their streets' canopy as has already happened in my neighbourhood (on Regal Dr) a couple of years ago, now. And to even speak of "replacing" these trees with youth trees is downright ludicrous if we're being honest, and seems to miss the point entirely. Surely there must be a way forward that can address the safety needs of residents while still preserving one of our city's greatest assets.

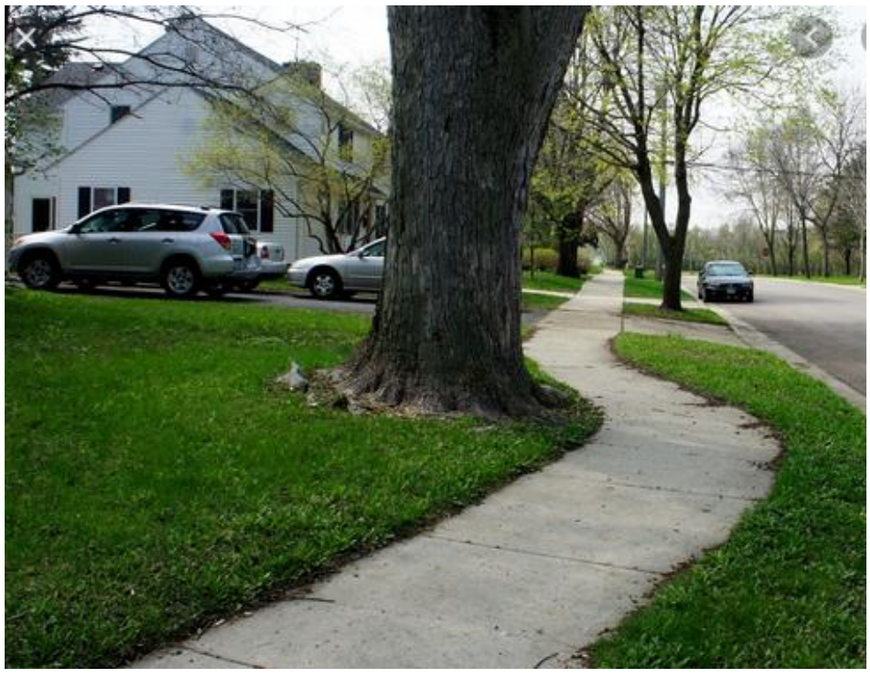
Thank you in advance for accepting my comments for consideration at the March 2 meeting. I hope these along with other comments from local stakeholders will help inform the committee's decision.

Sincerely,

Teresa Daniele

Ward 3 Resident





Dear Paul:

I would like to register my strongest possible opposition to the construction of a sidewalk on Bartlett Crescent. I have lived at 11 Bartlett Crescent for 18 years and cannot understand why the city would want to remove mature trees to make room for a sidewalk. My neighbors and I enjoy our tree-lined street, and would be deeply upset with any changes to our street.

I would be grateful if you took our concerns seriously and advocated on our behalf.

Many thanks,

Don Abelson
11 Bartlett Crescent

Thank you for bringing the project information by my house on Saturday evening. I had not received any information from the city prior to that time.

As we discussed, I am strongly opposed to sidewalks being added to the East side of Bartlett Crescent. When I purchased my home 16 years ago, I specifically chose this home because there were no sidewalks, because it was a quiet street and because of the mature trees along the street. Had I wanted the look of a treeless street, with too much pavement, I would have moved into a new subdivision.

Our street has a small town vibe within a big city. All of the neighbours are friendly and we often have group gatherings (when COVID was not an issue). I believe that sidewalks will detract from that feeling. Our driveways are currently large enough to park two to four cars and those of us who are couples or with older children who drive make use of this space. (another reason for choosing this location) With the addition of sidewalks, the likelihood of our pretty street becoming an ugly parking lot for surplus vehicles so that they don't block the sidewalk becomes exponentially increased.

Further, many of us have gone to a great deal of expense and care to beautify our lots and care for the trees and other landscaping. I have just last year spent $4000 to re-lay my paving stone driveway and I really don't want to have it cut up and a sidewalk placed through the middle of it. There are two trees on my lot slated for removal. One of them is an expensive purple fountain beech that I believe is not on the city easement, but must be too close to the proposed sidewalk. I do not want it destroyed or damaged. It is really unique and pretty and while replacement trees are proposed, I doubt this would include this ornamental tree.

Bartlett is not a busy street. There is a very low risk of injury to pedestrians walking along the edge of the street as there is not much traffic. It is not a through street and, thus, is mostly used by locals who are well attuned to driving carefully along our street and minding any pedestrians.

Please do everything you can to prevent the addition of sidewalks along Bartlett Crescent. Feel free to forward this email to anyone you feel should have a copy.

Sincerely,

Cheryl Grass

32 Bartlett Crescent

Mr. & Mrs. Haydon have lived on Bartlett Crescent since 1977. They are against this proposed sidewalk. They don’t want to see many beautiful trees cut down on their quiet crescent. The number of cars is minimal. No one on their small street wants a sidewalk.

On behalf of Mr. & Mrs. Haydon,

Paul Van Meerbergen,
Councillor, Ward 10

Dear Mr. Van Meerbergen

I just learned today from my neighbour of the city's proposal to construct a sidewalk on the east side of Bartlett Crescent.

As a 31 year resident of Bartlett Crescent, I vote, "Nay," to the proposal to place a sidewalk on the east side (or any side) of Bartlett.

Given the crescent's very low volume of traffic and its naturally speed-reducing shape (j-curve), I should think we could find many more useful purposes for tax-payer dollars. I can assure you from first-hand experience, pedestrians, whether it be parents with young children with their toy wagons and tricycles, adolescents playing a game of pickup basketball, or a senior just out for some exercise, have never ever been in peril on our leafy crescent. Actually, this proposal feels like a perfect example of how "a one size fits all" mentally can actually do more harm than good.

If required, please feel free to use my personal information in any effort to defeat this proposal. Or, if you feel it would be of any useful effect, I would be glad to participate in a discussion.

Sincerely yours,

Diane Myles

resident of

15 Bartlett Crescent (west side)

LONDON

Dear Councillor Lehman,

We live at 1132 St. Anthony Road, London and we are writing this letter to voice our opposition to the construction project, as proposed, to rebuild St. Anthony Road. In particular, we oppose the addition of the sidewalk on the south side of the street.

At the outset, we would each request, separately, delegation status and request that this letter be placed on the public record.

We don't believe that sidewalks will increase pedestrian safety, address accessibility issues or encourage personal mobility, which seem to be the main justifications for the addition of sidewalks detailed in the Report to the Civic Works Committee dated February 9th, 2021.

Because the neighbourhood is bounded on the south by the Thames River and on the east by the Thames Valley Golf Club, there are no through streets and the speed limit is 50 kmh. There are no community centres, churches, public attractions or gathering places that would attract excess traffic. The neighbourhood is not near any bicycle or pedestrian routes, such as the Thames Valley Parkway. Even covering the neighbourhood in sidewalks wouldn't make getting to Springbank Park or the Walkway any easier, as the bridges to both those areas are over a kilometer away to the west and east, respectively. As a result, the volume of vehicle, bicycle and pedestrian traffic from outside the neighbourhood is low to non-existent. The streets are very wide and can accommodate parking on both sides of the street with enough room for traffic to still easily pass.

Sidewalks in this neighbourhood would not enable accessibility, encourage personal mobility or increase pedestrian safety. We have lived in Old Hazelden for over 30 years, have raised our children here and never have we not walked the neighbourhood with our family because there are no sidewalks and never have we felt unsafe walking on the side of the road. We have seen our neighbours use walkers, scooters and canes without issue. With the reconstruction of the roadway, any issues with mobility due to an uneven road surface will disappear. In the winter, when we walk through Hazelden North, we walk on the side of the well-cleared roadway because it is preferable to the dangerous ice- and snow-covered sidewalks, which are impassable to anyone with mobility issues.

As a result of the limited benefit that sidewalks will bring to the neighbourhood, the proposal to cut down almost 30% of the mature trees on the City boulevard to accommodate sidewalk installation is unacceptable; indeed, this part of the neighbourhood, the eastern portion of St. Anthony Road, is least affected by tree removal. If sidewalks were to be installed to all of the streets in the neighbourhood, it would mean that 50% or more of the mature trees on those boulevards would have to be removed due to the location of the trees on those streets, which would be an environmental disaster. We do not want St. Anthony Road to be the thin end of the wedge that would see so many trees removed that would undoubted destroy the character of the neighbourhood.

Yours truly,

John P. New
K. Lisa New
Hazelden Manor,
1132 St. Anthony Road,
London, Ontario N6H 2P6

Dear Paul,

My husband and I reside at 43 Bartlett Crescent and we received a notice from other neighbours today about the City of London's proposed changes to our lovely crescent. We understand the need for a few upgrades, including new asphalt and road surface, but the proposal of a new sidewalk is what is most disturbing to us. Apparently the sidewalk is proposed for the east side of the road, but we are extremely opposed to the construction of a sidewalk on either side of the road. We moved here just over 8 years ago, and what drew us to this crescent was that we absolutely loved all of the mature trees and the overall ambiance of the crescent. There isn't a lot of traffic on our crescent and we don't feel the need for a sidewalk. Residents of this crescent have worked hard to maintain their homes both inside and out. Anyone who drives down our crescent, especially in the warmer months, can see the sense of pride and ownership that the residents of Bartlett Crescent have. Nicely groomed yards and gardens, along with beautiful, well maintained mature trees are apparent and admired by many friends, family and visitors to our neighbourhood. The overall feel of the crescent would be drastically changed for the worse. In addition, there are many residents on both the east and the west side who have spent thousands of dollars on replacing their driveways in recent years. The construction of a sidewalk would impact this as well, compromising the work that has been done, the warranties and overall longevity of the product. My husband and I have personally obtained quotes for a new driveway for our property over the past 2 years and with the news of the upcoming road construction and possible construction of a new sidewalk, we are thankful that we have not yet sunk the more than $20,000 into a new driveway. We would be absolutely devastated if we had done so already because the integrity of the work would be compromised by this proposed construction of a sidewalk.

Lastly, in recent weeks there have been many days in which there has been heavy snowfall, and as we drive down several other streets with sidewalks, I see a great number of people walking on the road instead of the sidewalks because the sidewalks are never maintained properly by the city or home owners, resulting in very icy and uneven walkways.

It would be greatly appreciated if you could please pass on our extreme concern and opposition to the addition of sidewalks to Bartlett Crescent at the City Hall planning meeting.

Thank you for your commitment to helping our community in this matter.

Sincerely,
Elissa and Josh Grover
43 Bartlett Crescent

Dear Civic Works Committee,

Please find attached a copy of the petition opposing the installation of sidewalks on Imperial Road. The petition is signed by a minimum of one representative from every Imperial Road home. The residents of Imperial Road are 100% unanimous and requesting that this petition be added to the agenda for the meeting currently scheduled for March 2, 2021.

In addition, my husband and I would also like to request to speak at this meeting. Could you please provide us with information on next steps.

Thank you,
Deborah and Brian Gibbs

Dear Paul Vanmeerbergen,

We have been advised of the proposed sidewalk on the east side of our street and must protest most strongly.

We have lived at 20 Bartlett Crescent since 2003 and at no time have we felt there was a need for a sidewalk on either side. Sure you get the odd idiot speeding down the road but this is very rare and for the most part drivers are very courteous and cautious of the fact that there may be children playing in the street as did ours when they were young.

I can think of many more streets in our subdivision that are much more in need of sidewalks as they are used as short cuts (Nottinghill Road for one).

Most of the properties on Bartlett crescent have fairly short front yards and the addition of a boulevard and sidewalk would leave little frontage for privacy on most houses.

If the city wishes to waste money in these dire times I suggest repairs to the many roads within the city that are in a very sorry state. Perhaps proper long lasting repairs instead of the inadequate temporary repairs we see.

If it is a case that there have been safety complaints then the installation of traffic calming measures would be a better use of the money (speed bumps or narrowing at certain locations or creating Bartlett crescent as a no exit street).

Please add our voice to the nays on this one.

Thanks.

Stephen and Carole Cozens

20 Bartlett Crescent

Good evening,

I write this email in regards to the road construction for Imperial Rd, set to take place this summer.

I, along with several others on this street are very disappointed & frustrated to learn that the City would like to place sidewalks on the west side of the street.

This is a very old neighbourhood & has very nice matured trees throughout the street & to destroy them for no reason is very upsetting & frustrating. The street has had no sidewalks & clearly has survived & shouldn't require sidewalks. There are sidewalks both on Grenfell & Balcares that pedestrians will walk to.

Although I will not be able to attend this meeting, please note that I strongly appose the sidewalks for Imperial Rd.

Kind Regards,

Ryan & Hailey Lovenjak

I respectfully request to attend the planning meeting scheduled for March 2nd to discuss the proposed sidewalk installation on my street, Bartlett Crescent in Westmount. As I am opposed to the sidewalk project I request to speak and share my concerns. I ask that you please distribute my request to all members of council.

Regards,

Rob Rudell
44 Bartlett Cr

Paul,

I received a note from my neighbours son today stating the possible changes to our subdivision - I was wondering why the City has not sent anything out to us before this date?

Simply stating - do we need a sidewalk on Bartlett Cres - **NO**

We are in a crescent that is not made for a through fare for cars, busses, etc. but people do tend to use it as a shortcut.

What we do need is:
Actual curbs - **YES**
Speed bumps at the corner to slow cars down who do decide to use our street as a shortcut - **YES**

While we are talking about the neighbourhood - the stop sign at Kinnear and Barclay is a joke! I have been in contact with the police and town before complaining that the cars from the top of the hill just simply drive through the stop sign. We need cameras, speed bumps before the stop sign OR actually at the stop sign or something to stop these people. It is a constant EVERY DAY occurrence.

Hope my input helps.
--
Thank you,
Shirley Cravwn
67 Bartlett Cres

Good afternoon.

We wish to respectfully request a delegation at the CWC meeting on March 2, to provide input in regard to our opposition to the inclusion of sidewalks in the upcoming construction project on St Anthony Rd.

Please confirm our delegation at your earliest convenience.

Regards,

Frank and Jodie Lucente
1096 St Anthony Rd
London

Greetings-
In response to the City of London proposal to install side walks, curbs and gutters on Doncaster Place and Friars Way can this letter be circulated to all members of the civic works committee:

I do work in many areas of the city and this affords me the opportunity to see how different parts of the city get very different levels of service. Snow removal on roads and salting and sanding of the sidewalks. This winter, with the 2 heavy snow falls our neighbourhood roads have been plowed sometime in the afternoon while other areas of the city roads are plowed before 9:00 am. One neighbourhood (Old East) had the sidewalks plowed twice in the same day, once before my street was plowed. As I drove home today February 16 at around 3:30pm I only saw a few people using the sidewalk on Wychwood Park - it was plowed but heavy snow pack and no sand made it unsafe to walk along. Only the young children walking with their parents were using the sidewalks- everyone else, people walking their dogs, unaccompanied children were on the road where it was safer.
Having lived on Doncaster Place for over 20 years, I can state that snow removal this year is better then previously. Previous years we have had heavy snow and have not seen a plow for up to 5 days-multiple inches of snow and multiple inches of ice buildup on the roads resulting in unsafe road conditions. All this to say that if the city cannot plow our existing roads and one sidewalk on Wychwood Park to reasonable standards why are we adding to the problem. I would rather see my tax dollars being put into maintaining the existing roads in Sherwood Forest.
I am also aware that it appears that you are planning on placing the sidewalk on Doncaster Place directly beside the road. With the sidewalk on the curb, the road snow will be placed on the sidewalk and then the sidewalk plow will come and push it off on to the road and the cycle will repeat.
Currently, the sidewalks on Wychwood Park and Lawson Road are in disrepair. There are several spots that the city has spray-painted indicating trip hazards – yet after 2 years the hazards remain as paint fades. Perhaps fixing this would be an appropriate way to spend the savings?
I am often on Grandview Ave where sections of the sidewalk were replaced 3 years ago this summer due to bad cement and lifting of the sidewalk. Cement was poured over tree roots, no or minimal sand or stone fill put under cement before being poured. Additionally, no steel rod or wire used to stop the cement from frost lift and shear or to connect new sections to the previously installed sidewalk. So I believe that the city has a poor track record on sidewalks already without adding more kilometers to be maintained.

Sincerely,
Walter Henke
62 Doncaster Place

Councillor Lehman (Steve) ks

Thank you for the project notice. I had asked to be informed of the direction of this project in November 2020. I am concerned that I found out about this report on facebook.

I understand the principles laid out in the New Sidewalks report of February 9th. In fact I initiated 2 of the three noted previous reports. During my time on council we worked with residents to implement sidewalks with consultation and mitigations (Oak Park Drive, East mile and West Mile along with Manchester Drive south end)

I concur with the need for sidewalks and the general policy under the London Plan. However, the report also affirms the need to mitigations in older neighbourhoods. This project is a strong candidate for curb face sidewalks.

However, I do question its application to St. Anthony. St. Anthony is known as Old Hazelton neighbourhood. In the neighbourhood there is not a single sidewalk, even in the newer more easterly section of St. Anthony. Hyde Park Road south of Riverside Drive lacks curbs, gutters and sidewalks. The shoulders are degrading and unstable. inFurthermore there is no school, church, mall or gathering place for people in the neighbourhood. The vehicles are all local residents and not cut throughs.

I would like know what the overall infrastructure upgrade plan is for the neighbourhood. Is Hampton Cres on the plan for 2022? The road and drainage issues are far worse in the southerly section than St. Anthony. Is the proposed sidewalk going to connect to the easterly section and in what timeframe? Is Hyde Park slated for upgrade? Is there a rebuild for Hazel Ave?

In the absence of the larger plan in a timely way this becomes a sidewalk that does not serve any purpose. It does not safely convey people from Riverside sidewalks through the neighborhood on the east to Riverside Drive on the West. It will be a sidewalk from nowhere to nowhere.

I know there are members of council who will claim this creates inequity and a lack of safety from people with mobility challenges. A member of my household has such a disability. It actually in this application creates a false sense of safety and enhanced sense of frustration. Currently there is no sense of fear or unsafety.

I look forward to the questions outlined above as well as the detail design. I would request delegation status and request this letter be placed on the public record.

Best regards

Paul Hubert
1107 St. Anthony Road
London, ON N6H 2P8

I would like to request delegation status on the March 2, 2021 as it pertains to the installation of a sidewalk on Tarbart Terrace.

Thank you

Richard Tribe
182 Tarbart Terrace

Hi there,

I would like to apply for delegate status for the civic works committee meeting of March 2 please.

I live in the Sherwood Forest neighbourhood.

Will Handler

_____
Dr William Bradfield Handler Ph.D
xMR, Dept. of Physics and Astronomy
Western University , London, Ontario

From: Debby Kenny
Sent: Friday, February 12, 2021 9:38 AM
To: SPPC <sppc@london.ca>
Subject: [EXTERNAL] River Road

Greetings:

This Email is to communicate to those involved in the decision making of River Road's future.

An avid golfer and a member of the City of London Golf Courses for decades , I feel very strongly that every consideration be made to reopen this course.

The pressure on Fanshawe and Thames was felt all summer last year. The difficulty in making tee times and just being able to play on some days was a challenge. Having said that – this is not reflection on the staff at these courses as they did a superb job given the COVID situation and its limitations.

The amount of rounds played last year were higher due to the reopening of golf courses in general. I firmly believe this will remain a constant as more people are playing golf overall...not just due to the pandemic situation. Perhaps the committee can factor this into some of the discussion.

Many golfers would welcome the opportunity to play River Road again.

Respectfully

Debby Kenny
LONDON

From: Nora Marshman
Sent: Friday, February 12, 2021 1:02 PM
To: SPPC <sppc@london.ca>
Subject: [EXTERNAL] River Road

To: Strategic Priorities and Policy Committee
Re: Keeping River Road Open

Dear Committee Members,
River Road Golf Course is not a money loser when you consider the following:
1) When operating at full capacity, River Road employs a head professional with someone to work the pro shop when he/she are elsewhere. It also employs a head greenskeeper with 2-3 full time workers assisting. Usually there are also a number of part-time/seasonal positions for students. Most of these people live in the city and therefore add to our local economy.
2) A number of people have given up on their "city" memberships for a variety of reasons, crowding being one of them. No one I know has stayed golfing in the city of London. They have moved on to greener pastures, ie Caradoc Sands, Fire Rock, Ironwood, The Fox (it isn't greener), Westhaven, Obow Glen etc. So these people have taken their golf/entertainment dollars outside of the city.
3) The covid tee time reservation system is a joke. People book 2-3 time for a foursome then don't bother cancelling. THAT'S JUST RUDE!!!! There was at least one day each week where our threesome wanted to play, but couldn't get on Thames or Fanshawe. We would have gladly played River Road had it been open. So for three members that's $60 gone. Oh yea two beers each and a couple of hotdogs is another $40 for city coffers. PS It would have been three hotdogs but one guy went Vegan on us.
I know that you have received numerous letters from the many people who love "city" golf. We are proud of our outstanding public system, the envy of many cities and we hope it continues as is.
Thank you,
Paul Marshman

From: OHENLY <ian.ohenly@rogers.com>
Sent: Friday, February 12, 2021 3:27 PM
To: SPPC <sppc@london.ca>
Subject: [EXTERNAL] River Road Closing

Members of the SPPC,

I have reviewed the KPMG document considering the current data that you are reviewing to base your decision on. I cannot dispute the numbers that document provides. I would only ask that you consider postponing the decision to close until 2022. The basis for this point of view is that during the summer of 2021 we will no doubt still be dealing with the fallout from COVID-19 and the golf course will provide an healthy outlet for members of the public to be outdoors and participating in an activity that the study and local health unit identifies as a positive. The small investment cost I think provides exceptional benefit during these exceptional times.
Thank you for taking the time to consider my request.

Sincerely
Ian O'Henly

Controlling Golf Revenues

Feb 18, 2020

Dear Colleagues,

I believe the financial problems of our golf system are closely linked to uncontrollable and unnecessary elements of the membership fee structure. This year's average revenue from members was only a yield of $16.25 per round. To put this in perspective, this is much lower than the average yield per round at other similar golf facilities, which is part of the operating deficit challenge we face.

Unlimited memberships and a single-tier discount for regular members make it impossible to ensure there is an operating surplus capable of contributing adequately to the capital reserve fund. In contrast, a predictable return would come from the sale of discounted flex-packs (selling in bulk at 10, 25, 50 rounds at a slight reduction in price versus a regular green fee "rack rate") or a loyalty program with increasing discounts (5% after 10 rounds, 10% after 20 rounds, etc.) as used on other courses both in the private sector and other Municipally operated courses.

Because the potential loss of the River Road facility in my ward is intimately linked to the financial challenges in the golf system which are set to persist, I feel obliged to move the following additional amendment.

> ***That staff be directed to replace the present membership fee structure with a more revenue-controlling approach such as discounted flex-pack sales or a loyalty program with progressive discounts for frequent users.***

IF GOLF WAS LUNCH

If we translated our golf season to the cafeteria, it would look like this:

- Non-members pay $10 for a drink and the daily special
- A $60 membership gets you 40% off every meal which just covers the cafeteria's $6 cost
- Unlimited members pay $340 and could eat 150 meals, averaging $2.27 per meal.
- Youth unlimited members pay only $220 for up to 7 months' worth of lunches.
- Non-members cover the losses created or unmitigated by members

This business model could never be expected to pay for upgrades to the kitchen or dining room.

WHY WE DON'T NEED MEMBERSHIPS

Part of the reason that private golf courses sell memberships is to create the cashflow necessary to recover from the off-season. Our city does not need this hedge because we have no such cashflow problems. We can dispense with memberships in their current form.

FAINT HOPE

As an advocate for River Road, I do hope a greater confidence that overall system revenue can be controlled will make you more open to retaining the East End facility. However, I see the proposed change as necessary even without this course as part of our system.

Sincerely,

Michael van Holst

Planning and Environment Committee

Report

The 3rd Meeting of the Planning and Environment Committee
February 8, 2021

PRESENT: Councillors P. Squire (Chair), S. Lewis, S. Lehman, A. Hopkins, S. Hillier, Mayor E. Holder

ALSO PRESENT: H. Lysynski, C. Saunders and J.W. Taylor
Councillors A. Kayabaga, E. Peloza and M. van Holst; A. Anderson, G. Barrett, M. Corby, S. Corman, A. Dunbar, K. Edwards, C. Green, P. Kokkoros, G. Kotsifas, D. MacRae, L. Marshall, S. Meksula, L. Mottram, B. O'Hagan, B. Page, J. Parsons, J. Raycroft, K. Scherr, M. Schulthess, E. Skalski, J.-A. Spence, B. Somers, A. Thompson, M. Tomazincic, B. Westlake-Power and P. Yeoman
The meeting is called to order at 4:01 PM, with Councillor P. Squire in the Chair, Councillor S. Lewis present and all other Members participating by remote attendance.

1. Disclosures of Pecuniary Interest

That Councillor S. Lehman disclosed a pecuniary interest in clause 2.8 of this Report, having to do with the London Recovery Network - Ideas for Action by Municipal Council, as it relates to increase grant funding/building code for façade upgrades, by indicating that he is a tenant in the downtown area under construction.

2. Consent

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

That Items 2.2 to 2.7, inclusive, and Item 2.9 BE APPROVED.

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

2.2 Application - 146 and 184 Exeter Road - Middleton Subdivision Phase 3 - Special Provisions

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

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 Sifton Properties Limited for the subdivision of land over Part of Lots 34, Concession 2, (former Township of Westminster) situated on the north side of Exeter Road, east of Wonderland Road South, municipally known as 146 and 184 Exeter Road:

a) the Special Provisions, to be contained in a Subdivision Agreement between The Corporation of the City of London and Sifton Properties Limited for the Middleton Subdivision - Phase 3 (39T-15501) appended to the staff report dated February 8, 2021 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 February 8, 2021 as Appendix “B”; and,

c) the Mayor and the City Clerk BE AUTHORIZED to execute this Agreement, any amending agreements and all documents required to fulfill its conditions. (2021-D12)

Motion Passed

2.3 Application - 335 Kennington Way, 3959 and 3964 Mia Avenue - Removal of Holding Provision (Plan 33M-765) (H-9272)

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

That, on the recommendation of the Director, Development Services, based on the application by 11031250 Ontario Inc., relating to lands located at 335 Kennington Way, 3959 and 3964 Mia Avenue, legally described as Part of Block 1, Plan 33M-765, Designated as Part 2 and 3 Plan 33R-20777 and Block 2, 33M-765, the proposed by-law appended to the staff report dated February 8, 2021 BE INTRODUCED at the Municipal Council meeting to be held on February 23, 2021 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 R4 Special Provision/R5 Special Provision/R6 Special Provision (h*h-100*h-198* R4-6(10)/R5-4(23)/R6-5(51) Zone TO a Residential R4 Special Provision/R5 Special Provision/R6 Special Provision R4-6(10)/R5-4(23)/R6-5(51) Zone to remove the h, h-100 and h-198 holding provisions. (2021-D09)

Motion Passed

2.4 Application - 2725 Asima Drive (33M-699, Block 53) (P-9220)

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

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application by Rockwood Homes to exempt Block 53, Plan 33M-699 from Part-Lot Control:

a) pursuant to subsection 50(7) of the *Planning Act, R.S.O. 1990, c. P.13*, the proposed by-law appended to the staff report dated February 8, 2021 BE INTRODUCED at a future Council meeting, to exempt Block 53, Plan 33M-699 from the Part-Lot Control provisions of subsection 50(5) of the said *Act*; it being noted that these lands are subject to registered subdivision agreements and are zoned Residential R4 Special Provision (R4-5(2)) in Zoning By-law No. Z.-1, which permits street townhouse dwellings; and,

b) the following conditions of approval BE REQUIRED to be completed prior to the passage of a Part-Lot Control By-law for Block 53, Plan 33M-699 as noted in clause a) above:

i) the applicant be advised that the costs of registration of the said by-laws are to be borne by the applicant in accordance with City Policy;
ii) the applicant submit a draft reference plan to the Development Services for review and approval to ensure the proposed part lots and development plans comply with the regulations of the Zoning By-law, prior to the reference plan being deposited in the land registry office;
iii) the applicant submits to the Development Services a digital copy together with a hard copy of each reference plan to be deposited. The digital file shall be assembled in accordance with the City of London's

Digital Submission / Drafting Standards and be referenced to the City's NAD83 UTM Control Reference;
iv) the applicant submit each draft reference plan to London Hydro showing driveway locations and obtain approval for hydro servicing locations and above ground hydro equipment locations prior to the reference plan being deposited in the land registry office;
v) the applicant submit to the City Engineer for review and approval prior to the reference plan being deposited in the land registry office; any revised lot grading and servicing plans in accordance with the final lot layout to divide the blocks should there be further division of property contemplated as a result of the approval of the reference plan;
vi) the applicant shall enter into any amending subdivision agreement with the City, if necessary;
vii) the applicant shall agree to construct all services, including private drain connections and water services, in accordance with the approved final design of the lots;
viii) the applicant shall obtain confirmation from the Development Services that the assignment of municipal numbering has been completed in accordance with the reference plan(s) to be deposited, should there be further division of property contemplated as a result of the approval of the reference plan prior to the reference plan being deposited in the land registry office;
ix) the applicant shall obtain approval from the Development Services of each reference plan to be registered prior to the reference plan being registered in the land registry office;
x) the applicant shall submit to the City, confirmation that an approved reference plan for final lot development has been deposited in the Land Registry Office;
xi) the applicant shall obtain clearance from the City Engineer that requirements iv), v) and vi) inclusive, outlined above, are satisfactorily completed, prior to any issuance of building permits by the Building Controls Division for lots being developed in any future reference plan;
xii) the applicant shall provide a draft transfer of the easements to be registered on title for the reciprocal use of parts 2, 4, 6, 8, 10, 12, 14 and 16 by parts 1, 3, 5, 7, 9, 11, 13 and 15; and,
xiii) that on notice from the applicant that a reference plan has been registered on a Block, and that Part-Lot Control be re-established by the repeal of the by-law affecting the Lots/Block in question. (2021-D25)

Motion Passed

2.5 Application - 3542 Emilycarr Lane (H-9281)

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

That, on the recommendation of the Director, Development Services, based on the application by Goldfield Ltd., relating to the property located at 3542 Emilycarr Lane, the proposed by-law appended to the staff report dated February 8, 2021 BE INTRODUCED at the Municipal Council meeting to be held on February 23, 2021 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 R5 (h*h-100*h-104*h-155*R5-7) Zone TO a Residential R5 (R5-7) Zone to remove the "h, h-100, h-104 and h-155" holding provisions. (2021-D08)

Motion Passed

2.6 Application - 1160 Wharncliffe Road South (P-9238)

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

That, on the recommendation of the Director, Development Services, with respect to the application by Goldfield Ltd., the proposed by-law appended to the staff report dated February 8, 2021 BE INTRODUCED at the Municipal Council meeting to be held on February 23, 2021 to exempt Block 2, 3, 4, 5 and 7, Plan 33M-786 from the Part-Lot Control provisions of Subsection 50(5) of the *Planning Act*, for a period not exceeding three (3) years. (2021-D25)

Motion Passed

2.7 2020 Annual Development Report

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

That, on the recommendation of the Director, Planning and City Planner, the staff report dated February 8, 2021 entitled "2020 Annual Development Report" BE RECEIVED for information. (2021-A23)

Motion Passed

2.9 Building Division Monthly Reports - November 2020 and December 2020

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

That the Building Division Monthly Report for November and December 2020 BE RECEIVED for information. (2021-A23)

Motion Passed

2.1 2021 European Gypsy Moth (EGM) Proposed Management Plan

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

That, on the recommendation of the Managing Director, Environmental & Engineering Services and City Engineer, the staff report dated February 8, 2021 entitled "2021 European Gypsy Moth (EGM) Proposed Management Plan" BE RECEIVED for information. (2021-D05)

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

2.8 London Community Recovery Network - Ideas for Action by Municipal Council

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

That, on the recommendation of the Managing Director, Development & Compliance Services and Chief Building Official, the following actions be taken with respect to the London Community Recovery Network:

a) the implementation plans for the following ideas for action submitted from the London Community Recovery Network and received by Municipal Council BE APPROVED:

- 2.5 Increase grant funding/building code for façade upgrades;
- 2.6 Appoint a downtown lead at City Hall;
- 2.7 Create a business concierge service;
- 2.8 Create a core area champion at senior level; and,
- 2.9 Create an integrated economic development blueprint;

b) the Civic Administration BE DIRECTED to execute the implementation plans for ideas for action in support of London's community recovery from COVID-19 approved in a) above;

c) that $250,000 BE APPROVED to implement the ideas approved in a) above and as set out in the business cases included in Appendix A to the staff report, noting that Municipal Council previously authorized $5 million to be contributed to the Economic Development Reserve Fund to support social and economic recovery measures;

d) the Civic Administration BE DIRECTED to waive the requirement of having all City property taxes paid in full for property owners eligible to receive grants in 2021 under the City's Upgrade to Building Code Loan, Façade Improvement Loan and Rehabilitation and Redevelopment Tax Grant Community Improvement Plan programs, provided that all other requirements have been met; it being noted that any grant funding will first be applied against outstanding property taxes owing; and,

e) the staff report dated February 8, 2021 entitled "London Community Recovery Network - Ideas for Action by Municipal Council" BE RECEIVED for information;

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

- a communication dated February 1, 2021 from D. Szpakowski, CEO and General Manager, Hyde Park Business Improvement Association; and,
- the attached presentation. (2021-S08/S12)

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

Additional Votes:

Moved by: S. Hillier
Seconded by: E. Holder

Motion to approve clause a) 1.3, which reads as follows:

"a) the implementation plans for the following ideas for action submitted from the London Community Recovery Network and received by Municipal Council BE APPROVED:

- 1.3 A Break in the Clouds;"

Yeas: (2): A. Hopkins, and E. Holder

Nays: (4): P. Squire, S. Lewis, S. Lehman, and S. Hillier

Motion Failed (2 to 4)

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

Motion to approve clause a) section 2.5 which reads as follows:

"a) the implementation plans for the following ideas for action submitted from the London Community Recovery Network and received by Municipal Council BE APPROVED:

- 2.5 Increase grant funding/building code for façade upgrades;"

Yeas: (5): P. Squire, S. Lewis, A. Hopkins, S. Hillier, and E. Holder

Recuse: (1): S. Lehman

Motion Passed (5 to 0)

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

Motion to approve clause a) 3.5, which reads as follows:

"a) the implementation plans for the following ideas for action submitted from the London Community Recovery Network and received by Municipal Council BE APPROVED:

- 3.5 Provide better market data to attract new businesses;"

Yeas: (2): A. Hopkins, and E. Holder

Nays: (4): P. Squire, S. Lewis, S. Lehman, and S. Hillier

Motion Failed (2 to 4)

3. Scheduled Items

3.1 Application - 3195 White Oak Road (Z-9204)

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

That, on the recommendation of the Director, Development Services with respect to the application by 2748714 Ontario Inc., relating to the property located at 3195 White Oak Road, the proposed by-law appended to the staff report dated February 8, 2021 BE INTRODUCED at the Municipal Council meeting to be held on February 23, 2021 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 Urban Reserve Special Provision (h-94*UR4(11)) and an Urban Reserve (UR4) Zone TO a Residential R1 Special Provision (R1-3(21)) Zone;

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

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

- the recommended amendment is consistent with, and will serve to implement the policies of the Provincial Policy Statement, 2020 which encourage infill and intensification and the provision of a range of housing types, and efficient use of existing infrastructure;
- the proposed residential uses and scale of development are

consistent with the policies of the London Plan, the 1989 Official Plan, the Southwest Area Secondary Plan and the North Longwoods Area Plan policies; and,

- the subject lands are of a suitable size and shape to accommodate the development proposed. (2021-D08)

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

Additional Votes:

Moved by: S. Hillier
Seconded by: E. Holder

Motion to open the public participation meeting.

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

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

Motion to close the public participation meeting.

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

3.2 Draft Plan of Vacant Land Condominium - 3087 White Oak Road 39CD-20511

Moved by: S. Lewis
Seconded by: E. Holder

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application by Whiterock Village Inc., relating to the property located at 3087 White Oak Road:

a) the Approval Authority BE ADVISED that no issues were raised at the public meeting with respect to the application for Draft Plan of Vacant Land Condominium relating to the property located at 3087 White Oak Road; and,

b) the Approval Authority BE ADVISED that no issues were raised at the public meeting with respect to the Site Plan Approval application relating to the property located at 3087 White Oak Road;

it being pointed out that at the public participation meeting associated with these matters, the individuals indicated on the attached public participation meeting record made oral submissions regarding these matters. (2021-D07)

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

Additional Votes:

Moved by: S. Lewis
Seconded by: S. Lehman

Motion to open the public participation meeting.

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

Moved by: S. Lehman
Seconded by: E. Holder

Motion to close the public participation meeting.

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

3.3 Application - 185 Horton Street East

Moved by: E. Holder
Seconded by: S. Lewis

That, on the recommendation of the Director, Development Services, with respect to the application by 1524400 Ontario Inc., relating to the property located at 185 Horton Street East, the proposed revised, attached, by-law BE INTRODUCED at the Municipal Council meeting to be held on February 23, 2021 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM an Arterial Commercial Special Provision (AC4(11)) Zone TO an Arterial Commercial Special Provision Bonus Zone (AC4(__)/B__) Zone;

the Bonus Zone shall be implemented through one or more agreements to facilitate the development of a high quality mixed-use commercial/residential apartment building with a maximum density of 389 units per hectare and a maximum height of 51 metres (16-storeys) which substantially implements the Site Plan and Elevations appended to the staff report as Schedule “1” to the amending by-law in return for the following facilities, services and matters:

i) a high quality development which substantially implements the site plan and elevations as appended to the staff report as Schedule “1” to the amending by-law:

Building Design

A) high quality architectural design (building/landscaping) including a common design theme for residential and commercial elements; and provision of structured parking facilities and screening for surface parking areas;

Underground Parking

A) underground parking structure parking provided to reduce surface parking areas (a minimum of 27 subsurface spaces provided);

Outdoor Amenity and Landscaping

A) common outdoor amenity area to be provided in the northeast quadrant of the site; and rooftop terraces above the 7th, 12th and 16th floors;
B) landscape enhancements beyond City design standards, including theme lighting; and,
C) landscape plans for common outdoor amenity areas to incorporate hard landscape elements and drought resistant landscaping to reduce water consumption;

Sustainability

A) provides a pedestrian-oriented environment along Horton Street East, which facilitates passive surveillance of the streetscape and, ultimately, safer streets;
B) fosters social interaction and facilitates active transportation and community connectivity with Downtown; and,
C) the subject lands are close to public open space and parkland in the area, particularly Thames Park, Charles Hunt Park, and the Thames River Pathway system, which provides recreational opportunities for residents (passive and active);

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

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

- the recommended amendment to Zoning By-law Z.-1 is consistent with the 2020 Provincial Policy Statement (PPS) which encourages the regeneration of settlement areas and land use patterns within settlement areas that provide for a range of uses and opportunities for intensification and redevelopment. The PPS directs municipalities to permit all forms of housing required to meet the needs of all residents present and future;
- the recommended amendment conforms to the in-force policies of The London Plan, including but not limited to the Key Directions, Homelessness Prevention and Housing policies, and City Design policies. The subject lands represent an appropriate location for residential intensification, along a higher-order street at the fringe of the downtown area, and the recommended amendment would permit development at a magnitude that is suitable for the site adding a connection between the downtown and abutting neighbourhood;
- the recommended amendment conforms to the in-force policies of the 1989 Official Plan including, but not limited to the Policies for the Main Street Commercial Corridor designation. The recommended amendment would permit development at an intensity that is at the upper range of the maximum density for residential intensification within the Main Street Commercial Corridor designation but still ensures the nature of development is suitable for the site and the immediate neighbourhood. The recommended amendment would help to reach the objective of supplying additional institutional housing choices and options for students attending educational institutions in the downtown;
- the recommended Zoning By-law amendment is consistent with the SoHo (South of Horton Street) Community Improvement Plan with the redevelopment of the Mixed Use Mainstreet District along Horton Street by facilitating development that complements the Mainstreet District on Horton Street E one block east of the subject site; and,
- the subject lands represent an appropriate location for institutional and residential intensification, along Horton Street and the recommended

amendment would permit an apartment/dormitory development at an intensity that is appropriate for the site and the surrounding neighbourhood. (2021-D08)

Yeas: (5): P. Squire, S. Lewis, S. Lehman, A. Hopkins, and E. Holder

Absent: (1): S. Hillier

Motion Passed (5 to 0)

Additional Votes:

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

Motion to open the public participation meeting.

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

Moved by: S. Lewis
Seconded by: S. Lehman

Motion to close the public participation meeting.

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

4. Items for Direction

None.

5. Deferred Matters/Additional Business

None.

6. Confidential

6.1 Solicitor-Client Privilege / Litigation or Potential Litigation

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

That the Planning and Environment Committee convene, In Closed Session, for the purpose of considering the following item:

6.1. Solicitor-Client Privilege

This report can be considered in a meeting closed to the public as the subject matter being considered pertains to advice that is subject to solicitor-client privilege, including communications necessary for that purpose from the solicitor and officers and employees of the Corporation; the subject matter pertains to litigation or potential litigation with respect to an appeal at the Local Planning Appeal Tribunal (“LPAT”), and for the purpose of providing instructions and directions to officers and employees of the Corporation.

Yeas: (5): P. Squire, S. Lewis, S. Lehman, A. Hopkins, and E. Holder
Absent: (1): S. Hillier

Motion Passed (5 to 0)

The Planning and Environment Committee convenes, In Closed Session, from 6:01 PM to 6:12 PM.

7. Adjournment

The meeting adjourned at 6:13 PM.

London Community Recovery Network

Overview for PEC LCRN Ideas for Action

- On December 16th 2020, Strategic Priorities and Policy Committee (SPPC) 37 short term Ideas for Action were presented for consideration for implementation by the City of London
  - 12 were underway at the time of the SPPC committee, and continue
  - 25 come forward during the week of February 8th, 2021 to various Council Standing Committees
  - Planning and Environment Committee (February 8th) has 7 Ideas for Action included

Overview for PEC LCRN Ideas for Action

- There are 7 Ideas for Action as part of the Planning and Environment Committee report:
  - 1.3 A Break in the Clouds
  - 2.5 Increase grant funding/building code for façade upgrades
  - 2.6 Appoint a downtown lead at City Hall
  - 2.7 Create a business concierge service
  - 2.8 Create a core area champion at senior level
  - 2.9 Create an integrated economic development blueprint
  - 3.5 Provide better market data to attract new businesses
- 4 of the ideas are underway or in progress and will be delivered within existing budgets
- 3 Ideas for Action have attached business cases to support new investment
  - 1.3, 2.5, 3.5

Idea #1.3 – A Break in the Clouds

- $100,000 one-time funding to the Downtown and OEV BIAs.
- Creation of a grant program to assist business owners with purchasing patio enclosures, furnishings and other materials for sidewalk patios.
- Operated through BIAs to allow for flexibility, coordination and responsiveness.

Idea #2.5 – Increase Grant Funding

- $250,000 one-time funding.
- Creation of a grant program to assist business owners with façade and interior upgrades that address public health concerns and beautification.
- Provided through the existing Façade Improvement and Upgrade to Building Code incentive programs
- Available within eligible CIP areas where these programs are available.
- Grant may cover 100% of improvement cost up to a maximum of $5,000 per business.

Idea #3.5 - Provide better market data to attract new businesses

- $30k per year for 2021, 2022, 2023 for total of $90k
- The City of London has been subscribing to Environics Analytics for several years to obtain data for planning and reporting – primarily demographic based data.
- Enterprise License to add additional Service Area users to subscription
- MobileScapes is an additional application offered by Environics Analytics that the City of London does not currently subscribe to – this provides movement pattern-based data using privacy compliant mobile data

PUBLIC PARTICIPATION MEETING COMMENTS

3.1 PUBLIC PARTICIPATION MEETING – Application – 3195 White Oak Road (Z-9204)

- Councillor Squire: I don't know if there is a public presentation on this matter Mr. Yeoman or Mr. Barrett. Is there a presentation?

- Paul Yeoman, Director, Development Services: Through you Mr. Chair, no we don't have one because it is a fairly straight-forward matter and welcome all the public comments.

- Councillor Squire: Thank you very much. Any technical questions at this point in time? Not seeing any. Are there any, is there any public participation?

- Catharine Saunders, City Clerk: Yes Mr. Chair. We're going to first call on Mr. Allen to speak on behalf of the applicant and he will be moved in as a participant shortly.

- Councillor Squire: Thank you. We're hoping this works a little better than last time. We have a new system that we're testing out tonight I think.

- Scott Allen, MHBC: Good afternoon Mr. Chair, Members of the Committee.

- Councillor Squire: Thank you very much for joining us. This is Phil Squire. I'm the Chair. I'm sure you've done this before and if you haven't you have five minutes and I'll start the clock and we'll be happy to hear from you and you can start now.

- Scott Allen, MHBC: Thank you Mr. Chair and yes I have carried out several of these in the past. I would just like to add that I was anticipating that the staff report would be presented in accordance with the typical approach that was done in the past and so I didn't provide any sort of specific summary of the application itself. I did want to indicate that I'm acting on behalf of the applicant and with me this afternoon is Mohamed Abuhajar and he's also representing the applicant. At this time I wanted to express our support for the findings and recommendations of the staff report that was prepared by Mr. Meksula and I wanted to thank him for his assistance with the application process. Just briefly, the application itself, the intent of it is to ultimately permit four residential lots to be established on the subject lands and that lot pattern would effectively finish the subdivision, White Rock Village, which is located to the north and I wanted to advise the Committee that, with approval of this rezoning and subsequent severance that's needed to finalize those four lots, it's anticipated that housing construction will begin on those lands later this year. I'd like to thank you and we'll gladly answer any questions relating to this application.

- Catharine Saunders, City Clerk: Mr. Chair I am not sure if Mr. Abuhajar is speaking or just here for, to answer questions?

- Councillor Squire: You're, you're just here to answer any questions and be supportive. Correct?

- Mohamed Abuhajar: Correct.

- Councillor Squire: Thank you. There is, I've been indicated, I've been told there's no other public participation so I will need a motion to close the public participation meeting.

3.2 PUBLIC PARTICIPATION MEETING – Application – Draft Plan of Vacant Land Condominium - 3087 White Oak Road (39CD-20511)

- Councillor Squire: Thank you very much. Any technical questions for staff at this time? Okay. We'll move on to public participation. Are there any presentations?

- Catharine Saunders, City Clerk: Mr. Chair, Mr. Allen again is here to speak on behalf of the applicant.

- Councillor Squire: Mr. Allen.

- Scott Allen, MHBC: Thank you Mr. Chair.

- Councillor Squire: Good to see you again.

- Scott Allen, MHBC: That's right. I actually don't know if you can see me or not. I'm curious about that.

- Councillor Squire: No. Good to hear you again. How about that? Go ahead.

- Scott Allen, MHBC: I'd just like to say that, again, we'd like to express our support for the findings and recommendations of the planning report provided by Mr. Meksula and again, Mr. Abuhajar is available to answer any questions. We'd also like to advise the Committee that following approval of the draft plan of condominium, the removal of the holding provisions, Mr. Meksula spoke to that application, once those things are done this townhouse development is likely to proceed this year as well. Thank you. I'm glad to answer any questions.

- Councillor Squire: Thank you very much. I don't think there are any other presentations. I just need a motion, someone to close the public participation meeting.

Appendix A

Bill No.(number to be inserted by Clerk's Office)
2021

By-law No. C.P.-1284-
A by-law to amend the Official Plan for the City of London, 1989 relating to 185 Horton Street East.

WHEREAS 1524400 Ontario Inc. applied to rezone an area of land located at 185 Horton Street East, as shown on the map attached to this by-law, as set out below;

AND WHEREAS upon approval of Official Plan Amendment Number (number to be inserted by Clerk's Office) this rezoning will conform to the Official Plan;

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

1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 185 Horton Street East as shown on the attached map comprising part of Key Map No. A.107, from an Arterial Commercial Special Provision (AC4(11)) Zone, to an Arterial Commercial Special Provision Bonus Zone (AC4(__)/B__) Zone;

2) Section Number 26.4 of the Arterial Commercial (AC) zone is amended by adding the following Special Provision:

AC4(__) 185 Horton Street East

a) Additional Permitted Use:
i) Dormitory building

3) Section 2.0, Definitions, to By-law No. Z.-1 is amended by adding the following definition:

"Dormitory" - Means a residential building in association with and ancillary to an educational institution where residents have exclusive use of a bedroom with a separate entrance from a common hall and share common facilities such as washrooms, kitchens, lounges, recreation rooms and study facilities.

4) Section Number 4.3 of the General Provision in Zoning By-law Z.-1 is amended by adding the following new Bonus Zone:

4.3) B(__) 185 Horton Street East

The Bonus Zone shall be implemented through one or more agreements to facilitate the development of a high quality mixed-use commercial/dormitory apartment building with a maximum density of 389 units per hectare and a maximum height of 51 metres (16-storeys) which substantially implements the Site Plan and Elevations attached as Schedule "1" to the amending by-law in return for the following facilities, services and matters:

(a) A high quality development which substantially implements the site plan and elevations as attached in Schedule "1" to the amending by-law:

Building Design

i) High quality architectural design (building/landscaping) including a

common design theme for residential and commercial elements; and provision of structure parking facilities and screening for surface parking areas.

Underground Parking

i) Underground Parking Structure parking provided to reduce surface parking areas (a minimum of 27 subsurface spaces provided).

Outdoor Amenity and Landscaping

i) Common outdoor amenity area to be provided in the northeast quadrant of the site; and rooftop terraces above the 7th, 12th and 16th floors.

ii) Landscape enhancements beyond City design standards, including theme lighting.

iii) Landscape plans for common outdoor amenity areas to incorporate hard landscape elements and drought resistant landscaping to reduce water consumption.

Sustainability

i) Provides a pedestrian-oriented environment along Horton Street East, which facilitates passive surveillance of the streetscape and, ultimately, safer streets.

ii) Fosters social interaction and facilitates active transportation and community connectivity with Downtown.

iii) The subject lands are close to public open space and parkland in the area, particularly Thames Park, Charles Hunt Park, and the Thames River Pathway system, which provides recreational opportunities for residents (passive and active).

5) The following special regulations apply within the bonus zone upon the execution and registration of the required development agreement(s):

a) Regulations:

i)	Density (maximum)	389 uph 3:1 ratio of 3 beds equals 1 dwelling unit, 296 beds converts to a density of 389 units per hectare
ii)	Height (maximum)	51 metres
iii)	Off Street Parking (minimum)	27 spaces
iv)	West Interior Side Yard Depth (maximum)	0.98m (3.2 ft)
v)	East Interior Side Yard Depth (maximum)	1.3m (4.3 ft)
vi)	Rear Yard Depth (maximum)	5.5m (18.0 ft)
vii)	Lot Coverage (maximum)	51%

The inclusion in this By-law of imperial measure along with metric measure is for the

purpose of convenience only and the metric measure governs in case of any discrepancy between the two measures.

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

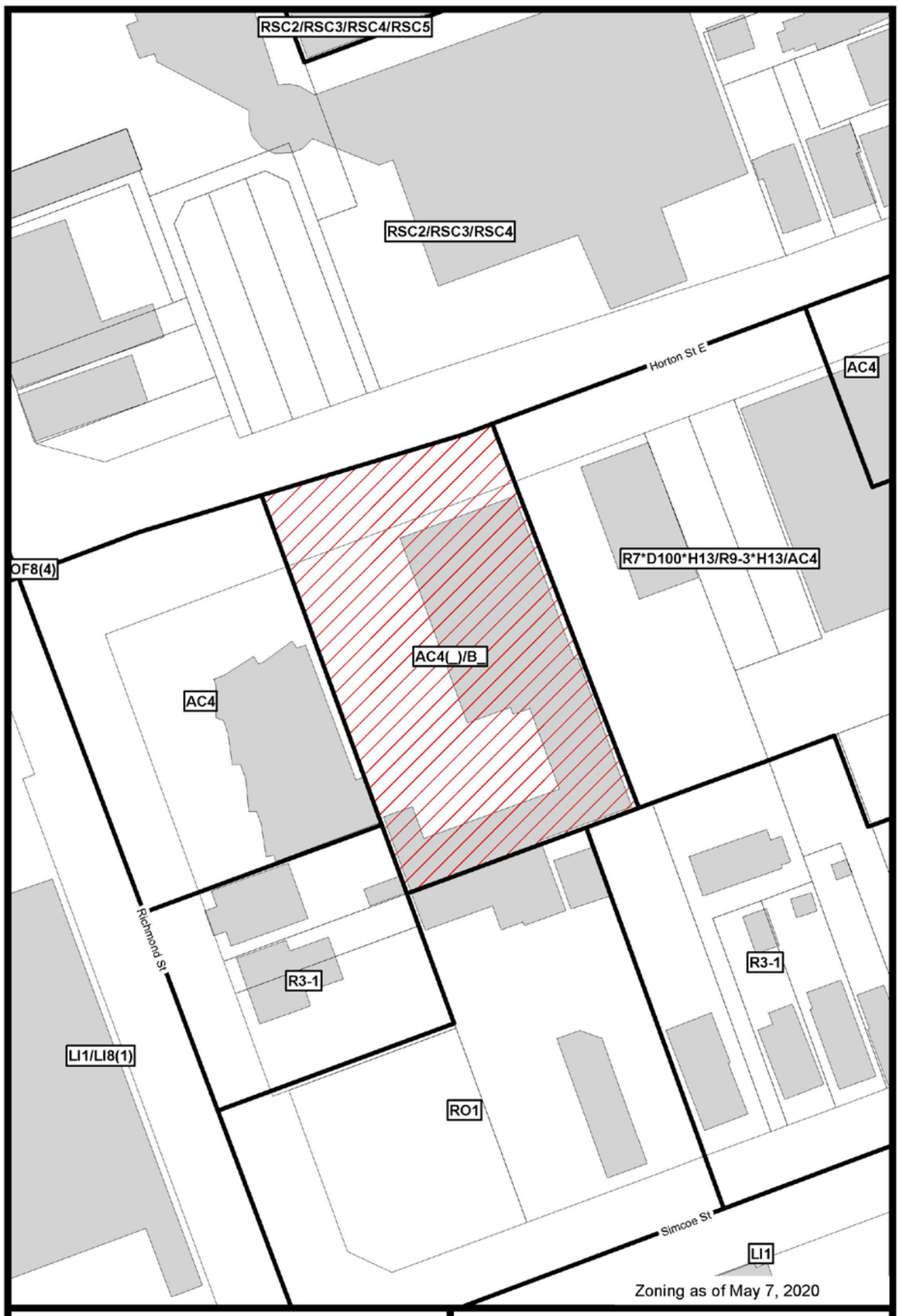
PASSED in Open Council on February 23, 2021

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – February 23, 2021
Second Reading – February 23, 2021
Third Reading – February 23, 2021

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



File Number: Z-9167
Planner: SM
Date Prepared: 2020/06/09
Technician: RC
By-Law No: Z.-1-

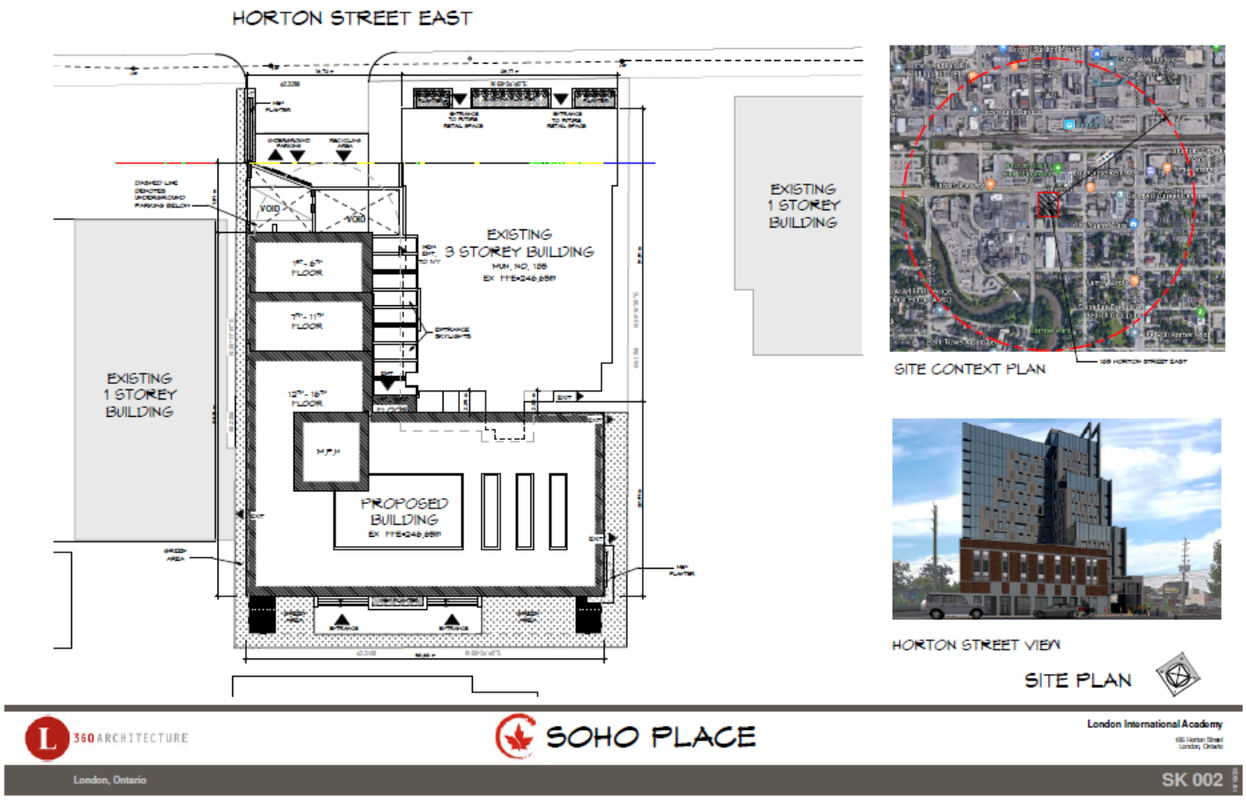
SUBJECT SITE

1:800

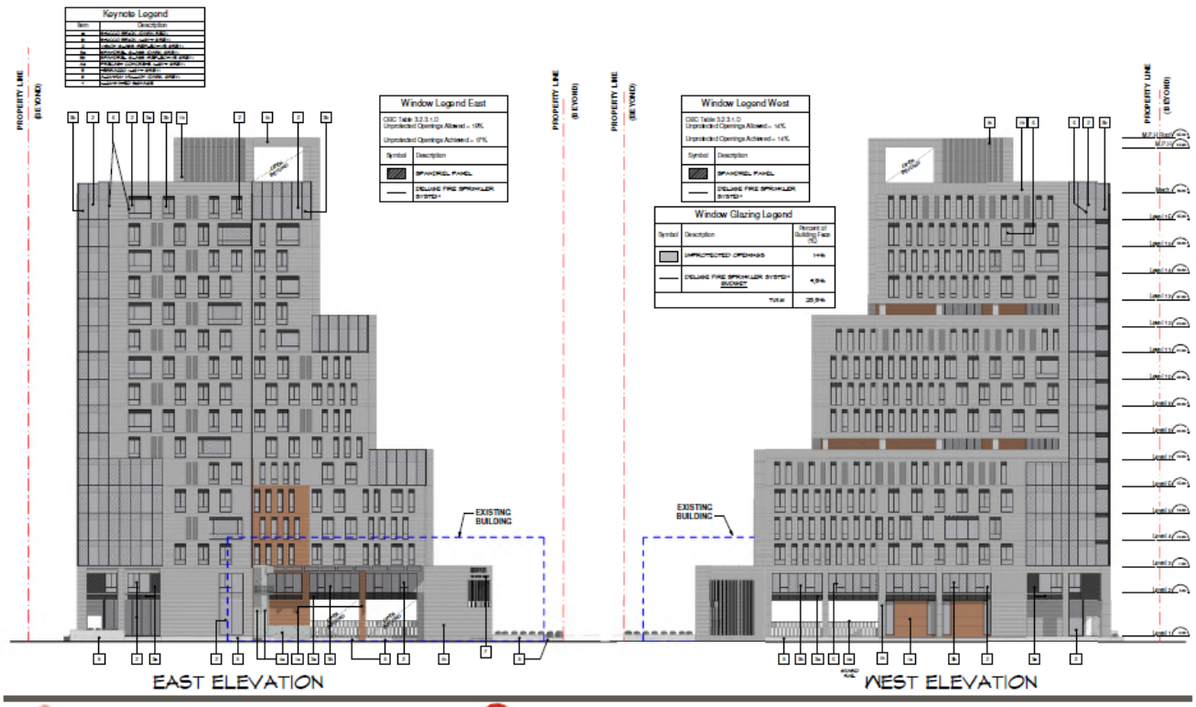
0 4 8 16 24 32 Meters

Geodatabase

Schedule “1”


HORTON STREET EAST
EXISTING 1 STOREY BUILDING
EXISTING 3 STOREY BUILDING
EXISTING 1 STOREY BUILDING
PROPOSED BUILDING
SITE CONTEXT PLAN
HORTON STREET VIEW
SITE PLAN
360 ARCHITECTURE
SOHO PLACE
London International Academy
London, Ontario
SK 002


Keynote Legend
Window Legend North
Window Legend South
PROPERTY LINE (BEYOND)
EXISTING BUILDING
NORTH ELEVATION
SOUTH ELEVATION
360 ARCHITECTURE
SOHO PLACE
London International Academy
London, Ontario
SK 012



360 ARCHITECTURE

SOHO PLACE

London International Academy

London, Ontario

SK 013

VIEW FROM NORTHEAST

VIEW FROM NORTHWEST

360 ARCHITECTURE

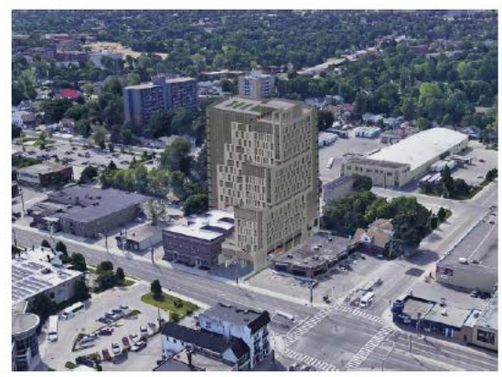
SOHO PLACE

London International Academy

London, Ontario

SK 014

VIEW FROM NORTHEAST



VIEW FROM NORTHWEST

360 ARCHITECTURE

SOHO PLACE

London International Academy

London, Ontario

SK 015

3.3 PUBLIC PARTICIPATION MEETING – Application – 185 Horton Street East

- Councillor Squire: Thank you very much. Any technical questions for staff? Councillor Hopkins and Mayor Holder after that.

- Councillor Hopkins: Yes and thank you for the presentation. It, a question around the fire suppression system. You said that we're getting, we're going to have more, could you explain a little bit more what a fire suppression system is?

- Councillor Squire: Go ahead.

- Sean Meksula, Senior Planner: Through the Chair, the fire suppression system, because there's more openings on the building and because it's closer to the existing building to the east they'd have to have more sprinkler systems within the building to accommodate for that so they've gone forward and spent the extra money to accommodate the windows and the fire suppression at their cost which has been very supported by the City.

- Councillor Councillor Squire: Thank you.

- Councillor Councillor Hopkins: Thank you and I have one other technical question.

- Councillor Squire: Go ahead Councillor.

- Councillor Hopkins: It relates to the definition of what a dormitory is and it says that it is, it's an, it's an auxiliary to an educational institution where residents have exclusive use of a bedroom with a separate interest, etc., etc. My question is does it just pertain to an educational use, a dormitory, in other words can it be used for another means of allowing, if changes are made and it doesn't come to fruition, what this building is going to be used for, can it be used for opportunities to house, you know, people that need housing?

- Councillor Squire: Go ahead.

- Sean Meksula, Senior Planner: Through the Chair, throughout this process we've taken that into consideration and in the event that the building were to change hands in the future, the dormitory use would only be in existence for this use and any conversion of this building would be required to go through our Zoning By-law Amendment to allow for any apartment type use to, because of the density in this area. That being said, if they were to, Council could, they also can come back in and change the definition of dormitory or put a different definition in there so be it by another applicant but right now it's just for this specific use.

- Councillor Hopkins: I understand with that answer that it would require a zoning application to change the definition of what a dormitory is.

- Sean Meksula, Senior Planner: That's correct.

- Councillor Hopkins: Thank you.

- Councillor Squire: Thank you Councillor. Mr. Mayor you had a technical question? I think you're still on mute Mr. Mayor. Thank you.

- Mayor Holder: Thanks Chair. Staff have answered the question on fire suppression. Thank you.

- Councillor Squire: Thank you very much. If there's no other technical questions we'll go to the public for any presentations.

- Catharine Saunders, City Clerk: Mr. Chair, the agent for the applicant, Mr. Kulchycki is ready to speak.

- Councillor Squire: Go ahead sir.

- Thank you. Good evening Chair and Members of the Committee. My name is Casey Kulchycki, I'm a Planner with Zelinka Priamo Ltd. representing the applicant on this project, The London International Academy. First, I just want to say thanks to Sean and the staff of Development Services for their work on this. We have been working diligently with staff over the last year to get to this positive staff report tonight. We've reviewed the staff report and we are in agreement with its recommendation. I am joined by Paul Loretto of L360 Architecture, the architect on this project as well as Alex Neil from the London International Academy in case Committee Members have any questions that they might be able to address but we are in agreement with the recommendation and dial we look forward to working with staff through the site plan process. Thank you.

- Councillor Squire: Thank you very much. Any other public presentations?

- Catharine Saunders, City Clerk: Through you Mr. Chair, Mr. Turner, Scott Turner, who owns the building next door, I believe he wishes to speak.

- Councillor Squire: Is he on?

- Scott Turner, Perfomaxx Properties: Yes.

- Councillor Squire: Mr. Turner it's your opportunity to present. You could, you can speak for up to five minutes and you're starting right now.

- Scott Turner, Perfomaxx Properties: Thank you very much. Yes, I am President of Performaxx Properties. I own the five-unit single story property that's contiguous on the west side. Generally, I support the project. I think it's great for the city, the owner, great for the students and the immediate community; however, I have a few concerns as it relates to my building. To be honest I'm not really sure of the form to address my concerns. I don't know if it's now or at the site planning meeting or directly with the owner or designer/developer.

- Councillor Squire: If you ask the questions, we will try to get you answers to whether this is you we can answer today or whether there's another form.

- Scott Turner, Performaxx Properties: Perfect. On that note I do want to thank Sean and Michael, they've been excellent and helpful over the last few weeks and, and ten months ago when I first broached the issue with them. I have two areas of concern; one is related to the close proximity of this new building relative to mine. At the narrowest it's less than a meter between our buildings, so that's quite a narrow corridor between our buildings and as you know corridors can create problems. I'm not sure how they're planning on controlling the access or is it a thoroughfare; I don't know what the fencing plan is, how will it work vis a vis my property; I don't know if they've got a lighting plan, it is very dark, it invites some bad characters. I don't know if they're planning on having cameras there; unfortunately, with the Labatt's beer store across the street it sometimes attracts some problems with the homeless. I've had three broken windows and two

break and enters in the last year. I'm also worried about unauthorized access to my roof. I've had the copper stolen from one of my HVAQ units in the last year causing me six thousand dollars of damage. Shifting gears a little bit, I don't know what the tie back plan is. I know they've got an underground garage planned and again it's less than a meter from my building. My biggest issue is probably related to snow load; right now I basically have no snow as it blows off my property, blows off of my building I should say. I'm certainly not an expert on wind or snow accumulation but I do know that the closer the building is to mine the more I will get wind drifts and heavy snow build up on my roof. I'm not sure if a study has been done; if not, I think one should be. That's my first area of concern related to the proximity of the building. My second area of concern is really during the construction process and again it's more related to the close proximity of the building to mine but there are some issues during the construction such as dust, etcetera. I have got five HVAC units on my roof and I'm a bit concerned about the dust, also debris and damage to my building being so close. I'm not sure what their crane plan is or what their swing requirements, I'm not sure how the management of the contractors is going to work and as we know sadly accidents do happen. I have no information on any of these issues, I've had no contact with the owner and I found out through the City's public disclosure process. Just to summarize I'm not sure how or what form I can get some of my issues resolved so that's my five minutes. Thank you very much.

- Councillor Squire: Thank you. I will try to get you answers to your questions if you, if you stay around and listen I'll, I'll make sure that staff or the owner addresses those. Any other presentations? There are no other presentations I understand. I need a motion to close the public participation meeting. Before we go on I wonder if, if either staff and the applicant wants to help to answer the questions we heard and just so I understood, the first concern was proximity of the buildings and the lane way that it creates between the two in terms of the laneway in between and also the idea of there being wind, wind on top that might create a snow load so I'll start with staff and then maybe the applicant can help.

- Sean Meksula, Senior Planner: Through the Chair I think Mr. Kokkoros might be able to help with the snow look question. Thank you.

- Councillor Squire: Alright.

- Peter Kokkoros, Deputy Chief Building Official: Thank you Mr. Chair. The question, if I understood it correctly arose with respect to concerns the adjacent owner has on potential additional snow loading on the, what would become the lower roof as a result of this development. The Building Code does acknowledge snow drift loads when roofs have differences in elevation or when there are particular obstructions on the roof but the Building Code is basically concerned with the confines of the property itself so in other words if a property had two buildings and there were different elevations we would consider snow drift on the lower roof. In this particular case the Building Code does not go outside the confines of the particular property and this, in our opinion, would become a civil matter between two adjacent owners. In fact many years ago we consulted with the City of Toronto and that's not an issue unknown to them when it comes to this type of development. Basically what we have agreed to do is provide some type of notification on the drawings that would let the developer know that there may and I stress may be additional snow drift loading on the adjacent roof and that the developer it might be a good idea for them to contact the adjacent owner and sort of sort things out but the Building Code is clear under Section Eight of the *Building Code Act,* the Chief Building Official shall issue the building permit unless any applicable law is contravened or the regulation itself is contravened and in this case that specific item will not be deemed as a contravention of the Building Code.

- Councillor Squire: Thank you and then the other issues which were the close proximity causing unauthorized persons between the buildings and some unauthorized access to the roof, can staff help with that at all?

- Sean Meksula, Senior Planner: Through the Chair, through this development it would probably help with the abutting use because I imagine in this building the applicant would provide more lighting for the property for people walking in because I know there's an entrance at the back of the building so there would probably be a better lighting for individuals walking through there and fencing between the buildings. That may or may not be an issue of letting people up on top of the roof. I'm not sure what the developer has for plans for this, if they have any mitigations themselves because they would be impacted by the same issues I would imagine.

- Councillor Squire: Alright.

- Sean Meksula, Senior Planner: I don't know if they could answer that question.

- Councillor Squire: Okay, if the applicant, if you have any comments on that concern?

- Casey Kulchycki, Zelinka Priamo Ltd.: Just yes, certainly just with regards to the, to the separation distance property line to our building given the narrowness of that space, typically what we see through the site plan is we would block that off with some sort of a blockade fencing or bollard or some sort of other blockade, just because of those items that the adjacent landowner brought up; it's, it's a space that just it attracts trouble and so we try to mitigate access. In addition to that, this is going to be used as a dormitory so we really want accesses to the building and the amenity spaces to the building to be really secure for the residents given that they are high school age students, so again, that's, you know, we pretty much just want to focus access through the main entrances off the roadway and not have any ability to kind of circumvent those access points to get to the rear of the property through these narrow side yards. Through the site plan process I would be anticipating that those narrow distances between the building and the property lines would be blocked off to prevent those activities from occurring as best we can and just to kind of expand on Mr. Meksula's comments, this proposed building will bring additional lighting just through new exterior lighting and then also just lighting that spills out through the windows on the elevation so it will add some additional lighting to help, to again help deter those activities kind of during the evening hours. We're hoping through the site plan process will be able to address a lot of these concerns that the adjacent landowner has brought up.

- Councillor Squire: Thank you and just briefly if staff could just talk about the construction concerns in terms of dust, damage and debris, very briefly for this gentleman.

- Sean Meksula, Senior Planner: Sure. Through the Chair, during the construction process there will be mitigations put in place to control dust and debris to make sure it doesn't impact the abutting buildings and uses; that being said if stuff does happen and the neighbouring properties find there are issues with the construction they can always contact the City in which we would have somebody go out and deal with those issues.

- Councillor Squire: Thank you. I'm sorry Committee I just thought I would get those questions answered.

Community and Protective Services Committee

Report

The 4th Meeting of the Community and Protective Services Committee
February 9, 2021

PRESENT: Councillors J. Helmer (Chair), S. Lewis , M. Salih, A. Kayabaga, S. Hillier, Mayor E. Holder

ALSO PRESENT: J. Bunn, J. Taylor and B. Westlake-Power

Remote Attendance: Councillor M. van Holst; K. Dawtrey, K. Dickins, A. Dunbar, O. Katolyk, G. Kotsifas, J.P. McGonigle, A. Pascual, C. Saunders, K. Scherr, M. Schulthess, E. Skalski, C. Smith, S. Stafford, J. Stanford and A. Thompson

The meeting was called to order at 4:08 PM; it being noted that the following Members were in remote attendance: Mayor E. Holder, Councillors M. Salih, A. Kayabaga and S. Hillier

1. Disclosures of Pecuniary Interest

None.

2. Consent

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

That Items 2.1, 2.3, 2.4 and 2.5 BE APPROVED.

Yeas: (6): J. Helmer, S. Lewis, M. Salih, A. Kayabaga, S. Hillier, and E. Holder

Motion Passed (6 to 0)

2.1 1st Report of the Accessibility Advisory Committee

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

That the following actions be taken with respect to the 1st Report of the Accessibility Advisory Committee from its meeting held on January 28, 2020:

a) the following actions be taken with respect to the Memo dated January 20, 2021, from the Director, Roads and Transportation, related to the 2021 Neighbourhood Street Reconstruction Projects - Complete Streets Sidewalk Assessments:

i) the Civic Administration BE ADVISED that the Accessibility Advisory Committee (ACCAC) supports the inclusion of sidewalks on both sides of the streets listed within the above-noted Memo except in circumstances that warrant sidewalks on only one side of the street; and,
ii) the Civic Administration BE ADVISED that the only instances that call for zero sidewalks on a street should be situations where the circumstances are insurmountable for the installation of sidewalks and, in those cases, the ACCAC should be consulted;

it being noted that the above-noted Memo was received;

b) the following actions be taken with respect to the Accessibility Advisory Committee (ACCAC) Terms of Reference:

i) the above-noted Terms of Reference, as appended to the agenda, BE RECEIVED; and,
ii) the Civic Administration BE REQUESTED to consider adding additional provisions concerning ableism when drafting the updated ACCAC Terms of Reference document;

c) Jay Menard BE APPOINTED as the Accessibility Advisory Committee representative to the Community Diversity and Inclusion Strategy (CDIS) Leadership Table; and,

d) clauses 1.1, 1.2, 3.1, 3.2, 3.4, 5.1, 5.3, 5.4 and 5.5 BE RECEIVED.

Motion Passed

2.3 Sign By-law Amendment

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

That, the on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to revisions to the Sign By-law:

a) the staff report dated February 9, 2021, with respect to amendments to allow for posters on City-controlled bike locker frames as part of the introduction of bike lockers in and around downtown BE RECEIVED; and,

b) the revised draft Sign By-law, as appended to the above-noted staff report, BE INTRODUCED at the Municipal Council meeting to be held on February 23, 2021 to enact the above-noted changes. (2021-R06/T10)

Motion Passed

2.4 Strategic Plan Variance Report

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

That, on the recommendation of the Acting Managing Director, Housing, Social Services and Dearness Home, the staff report dated February 9, 2021, with respect to the Strategic Plan Progress Variance, BE RECEIVED. (2021-C08)

Motion Passed

2.5 Proposed Amendment - Eldon House By-law

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

That, on the recommendation of the City Clerk, the proposed by-law, as appended to the staff report dated February 9, 2021, BE INTRODUCED at the Municipal Council meeting to be held on February 23, 2021, to amend By-law A.-6825-162, as amended, being “A By-law to establish a municipal service board for the purpose of operating and Managing Eldon House” to amend the Board composition to provide for the appointment of a past Chair of the Board as a Director. (2021-R01)

Motion Passed

2.2 London Community Recovery Network - Ideas for Action by Municipal Council

That, on the recommendation of the Managing Director, Neighbourhood, Children and Fire Services, the Acting Managing Director, Housing, Social Services and Dearness Home, and the Managing Director, Parks and Recreation, the following actions be taken with respect to the staff report dated February 9, 2021 related to the London Community Recovery Network and ideas for action by Municipal Council:

a) the following actions be taken with respect to the ideas for action submitted by the London Community Recovery Network and received by Municipal Council, as contained within the above-noted staff report:

i) the implementation plans for the following ideas for action BE APPROVED:

- 1.1 Christmas (Holiday) Market;
- 2.4 Create a regional holiday destination in downtown;
- 3.2 Self-employment exploration training for unemployed;
- 4.1 Increase focus on addressing food insecurity;
- 4.4 Public toilets and sanitation;
- 4.7 Support for National Child Care Framework;
- 5.2 Outdoor concerts;
- 5.3 Interactive distanced festivals and events;
- 5.4 City of Lights: Public Art Projection Program;
- 5.5 London Mural and Art Walk;
- 5.6 Mural façade grant; and,
- 5.8 Develop an app with augmented reality for scavenger hunts;

ii) the implementation plan for item #2.3 Downtown Recovery – free transit to the downtown, as it relates to transit initiatives to the downtown, BE REFERRED back to the Civic Administration to continue working with the London Transit Commission on this matter, with a report back to a future meeting of the Community and Protective Services Committee (CPSC) when additional details are available; and,

iii) implementation plan for item #2.3 Downtown Recovery – free transit to the downtown, as it relates to parking initiatives in the downtown BE REFERRED back to the Civic Administration with a report back to a future meeting of the CPSC when additional details are available;

b) the Civic Administration BE DIRECTED to execute the implementation plans for the above-noted approved ideas for action in support of London’s community recovery from COVID-19;

c) the Federal Government BE REQUESTED, in partnership with the provinces, to develop and implement a National Child Care Framework to focus on accessibility, affordability, and equity for all families, recognizing that licensed quality child care and qualified Early Childhood Educators are essential to COVID-19 economic and social recovery;

d) $1,980,000 BE APPROVED to implement the above-noted approved ideas as set out in the business cases included in Appendix A of the above-noted staff report; it being noted that Municipal Council previously authorized $5 million to be contributed to the Economic Development Reserve Fund to support social and economic recovery measures; and,

e) the above-noted staff report BE RECEIVED. (2021-R08/S08)

Motion Passed

Voting Record:

Moved by: E. Holder
Seconded by: S. Hillier

Motion to approve the implementation plans for Items for Action #1.1, #2.4, #3.2, #4.1, #4.7, #5.5 and #5.8.

Yeas: (6): J. Helmer, S. Lewis, M. Salih, A. Kayabaga, S. Hillier, and E. Holder

Motion Passed (6 to 0)

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

Motion to refer the implementation plan for Item for Action #2.3, related to transit initiatives, back to the Civic Administration.

Yeas: (6): J. Helmer, S. Lewis, M. Salih, A. Kayabaga, S. Hillier, and E. Holder

Motion Passed (6 to 0)

Moved by: S. Lewis
Seconded by: E. Holder

Motion to refer the implementation plan for Item for Action #2.3, related to parking initiatives, back to the Civic Administration.

Yeas: (6): J. Helmer, S. Lewis, M. Salih, A. Kayabaga, S. Hillier, and E. Holder

Motion Passed (6 to 0)

Moved by: A. Kayabaga
Seconded by: M. Salih

Motion to approve the implementation plan for Item for Action #4.4.

Yeas: (6): J. Helmer, S. Lewis, M. Salih, A. Kayabaga, S. Hillier, and E. Holder

Motion Passed (6 to 0)

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

Motion to approve the implementation plans for Items for Action #5.2 and #5.3.

Yeas: (6): J. Helmer, S. Lewis, M. Salih, A. Kayabaga, S. Hillier, and E. Holder

Motion Passed (6 to 0)

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

Motion to refer the implementation plan for Item for Action #5.4 back to the Civic Administration.

Yeas: (2): S. Lewis, and S. Hillier

Nays: (4): J. Helmer, M. Salih, A. Kayabaga, and E. Holder

Motion Failed (2 to 4)

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

Motion to approve the implementation plan for Item for Action #5.4.

Yeas: (4): J. Helmer, M. Salih, A. Kayabaga, and E. Holder

Nays: (2): S. Lewis, and S. Hillier

Motion Passed (4 to 2)

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

Motion to approve the implementation plan for Item for Action #5.6.

Yeas: (4): J. Helmer, M. Salih, A. Kayabaga, and E. Holder

Nays: (2): S. Lewis, and S. Hillier

Motion Passed (4 to 2)

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

Motion to approve the balance of the staff recommendation.

Yeas: (6): J. Helmer, S. Lewis, M. Salih, A. Kayabaga, S. Hillier, and E. Holder

Motion Passed (6 to 0)

3. Scheduled Items

None.

4. Items for Direction

4.1 Business Case for Lighting Dog Parks - Councillor M. van Holst

Moved by: S. Lewis
Seconded by: E. Holder

That the communication from Councillor M. van Holst, as appended to the agenda, with respect to lighting one dog park per year, BE RECEIVED. (2021-R04)

Yeas: (6): J. Helmer, S. Lewis, M. Salih, A. Kayabaga, S. Hillier, and E. Holder

Motion Passed (6 to 0)

5. Deferred Matters/Additional Business

5.1 Deferred Matters List

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

That the Deferred Matters List for the Community and Protective Services Committee, as at February 1, 2021, BE RECEIVED.

Yeas: (6): J. Helmer, S. Lewis, M. Salih, A. Kayabaga, S. Hillier, and E. Holder

Motion Passed (6 to 0)

5.2 (ADDED) Residential Rental Units Licensing By-law Review - Councillor A. Kayabaga and Councillor M. Salih

Moved by: A. Kayabaga
Seconded by: M. Salih

That the communication, dated February 8, 2021, from Councillors A. Kayabaga and M. Salih, with respect to a review of the Residential Rental Units Licensing By-law, BE REFERRED to the March 2, 2021 meeting of the Community and Protective Services Committee for consideration.

Yeas: (6): J. Helmer, S. Lewis, M. Salih, A. Kayabaga, S. Hillier, and E. Holder

Motion Passed (6 to 0)

6. Adjournment

The meeting adjourned at 5:57 PM.

Corporate Services Committee
Report

3rd Meeting of the Corporate Services Committee
February 8, 2021

PRESENT: Councillors M. Cassidy (Chair), M. van Holst, J. Morgan, E. Peloza, A. Kayabaga, Mayor E. Holder

ALSO PRESENT: J. Taylor, C. Saunders

Remote Attendance: Councillors S. Hillier, A. Hopkins and S. Lewis; L. Livingstone, A. Barbon, B. Card, S. Corman, M. Daley, A. Dunbar, K. Murray, K. Scherr, M. Schulthess, S. Tatavarti, A. Thompson, B. Warner, B. Westlake-Power, R. Wilcox

The meeting is called to order at 12:01 PM; it being noted that the following Members were in remote attendance: Mayor E. Holder, Councillors M. van Holst, J. Morgan, E. Peloza and A. Kayabaga.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Consent

Moved by: E. Holder
Seconded by: E. Peloza

That items 2.1 to 2.7, excluding item 2.5, BE APPROVED.

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

Motion Passed (6 to 0)

2.1 Recommendation to Award RFP 20-69 – Network Cabling and Conduit Supply, Delivery, Installation, and Repair Services Vendor of Record

Moved by: E. Holder
Seconded by: E. Peloza

That, on the recommendation of the Director, Information Technology Services, the following actions be taken with respect to the network cabling and conduit supply, delivery, installation and repair services appointment of a Vendor of Record, as per City of London Procurement Policy Section 12.2 (b), requiring Committee and City Council approval for Request for Proposal awards greater than $100,000:

a) the proposal submitted by Netcheck Corporation, 177 Exeter Road, Unit D London, ON N67 1A4 for cabling and conduit supply, delivery, installation and repair services in the estimated annual amount of $250,000 (exclusive applicable taxes), for a three (3) year term, and an option to renew the contract for two (2) additional one (1) year terms each at the sole discretion of the City, BE ACCEPTED in accordance with section 12.0 of the Procurement of Goods and Services Policy;

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

c) 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

2.2 Provincial Dedicated Gas Tax Funds for Public Transportation Program 2020/2021

Moved by: E. Holder
Seconded by: E. Peloza

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 February 8, 2021 as Appendix “A” BE INTRODUCED at the Council meeting on February 23, 2021 to approve the current and future Letters of Agreement between Her Majesty the Queen in right of the Province of Ontario, as represented by the Minister of Transportation for the Province of Ontario and the City of London for the transfer of Dedicated Gas Tax Funds for Public Transportation Program.

Motion Passed

2.3 Municipal Transit Enhanced Cleaning Funding Program – Transfer Payment Agreement and Authorizing By-law

Moved by: E. Holder
Seconded by: E. Peloza

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the proposed by-law as appended to the staff report dated February 8, 2021 as Appendix “A” BE INTRODUCED at the Council meeting on February 23, 2021 to approve and authorize the execution of the Transfer Payment Agreement between Her Majesty the Queen in right of the Province of Ontario, as represented by the Minister of Transportation for the Province of Ontario and the City of London for the reimbursement of funds under the Municipal Transit Enhanced Cleaning funding program. .

Motion Passed

2.4 Strategic Plan Variance Report

Moved by: E. Holder
Seconded by: E. Peloza

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the staff report dated February 8, 2021 on the Strategic Plan Progress Variance BE RECEIVED for information.

Motion Passed

2.6 Portion of City-Owned Huxley Street, Declare Surplus

Moved by: E. Holder
Seconded by: E. Peloza

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, on the advice of the Manager of Realty Services, with respect to a portion of City-owned land, being part of the Huxley Street road allowance closed and designated as Part 2, Plan 33R-20888, the following actions be taken:

a) the subject property BE DECLARED SURPLUS; and,

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

Motion Passed

2.7 79 Glendon Drive, Middlesex Centre - Surplus Declaration

Moved by: E. Holder
Seconded by: E. Peloza

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, on the advice of the Manager of Realty Services, with respect to a portion of City-owned land being 79 Glendon Drive located in the Municipality of Middlesex Centre which is legally described as Part Lot 7 BF Concession and Part Road Allowance Between BF Concession and Concession 1 closed by by-law 38-84 registered as 680445 being Parts 24 to 27 on Plan 33R-5930 together with 212600, 212601 and 212602 in the geographic Township of Lobo being all of PIN 085020014, the following actions be taken:

a) the subject property BE DECLARED SURPLUS; and,

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

Motion Passed

2.5 London Community Recovery Network – Ideas for Action by Municipal Council

Moved by: E. Peloza
Seconded by: E. Holder

That, on the recommendation of the City Manager and the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the following actions be taken with respect to the London Community Recovery Network:

a) the implementation plans for the following ideas for action submitted from the London Community Recovery Network and received by Municipal Council BE APPROVED:

- 1.7 - Buying Local for the Holidays
- 1.8 - Instagram takeovers in support of local businesses
- 3.3 - Group buying to lower the costs of PPE
- 3.4 - Creating a government funding data bank

b) the Civic Administration BE DIRECTED to execute the implementation plans for ideas for action in support of London's community recovery from COVID-19; and,

c) the staff report dated February 8, 2021, BE RECEIVED.

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

Motion Passed (6 to 0)

3. Scheduled Items

None.

4. Items for Direction

4.1 Application - Issuance of Proclamation - Personal Support Worker Day

Moved by: M. van Holst
Seconded by: E. Peloza

That based on the application dated January 14, 2021, from the Canadian PSW Network, May 19, 2021 BE PROCLAIMED Personal Support Worker (PSW) Day.

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

Motion Passed (6 to 0)

5. Deferred Matters/Additional Business

5.1 Paid Sick Leave Enhancement

Moved by: A. Kayabaga
Seconded by: J. Morgan

That the Federal and Provincial Governments BE ADVISED that the Municipal Council of The Corporation of the City of London requests the two levels of government to work together, as soon as possible, to enhance paid sick leave for all, in order to ensure that individuals are not forced to attend their workplace when they are ill and therefore assisting in limiting the spread of COVID-19.

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

Motion Passed (6 to 0)

6. Confidential (Enclosed for Members only.)

Moved by: E. Peloza
Seconded by: M. van Holst

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

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

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

6.2 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.

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

Motion Passed (6 to 0)

The Corporate Services Committee convenes, In Closed Session, from 12:58 PM to 1:21 PM.

7. Adjournment

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

That the meeting BE ADJOURNED.

Motion Passed

The meeting adjourned at 1:23 PM.

Civic Works Committee

Report

The 2nd Meeting of the Civic Works Committee
February 9, 2021

PRESENT: Councillors E. Peloza (Chair), J. Helmer, M. Cassidy, P. Van Meerbergen, S. Turner, Mayor E. Holder

ALSO PRESENT: J. Bunn, J. Taylor and B. Westlake-Power

Remote Attendance: Councillors S. Hillier, S. Lehman, S. Lewis, P. Squire and M. van Holst; J. Dann, U. DeCandido, A. Dunbar, D. MacRae, S. Maguire, S. Mathers, S. Miller, K. Paleczny (LTC), A. Pascual, J. Raycroft, C. Saunders, K. Scherr, M. Schulthess, J. Stanford, S. Tatavarti and A. Thompson

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 M. Cassidy, J. Helmer, S. Turner and P. Van Meerbergen

1. Disclosures of Pecuniary Interest

Councillor S. Turner discloses a pecuniary interest in Item 2.11 of the 2nd Report of the Civic Works Committee, having to do with the 2020 Drinking Water Annual Report and Summary Report for the City of London Drinking Water System, by indicating that he is an employee of the Middlesex London Health Unit.

2. Consent

Moved by: M. Cassidy
Seconded by: S. Turner

That Items 2.1 to 2.4, 2.8, 2.9, 2.10, 2.12 and 2.13 BE APPROVED.

Yeas: (5): E. Peloza, J. Helmer, M. Cassidy, P. Van Meerbergen, and S. Turner

Absent: (1): E. Holder

Motion Passed (5 to 0)

2.1 1st Report of the Transportation Advisory Committee

Moved by: M. Cassidy
Seconded by: S. Turner

That the following actions be taken with respect to the 1st Report of the Transportation Advisory Committee, from its meeting held on January 26, 2021:

a) the following actions be taken with respect to the Transportation Advisory Committee (TAC) Work Plan:

i) the final 2020 TAC Work Plan BE RECEIVED; and,
ii) the revised draft 2021 TAC Work Plan, as appended to the Report, BE APPROVED; and,

b) clauses 1.1, 1.2, 3.1 to 3.3 and 5.1 to 5.4 BE RECEIVED.

Motion Passed

2.2 Mud Creek Phase 1B Channel Reconstruction: Consultant Appointment for Tendering and Construction Administration

Moved by: M. Cassidy
Seconded by: S. Turner

That, on the recommendation of the Managing Director Environmental and Engineering Services and City Engineer, the following actions be taken with respect to staff report dated February 9, 2021, related to the Mud Creek Phase 1B Channel Reconstruction and Consultant Appointment for Tendering and Construction Administration:

a) the engineering fees for CH2M Hill Canada Limited Consulting BE INCREASED to prepare a separate tender for the Phase 1B works and to authorize the resident inspection and contract administration for the said project in accordance with the estimates, on file, to an upset amount of $352,370 (excluding HST) from $2,050,998 to a total of $2,403,368, in accordance with Section 15.2 (g) of the Procurement of Goods and Services Policy;

b) the financing for this project BE APPROVED as set out in the Sources of Financing Report, as appended to the above-noted staff report;

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

d) the approval given, herein, BE CONDITIONAL upon the Corporation entering into a formal contract or issuing a purchase order for the work to be done relating to this project; and,

e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2021-T06)

Motion Passed

2.3 Carling Creek Stormwater Servicing Master Plan Environmental Assessment Consultant Appointment

Moved by: M. Cassidy
Seconded by: S. Turner

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the staff report dated February 9, 2021 related to the Carling Creek Stormwater Servicing Master Plan Environmental Assessment Consultant Appointment:

a) Ecosystem Recovery Inc. BE APPOINTED Consulting Engineers to complete the Carling Creek Stormwater Servicing EA in accordance with the estimate, on file, at an upset amount of $169,334 including 10% contingency, (excluding HST), in accordance with Section 15.2(d) of the City of London’s Procurement of Goods and Services Policy;

b) the financing for the project BE APPROVED in accordance with the Sources of Financing Report, as appended to the above-noted staff report;

c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this 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. (2021-E09)

Motion Passed

2.4 Metamora Stormwater Outfall Replacement Consultant Appointment

Moved by: M. Cassidy
Seconded by: S. Turner

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the staff report dated February 9, 2021, related to the Metamora Stormwater Outfall Replacement Consultant Appointment:

a) Ecosystem Recovery Inc. BE APPOINTED Consulting Engineers to complete the detailed design and construction administration for the Metamora stormwater outfall replacement works in accordance with the estimate, on file, at an upset amount of $163,440.00 including 20% contingency, (excluding HST), in accordance with Section 15.2(d) of the City of London's Procurement of Goods and Services Policy;

b) the financing for the project BE APPROVED in accordance with the Sources of Financing Report as appended to the above-noted staff report;

c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this 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. (2021-D20)

Motion Passed

2.8 Appointment of Consulting Engineer - Cycling Projects Design Assignment 1

Moved by: M. Cassidy
Seconded by: S. Turner

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the staff report dated February 9, 2021, related to the Appointment of a Consulting Engineer for Cycling Projects Design Assignment 1:

a) IBI Group Professional Services (Canada) Inc. BE APPOINTED Consulting Engineers to complete the Detailed Design, and Tendering Services in the amount of $241,493.29, (excluding HST), in accordance with Section 15.2 (e) of the Procurement of Goods and Services Policy;

b) the financing for this appointment BE APPROVED as set out in the Sources of Financing Report, as appended to the above-noted staff report;

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

d) the approvals given, herein, BE CONDITIONAL upon the Corporation entering into a formal contract with the Consultant for the work; and,

e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, including rail agreements, if required, to give effect to these recommendations. (2021-T10)

Motion Passed

2.9 Appointment of Consulting Engineer - Cycling Projects Design Assignment 2

Moved by: M. Cassidy
Seconded by: S. Turner

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the staff report dated February 9, 2021, related to the Appointment of a Consulting Engineer for Cycling Projects Design Assignment 2:

a) IBI Group Professional Services (Canada) Inc. BE APPOINTED Consulting Engineers to complete the Detailed Design, and Tendering Services in the amount of $257,179.67 (excluding HST), in accordance with Section 15.2 (e) of the Procurement of Goods and Services Policy;

b) the financing for this appointment BE APPROVED as set out in the Sources of Financing Report, as appended to the above-noted staff report;

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

d) the approvals given, herein, BE CONDITIONAL upon the Corporation entering into a formal contract with the Consultant for the work; and,

e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, including rail agreements, if required, to give effect to these recommendations. (2021-T10)

Motion Passed

2.10 RFP 20-61 Supply and Delivery of Combination Sewer Cleaning Truck

Moved by: M. Cassidy
Seconded by: S. Turner

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the staff report dated February 9, 2021 related to RFP 20-61 Supply and Delivery of Combination Sewer Cleaning Truck:

a) the submission from Joe Johnson Equipment, 2521 Bowman Street, Innisfil, ON, L9S 3V6, for the supply and delivery of one (1) Combination Sewer Cleaning Truck at a total purchase price of $589,883, (excluding HST), BE ACCEPTED in accordance with Section 12.2 b) of the Goods and Services Policy which states that “Awards under the RFP process require the following approval: Committee and City Council must approve an RFP award for purchases greater than $100,000”;

b) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with these purchases;

c) approval given, herein, BE CONDITIONAL upon the Corporation entering into a formal contract or having a purchase order, or contract record relating to the subject matter of this approval; and,

d) the funding for this purchase BE APPROVED as set out in the Source of Financing Report, as appended to the above-noted staff report. (2021-V01)

Motion Passed

2.12 London Community Recovery Network - Ideas for Action by Municipal Council

Moved by: M. Cassidy
Seconded by: S. Turner

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the staff report dated February 9, 2021 related to the London Community Recovery Network Ideas for Action by Municipal Council:

a) the implementation plan Focus on actions that get people moving around the core (Idea #2.1), submitted from the London Community Recovery Network and received by Municipal Council BE APPROVED;

b) the Civic Administration BE DIRECTED to execute the implementation plan for this idea for action in support of London's community recovery from COVID-19;

c) $330,000 BE APPROVED, as set out in the business case included in Appendix A of the above-noted Report; it being noted that Municipal Council previously authorized $5 million to be contributed to the Economic Development Reserve Fund to support social and economic recovery measures; and,

d) the above-noted staff report BE RECEIVED. (2021-R08/S08)

Motion Passed

2.13 Strategic Plan Variance Report

Moved by: M. Cassidy
Seconded by: S. Turner

That, on the recommendation of the Managing Director of Environmental and Engineering Services and City Engineer, the staff report dated February 9, 2021 related to the Strategic Plan Progress Variance BE RECEIVED. (2021-C08)

Motion Passed

2.5 Contract Award: Tender No. 21-01 - Downtown Loop and Municipal Infrastructure Improvements Phase 1

Moved by: E. Holder
Seconded by: M. Cassidy

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the staff report dated February 9, 2021 related to Contract Award for Tender No. 21-01 for the Downtown Loop and Municipal Infrastructure Improvements Phase 1:

a) the bid submitted by L82 Construction Ltd. at its tendered price of $8,177,280.64 (excluding HST) for the Downtown Loop and Municipal

Infrastructure Improvements Phase 1 Project BE ACCEPTED; it being noted that the bid submitted by L82 Construction Ltd. was the lowest of five bids received and meets the City's specifications and requirements in all areas;

b) AECOM Canada Ltd., BE AUTHORIZED to carry out the resident inspection and contract administration for the said project in accordance with the estimate, on file, at an upset amount of $849,690 (excluding HST) in accordance with Section 15.2 (g) of the City of London’s Procurement of Goods and Services Policy;

c) the financing for this project BE APPROVED as set out in the Sources of Financing Report as appended to the above-noted staff report;

d) the Civic Administration BE AUTHORIZED to undertake all administrative acts that are necessary in connection with this project;

e) the approval given, herein, BE CONDITIONAL upon the Corporation entering into a formal contract, or issuing a purchase order for the material to be supplied and the work to be done, relating to this project (Tender 21-01); and,

f) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2021-T10)

Yeas: (5): E. Peloza, J. Helmer, M. Cassidy, S. Turner, and E. Holder

Nays: (1): P. Van Meerbergen

Motion Passed (5 to 1)

2.6 New Sidewalks in 2021 Infrastructure Reconstruction Projects

Moved by: S. Turner
Seconded by: M. Cassidy

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the staff report dated February 9, 2021 related to New Sidewalks in 2021 Infrastructure Reconstruction Projects:

a) the above-noted staff report BE RECEIVED;

b) the requests for delegation by the following individuals, with respect to this matter, BE APPROVED for a future meeting of the Civic Works Committee:

- R. Standish;
- D. O’Gorman;
- L. Dang;
- T. Hutchinson and P. Cobrin; and
- G. Pavlov and M. Goltsman

c) the communications from the following individuals, with respect to this matter BE RECEIVED:

- A. Quan-Haase;
- L. Burns;
- E. Eastaugh;
- E. Grosvenor;

- D. and M. Sheedy;
- B. and D. McGee;
- R. Standish;
- L. Brooke;
- K. Hesketh;
- M. Cole;
- D. Sandic;
- A. and V. Belecky;
- D. O'Gorman;
- L. Dang;
- C. Gibson;
- M. and M. Ryan;
- B. Glushko;
- P. and D. Hayman;
- J. Wilk;
- T. Hutchinson and P. Cobrin;
- G. Pavlov and M. Goltsman;
- M. Box;
- R. and L. Cao;
- K. and J. Savoy; and,
- B. Woodley (2021-T04)

Yeas: (5): E. Peloza, J. Helmer, M. Cassidy, P. Van Meerbergen, and S. Turner

Absent: (1): E. Holder

Motion Passed (5 to 0)

2.7 Stopping and Parking Restrictions in Bicycle Lanes

Moved by: J. Helmer
Seconded by: M. Cassidy

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 February 9, 2021, BE INTRODUCED at the Municipal Council meeting to be held on February 23, 2021, for the purpose of amending By-law PS-113, being “a by-law to regulate traffic and the parking of motor vehicles in the City of London” to improve motor vehicle restrictions in reserved bicycle lanes. (2021-T08)

Yeas: (5): E. Peloza, J. Helmer, M. Cassidy, P. Van Meerbergen, and S. Turner

Absent: (1): E. Holder

Motion Passed (5 to 0)

2.11 2020 Drinking Water Annual Report and Summary Report for the City of London Drinking Water System

Moved by: M. Cassidy
Seconded by: J. Helmer

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the staff report dated February 9, 2021 with respect to the 2020 Drinking Water Annual Report and Summary Report for the City of London Drinking Water System BE RECEIVED. (2021-E13)

Yeas: (4): E. Peloza, J. Helmer, M. Cassidy, and P. Van Meerbergen

Recuse: (1): S. Turner

Absent: (1): E. Holder

Motion Passed (4 to 0)

3. Scheduled Items

None.

4. Items for Direction

4.1 Fleet Electrification Analysis Report - K. Paleczny, London Transit Commission

Moved by: S. Turner
Seconded by: J. Helmer

That the communication, dated January 28, 2021, from K. Paleczny, London Transit Commission, with respect to the Fleet Electrification Analysis Report, BE RECEIVED. (2021-T03)

Yeas: (5): E. Peloza, J. Helmer, M. Cassidy, P. Van Meerbergen, and S. Turner

Absent: (1): E. Holder

Motion Passed (5 to 0)

5. Deferred Matters/Additional Business

5.1 Deferred Matters List

Moved by: M. Cassidy
Seconded by: S. Turner

That the Civic Works Committee Deferred Matters List, as at February 1, 2021, BE RECEIVED.

Yeas: (5): E. Peloza, J. Helmer, M. Cassidy, P. Van Meerbergen, and S. Turner

Absent: (1): E. Holder

Motion Passed (5 to 0)

6. Adjournment

The meeting adjourned at 1:37 PM.

Strategic Priorities and Policy Committee

Report

5th Meeting of the Strategic Priorities and Policy Committee
February 16, 2021

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. Peloza, A. Kayabaga, S. Hillier

ALSO PRESENT: M. Ribera, C. Saunders, J. Taylor, B. Westlake-Power

Remote Attendance: L. Livingstone, A. Barbon, B. Card, K. Dickins, G. Kotsifas, J.P. McGonigle, J. Raycroft, K. Scherr, M. Schulthess, C. Smith, B. Somers, S. Stafford

The meeting is called to order at 4:06 PM; it being noted that the following Members were in remote attendance: Councillors M. van Holst, M. Salih, J. Helmer, M. Cassidy, J. Morgan, A. Hopkins, P. Van Meerbergen, S. Turner, E. Peloza, A. Kayabaga and S. Hillier.

1. Disclosures of Pecuniary Interest

Councillor J. Helmer discloses a pecuniary interest in Item 3.1 - City of London Service Review: Recommended Closure of River Road Golf Course, by indicating that his father is employed by the National Golf Course Owners Association, whose member fees could be affected by the decision associated with this matter.

2. Consent

None.

3. Scheduled Items

3.1 Public Participation Meeting - Not to be heard before 4:05 PM - City of London Service Review: Recommended Closure of River Road Golf Course

Moved by: E. Peloza
Seconded by: M. Cassidy

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

a) the Civic Administration BE DIRECTED to cease golf operations at the municipally operated River Road Golf Course, effective immediately, to mitigate budget pressures on the municipal golf system;

b) the Civic Administration BE DIRECTED to initiate the disposition of property process in compliance with the Municipal Council's Sale and Other Disposition of Land Policy; and,

c) notwithstanding the Municipal Council's Sale of Major Assets Policy, the proceeds from any partial or full disposition of River Road Golf Course lands BE ALLOCATED to the municipal golf reserve fund;

it being pointed out that the Strategic Priorities and Policy Committee reviewed and received the following communications with respect to this matter:

a communication from J. Albin;
a communication from B. Byck;
a communication from B. Caldwell;
a communication from B. Campbell;
a communication from W. Campbell;
a communication from B. Davis;
a communication from R. Ferris;
a communication from C. Fieder;
a communication from K. Graham;
a communication from M. Graham;
a communication from T. Johnston;
a communication from T. Johnston;
a communication from D. W. Kostiuk;
a communication from T. MacDonald;
a communication from N. Macmillan;
a communication from M. O'Keefe;
a communication from D. Page;
a communication from R. Reimer;
a communication from D. Rowdon;
a communication from E. Sivilotti;
a communication from L. Smith;
a communication from J. Smythe;
a communication from J. B. Thompson;
a communication from J. Wagner;
a communication from R. Wharry;
a communication from F. York;
a communication from J. York;
a communication from D. W. Shin;
a communication from R. Carruthers;
a communication from R. Kasprzak;
a communication from D. De Vries;
a communication from H. and L. Marienfeldt;
a communication from P. Jackson;
a communication from M. Klug;
a communication from D. Quantrill;
a communication from J. Bracken;
a communication from R. J. Austin;
a communication from S. Buccella;
a communication from R. McLarty;
a communication from G. Buckley;
a communication from J. Attard;
a communication from A. Johnson;
a communication from F. Lamontagne;
a communication from D. McMullin;
a communication from J. Campos;
a communication from C. Beck;
a communication from B. Knowles;
a communication from F. Donovan;
a communication from O. Rizzolo;
a communication from V. Clark;
a communication from J. Russell;
a communication from A. Lobsinger; and
a communication from P. Herbert;

it being pointed out that at the public participation meeting associated with this matter, the following individuals made oral submissions regarding these matters:

C. Loughry, Golf Ontario – speaking in favour of keeping River Road Golf Course operational; and offering operational alternatives for the Committee’s consideration; noting Golf Ontario’s recent work with the City of Toronto;

A. McGuigan – speaking in favour of keeping River Road Golf Course operational as a public course; noting that demand for golf and outdoor recreation expand with the growth of the city and likely this is why the course was purchased by the City.

Voting Record:

Moved by: S. Lewis
Seconded by: S. Lehman

Motion to open the public participation meeting.

Yeas: (13): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, E. Peloza, A. Kayabaga, and S. Hillier

Recuse: (1): J. Helmer

Absent: (1): S. Turner

Motion Passed (13 to 0)

Moved by: E. Peloza
Seconded by: M. van Holst

Motion to close the public participation meeting.

Yeas: (13): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, E. Peloza, A. Kayabaga, and S. Hillier

Recuse: (1): J. Helmer

Absent: (1): S. Turner

Motion Passed (13 to 0)

Moved by: P. Van Meerbergen
Seconded by: S. Lehman

That the following actions be taken with respect to the River Road Golf Course:

a) the Civic Administration BE DIRECTED to proceed with the operation of River Road Golf Course for the 2021 season, in order to evaluate the municipal golf operations more holistically, in a “post-COVID” environment; and,

b) the Civic Administration BE DIRECTED to bring back the matter of municipal golf operations to a future meeting of the Strategic Priorities and Policy Committee, no later than February 2022, with additional information and data with respect to the operations in 2021;

Yeas: (5): M. van Holst, S. Lehman, A. Hopkins, P. Van Meerbergen, and S. Hillier

Nays: (9): Mayor E. Holder, S. Lewis, M. Salih, M. Cassidy, P. Squire, J. Morgan, S. Turner, E. Peloza, and A. Kayabaga

Absent: (1): J. Helmer

Motion Failed (5 to 9)

Moved by: E. Peloza
Seconded by: M. Cassidy

Motion to approve parts a) and b) of the staff recommendation:

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

a) the Civic Administration BE DIRECTED to cease golf operations at the municipally operated River Road Golf Course, effective immediately, to mitigate budget pressures on the municipal golf system;

b) the Civic Administration BE DIRECTED to initiate the disposition of property process in compliance with the Municipal Council's Sale and Other Disposition of Land Policy; and,

Yeas: (9): Mayor E. Holder, S. Lewis, M. Salih, M. Cassidy, P. Squire, J. Morgan, S. Turner, E. Peloza, and A. Kayabaga

Nays: (5): M. van Holst, S. Lehman, A. Hopkins, P. Van Meerbergen, and S. Hillier

Recuse: (1): J. Helmer

Motion Passed (9 to 5)

Moved by: E. Peloza
Seconded by: M. Cassidy

Motion to approve part c) of the staff recommendation:

c) notwithstanding the Municipal Council's approved Sale of Major Assets Policy, the proceeds from any partial or full disposition of River Road Golf Course lands BE ALLOCATED to the municipal golf reserve fund;

Yeas: (13): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, E. Peloza, A. Kayabaga, and S. Hillier

Nays: (1): S. Turner

Recuse: (1): J. Helmer

Motion Passed (13 to 1)

Moved by: S. Lewis
Seconded by: S. Lehman

Motion to receive the communications and verbal submissions.

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)

4. Items for Direction

4.1 Consideration of Appointment to the RBC Place London Board

Moved by: S. Lehman
Seconded by: P. Van Meerbergen

That Garrett Vanderwyst (sustainability business), Class 2, BE REAPPOINTED to the RBC Place London Board of Directors for a two-year 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. Peloza, A. Kayabaga, and S. Hillier

Motion Passed (15 to 0)

5. Deferred Matters/Additional Business

None.

6. Confidential (Enclosed for Members only.)

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

That the Strategic Priorities and Policy Committee convene, In Closed Session, for the purpose of considering a matter pertaining to personal matters about identifiable individuals, labour relations or employee negotiations, including communications necessary for that purpose and, advice and recommendations of officers and employees of the Corporation, including communications necessary for that purpose and for the purpose of providing instructions and direction to officers and employees of the Corporation.

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)

The Strategic Priorities and Policy Committee convenes, In Closed Session, from 6:50 PM to 7:17 PM.

7. Adjournment

Moved by: S. Lehman
Seconded by: M. van Holst

That the meeting BE ADJOURNED.

Motion Passed

The meeting adjourned at 7:17 PM.

Audit Committee

Report

1st Meeting of the Audit Committee
February 10, 2021

PRESENT: Deputy Mayor J. Morgan (Chair), M. van Holst, J. Helmer, S. Turner, L. Higgs

ALSO PRESENT: M. Schulthess and J. Taylor.

Remote Staff Attendance: L. Livingstone, D. Baldwin (KPMG), A. Barbon, B. Card, I. Collins, K. denBok (KPMG), K. Dickens, M. Feldberg, G. Kotsifas, S. Miller, D. O'Brien, S. Oldham, J. Pryce (Deloitte), C. Saunders, S. Swance, E. Van Daele (KPMG), P. Yeoman.

The meeting is called to order at 12:00 PM; it being noted that the following were in remote attendance: Councillors J. Helmer, M. van Holst, and S. Turner; L. Higgs.

1. Call to Order

1.1 Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

1.2 Election of Vice Chair for the term ending November 30, 2021

That Councillor Helmer BE ELECTED Vice Chair of the Audit Committee for the term ending November 30, 2021.

Motion Passed

2. Consent

None.

3. Scheduled Items

None.

4. Items for Direction

4.1 Audit Planning Report for the Year Ended December 31, 2020

That the KPMG LLP Audit Planning Report, for the year ending December 31, 2020, BE APPROVED.

Motion Passed

4.2 London Downtown Closed Circuit Television Program – Report on Specified Auditing Procedures for the Year Ending December 31, 2020

That the KPMG Report on Specified Auditing Procedures for the London Downtown Closed Circuit Television Program, for the year ending December 31, 2020, BE RECEIVED.

Motion Passed

4.3 Internal Audit Summary Update

That the communication dated January 29, 2021, from Deloitte, with respect to the internal audit summary update, BE RECEIVED.

Motion Passed

4.4 Revised 2020-2022 Audit Plan by Audit Universe Area

That the revised 2020-2022- Audit Plan by Audit Universe Area from Deloitte BE RECEIVED.

Motion Passed

4.5 Internal Audit Dashboard as at January 29, 2021

That the communication from Deloitte, regarding the internal audit dashboard as of January 29, 2021, BE RECEIVED.

Motion Passed

4.6 Audit Committee Observation Summary as at January 29, 2021

That the Observation Summary from Deloitte, as of January 29, 2021, BE RECEIVED.

Motion Passed

4.7 Assumptions and Securities Review

That the Internal Audit Report from Deloitte with respect to Assumptions and Securities Review performed October 2020 to December 2020, issued January 28, 2021, BE RECEIVED.

Motion Passed

4.8 Class Replacement Project Post - Implementation Reconciliation Process Review

That the Internal Audit Report from Deloitte with respect to Class Replacement Project Post - Implementation Reconciliation Process Review performed October 2020 to December 2020, issued January 27, 2021, BE RECEIVED.

Motion Passed

5. Deferred Matters/Additional Business

None.

6. Adjournment

That the meeting BE ADJOURNED.

Motion Passed

The meeting adjourned at 12:45 PM.

February 23, 2021

The Mayor and Members of Council:

Enquiry – Statement of Claim – CLC Tree Services Ltd.

The undersigned intend to bring forward the following motions at the February 23, 2021 Municipal Council Meeting:

Step 1 – Change in Order

That pursuant to section 6.5 of the Council Procedure By-law, the order BE CHANGED to allow Stage 11 – Enquires to be considered Prior to Stage 4 – Council, In Closed Session to provide for an enquiry related to the Statement of Claim from CLC Tree Services Ltd.

Step 2 – Enquiry

Given the issuance of the Statement of Claim from CLC Tree Services Ltd., I would like to make an enquiry with respect to the status of the Claim and therefore wish to add the following Closed Session reason to receive an update from the Civic Administration regarding this matter.

> "A matter pertaining to advice that is subject to solicitor-client privilege, including communications necessary for that purpose and pertaining to personal matters about identifiable individuals, labour relations or employee negotiations, including communications necessary for that purpose with respect to the Statement of Claim from CLC Tree Services Ltd."

Step 3 – Leave

That pursuant to section 11.4 of the Council Procedure By-law leave BE GIVEN to add the following Closed Session reason be added to the Council Agenda:

> "A matter pertaining to advice that is subject to solicitor-client privilege, including communications necessary for that purpose and pertaining to personal matters about identifiable individuals, labour relations or employee negotiations, including communications necessary for that purpose with respect to the Statement of Claim from CLC Tree Services Ltd."

Respectfully submitted,

Phil Squire,
Councillor, Ward 6

Shawn Lewis
Councillor, Ward 2

Bill No. 63
2021

By-law No. A.-_____-___

A by-law to confirm the proceedings of the Council Meeting held on the 23rd day of February, 2021.

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 February 23, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – February 23, 2021
Second Reading – February 23, 2021
Third Reading – February 23, 2021

Bill No. 64
2021

By-law No. A.-_____-___

A by-law to approve and authorize the execution of the current and future Letters of Agreement between Her Majesty the Queen in right of the Province of Ontario, as represented by the Minister of Transportation for the Province of Ontario and the City of London for the transfer of Dedicated Gas Tax Funds for Public Transportation Program.

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 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 10(1) of the *Municipal Act*, 2001 provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS subsection 10(2) of the *Municipal Act*, 2001 provides that a municipality may pass by-laws respecting, among other things: i) economic, social and environmental well-being of the municipality, including respecting climate change; and ii) financial management of the municipality;

AND WHEREAS the Province of Ontario provides dedicated gas tax funds to support local public transportation services in the municipality;

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

1. The Letter of Agreement for the transfer of Provincial Gas Tax funding under the Dedicated Gas Tax Funds for Public Transportation Program between Her Majesty the Queen in right of the Province of Ontario, as represented by the Minister of Transportation for the Province of Ontario and The Corporation of the City of London ("Letter of Agreement") attached as Schedule "1" to this by-law is hereby authorized and approved.

2. The Mayor and Managing Director, Corporate Services and City Treasurer, Chief Financial Officer are hereby authorized to execute the Letter of Agreement authorized and approved under section 1 of this by-law.

3. The Mayor and Managing Director, Corporate Services and City Treasurer, Chief Financial Officer are hereby authorized to approve and execute any future Letter of Agreement for the transfer of Provincial Gas Tax funding under the Dedicated Gas Tax Funds for Public Transportation Program between Her Majesty the Queen in right of the Province of Ontario, as represented by the Minister of Transportation for the Province of Ontario and The Corporation of the City of London.

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

PASSED in Open Council on February 23, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – February 23, 2021
Second Reading – February 23, 2021
Third Reading – February 23, 2021

Ministry of Transportation

Office of the Minister

777 Bay Street, 5th Floor
Toronto ON M7A 1Z8
416 327-9200
www.ontario.ca/transportation

Ministère des Transports

Bureau de la ministre

777, rue Bay, 5e étage
Toronto ON M7A 1Z8
416 327-9200
www.ontario.ca/transports

Ontario

January 14, 2021

Mayor Ed Holder
City of London
300 Dufferin Avenue, PO Box 5035
London ON N6A 4L9

Dear Mayor Holder:

RE: Dedicated Gas Tax Funds for Public Transportation Program

---

This Letter of Agreement between the **City of London** (the "Municipality") and Her Majesty the Queen in right of the Province of Ontario, as represented by the Minister of Transportation for the Province of Ontario (the "Ministry"), sets out the terms and conditions for the provision and use of dedicated gas tax funds under the Dedicated Gas Tax Funds for Public Transportation Program (the "Program"). Under the Program, the Province of Ontario provides two cents out of the provincial gas tax to municipalities to improve Ontario's transportation network and support economic development in communities for public transportation expenditures.

The Ministry intends to provide dedicated gas tax funds to the Municipality in accordance with the terms and conditions set out in this Letter of Agreement and the enclosed Dedicated Gas Tax Funds for Public Transportation Program 2020-21 Guidelines and Requirements (the "guidelines and requirements").

In consideration of the mutual covenants and agreements contained in this Letter of Agreement and the guidelines and requirements, which the Municipality has reviewed and understands and are hereby incorporated by reference, and other good and valuable consideration, the receipt and sufficiency of which are expressly acknowledged, the Ministry and the Municipality agree as follows:

1. To support local public transportation services in the Municipality, the Ministry agrees to provide funding to the Municipality under the Program to a maximum amount of up to **$11,145,262** ("the "Maximum Funds") in accordance with, and subject to, the terms and conditions set out in this Letter of Agreement and, for greater clarity, the guidelines and requirements.

2. Subject to Section 1, the Ministry will, upon receipt of a fully signed copy of this Letter of Agreement and a copy of the authorizing municipal by-law(s) and, if applicable, resolution(s) for the Municipality to enter into this Letter of Agreement, provide the Municipality with **$8,358,947**; and any remaining payment(s) will be provided thereafter.

…/3

3. If another municipality authorizes the Municipality to provide local public transportation services on its behalf and authorizes the Municipality to request and receive dedicated gas tax funds for those services also on its behalf, the Municipality will in the by-law(s) and, if applicable, resolution(s) described in Section 2 confirm that the Municipality has the authority to provide those services and request and receive those funds.

4. The Municipality agrees that any amount payable under this Letter of Agreement may be subject, at the Ministry's sole discretion, to any other adjustments as set out in the guidelines and requirements.

5. The Municipality will deposit the funds received under this Letter of Agreement in a dedicated gas tax funds reserve account, and use such funds and any related interest only in accordance with the guidelines and requirements.

6. The Municipality will adhere to the reporting and accountability measures set out in the guidelines and requirements, and will provide all requested documents to the Ministry.

7. The Municipality agrees that the funding provided to the Municipality pursuant to this Letter of Agreement represents the full extent of the financial contribution from the Ministry and the Province of Ontario under the Program for the 2020-21 Program year.

8. The Ministry may terminate this Letter of Agreement at any time, without liability, penalty or costs upon giving at least thirty (30) days written notice to the Municipality. If the Ministry terminates this Letter of Agreement, the Ministry may take one or more of the following actions: (a) cancel all further payments of dedicated gas tax funds; (b) demand the payment of any dedicated gas tax funds remaining in the possession or under the control of the Municipality; and (c) determine the reasonable costs for the Municipality to terminate any binding agreement(s) for the acquisition of eligible public transportation services acquired, or to be acquired, with dedicated gas tax funds provided under this Letter of Agreement, and do either or both of the following: (i) permit the Municipality to offset such costs against the amount the Municipality owes pursuant to paragraph 8(b); and (ii) subject to Section 1, provide the Municipality with funding to cover, in whole or in part, such costs. The funding may be provided only if there is an appropriation for this purpose, and in no event will the funding result in the Maximum Funding exceeding the amount specified under Section 1.

9. Any provisions which by their nature are intended to survive the termination or expiration of this Letter of Agreement including, without limitation, those related to disposition, accountability, records, audit, inspection, reporting, communication, liability, indemnity, and rights and remedies will survive its termination or expiration.

10. This Letter of Agreement may only be amended by a written agreement duly executed by the Ministry and the Municipality.

11. The Municipality agrees that it will not assign any of its rights or obligations, or both, under this Letter of Agreement.

…/3

12. The invalidity or unenforceability of any provision of this Letter of Agreement will not affect the validity or enforceability of any other provision of this Letter of Agreement. Any invalid or unenforceable provision will be deemed to be severed.

13. The term of this Letter of Agreement will commence on the date of the last signature of this Letter of Agreement.

14. The Municipality hereby consents to the execution by the Ministry of this Letter of Agreement by means of an electronic signature.

If the Municipality is satisfied with and accepts the terms and conditions of this Letter of Agreement, please print and secure the required signatures, and then deliver a fully signed pdf copy to the Ministry at the email account below. Subject to the province's prior written consent, including any terms and conditions the Ministry may attach to the consent, the Municipality may execute and deliver the Letter of Agreement to the Ministry electronically. In addition, all program documents are also to be sent to the following email account: MTO-PGT@ontario.ca

Sincerely,

Caroline Mulroney
Minister of Transportation

I have read and understand the terms and conditions of this Letter of Agreement, as set out above, and, by signing below, I am signifying the Municipality's consent to be bound by these terms and conditions.

Municipality

_____	_____
Date	Name (print): Title (head of council or authorized delegate): I have authority to bind the Municipality.
_____	_____
Date:	Name (print): Title (clerk or authorized delegate): I have authority to bind the Municipality.

Bill No. 65
2021

By-law No. A.-_____-___

A by-law to approve and authorize the execution of the Transfer Payment Agreement between Her Majesty the Queen in right of the Province of Ontario, as represented by the Minister of Transportation for the Province of Ontario and the City of London for the reimbursement of funds under the Municipal Transit Enhanced Cleaning funding program.

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 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 10(1) of the *Municipal Act*, 2001 provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS subsection 10(2) of the *Municipal Act*, 2001 provides that a municipality may pass by-laws respecting, among other things: i) economic, social and environmental well-being of the municipality, including respecting climate change; and ii) financial management of the municipality;

AND WHEREAS the Province of Ontario provides dedicated gas tax funds to support local public transportation services in the municipality;

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

1. The Transfer Payment Agreement for the reimbursement of funds under the Municipal Transit Enhanced Cleaning funding program between Her Majesty the Queen in right of the Province of Ontario, as represented by the Minister of Transportation for the Province of Ontario and The Corporation of the City of London ("Transfer Payment Agreement") attached as Schedule "1" to this by-law is hereby authorized and approved.

2. The Mayor and the City Clerk are hereby authorized to execute the Letter of 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 February 23, 2021

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – February 23, 2021
Second Reading – February 23, 2021
Third Reading – February 23, 2021

Schedule 1

TRANSFER PAYMENT AGREEMENT
FOR MUNICIPAL TRANSIT ENHANCED CLEANING

THIS TRANSFER PAYMENT AGREEMENT for Municipal Transit Enhanced Cleaning (the "Agreement") is effective as of the Effective Date (both "Agreement" and "Effective Date" as further defined in section A1.2 (Definitions)).

B E T W E E N:

Her Majesty the Queen in right of Ontario as represented by the Minister of Transportation for the Province of Ontario

(the **"Province")**

- and -

The Corporation of the City of London

(the **"Recipient")**

BACKGROUND:

In response to the COVID-19 pandemic and subject to the terms and conditions set out in the Agreement, the Province has agreed to provide funding to the Recipient for the Municipal Transit Enhanced Cleaning ("MTEC" as further defined in section A1.2 (Definitions)).

CONSIDERATION:

In consideration of the mutual covenants and agreements contained in the Agreement and for other good and valuable consideration, the receipt and sufficiency of which are expressly acknowledged, the Province and the Recipient agree as follows:

1.0 ENTIRE AGREEMENT

1.1 **Schedules and Sub-schedule to the Agreement.** The following schedules and sub-schedule form part of the Agreement:

Schedule "A" - General Terms and Conditions
Schedule "B" - Contact Information and Authorized Representatives
Schedule "C" - Eligible Expenditures and Ineligible Expenditures
Schedule "D" - Claim and Attestation Submission, Supporting Documentation and Payment Procedures
Sub-schedule "D.1" - Claim and Attestation Form

1.2 **Entire Agreement.** The Agreement constitutes the entire agreement between the Parties (as defined in section A1.2 (Definitions)) with respect to the subject matter contained in the Agreement and supersedes all prior oral or written representations and agreements.

2.0 CONFLICT OR INCONSISTENCY

2.1 **Conflict or Inconsistency.** In the event of a conflict or inconsistency between any of the requirements of:

(a) Schedule "A" (General Terms and Conditions) and any of the requirements of another schedule or a sub-schedule, Schedule "A" (General Terms and Conditions) will prevail to the extent of the inconsistency; or

(b) a schedule and any of the requirements of a sub-schedule, the schedule will prevail to the extent of the inconsistency.

3.0 COUNTERPARTS

3.1 **Counterparts.** The Agreement may be executed in any number of counterparts, each of which will be deemed an original, but all of which together will constitute one and the same instrument.

3.2 **Electronic Execution and Delivery of Agreement.**

(a) The Agreement may:

(i) be executed and delivered by scanning the manually signed Agreement as a PDF and delivering it by email to the other Party; or

(ii) subject to the Province's prior written consent, be executed and delivered electronically to the other Party.

(b) The respective electronic signature of the Parties is the legal equivalent of a manual signature.

4.0 AMENDING THE AGREEMENT

4.1 **Amendments.** The Agreement may only be amended by a written agreement.

4.2 **Execution of Amending Agreements.** An amending agreement under section 4.1 (Amendments) may be executed by the respective representatives of the

Parties listed in Schedule “B” (Contact Information and Authorized Representatives).

5.0 ACKNOWLEDGEMENT

5.1 **Acknowledgement.** The Recipient acknowledges that:

(a) the Funds are to assist the Recipient to carry out the MTEC and not to provide goods or services to the Province;

(b) the Province is not responsible for carrying out the MTEC; and

(c) the Province is bound by the *Freedom of Information and Protection of Privacy Act* (Ontario) and that any information provided to the Province in connection with the MTEC or otherwise in connection with the Agreement may be subject to disclosure in accordance with that Act.

5.2 **Acknowledgement from Province.** The Province acknowledges that the Recipient is bound by the *Municipal Freedom of Information and Protection of Privacy Act* (Ontario) and any information provided to the Recipient in connection with the MTEC or otherwise in connection with the Agreement may be subject to disclosure in accordance with that Act.

- SIGNATURE PAGE FOLLOWS -

The Parties have executed the Agreement on the dates set out below.

HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF ONTARIO, represented by the Minister of Transportation for the Province of Ontario

_____ _____

Date

Name: Caroline Mulroney
Title: Minister

THE CORPORATION OF THE CITY OF LONDON

_____ _____

Date

Name: Ed Holder
Title: Mayor

I have authority to bind the Recipient.

_____ _____

Date

Name: Catharine Saunders
Title: City Clerk

I have authority to bind the Recipient.

SCHEDULE "A"
GENERAL TERMS AND CONDITIONS

A1.0 INTERPRETATION AND DEFINITIONS

A1.1 **Interpretation.** For the purposes of interpretation:

(a) words in the singular include the plural and vice-versa;

(b) words in one gender include all genders;

(c) the background and the headings do not form part of the Agreement; they are for reference only and will not affect the interpretation of the Agreement;

(d) any reference to dollars or currency will be in Canadian dollars and currency; and

(e) all accounting terms not otherwise defined in the Agreement have their ordinary meanings.

A1.2 **Definitions.** In the Agreement, the following terms will have the following meanings:

"Agreement" means this agreement, entered into between the Province and the Recipient, all of the schedules and the sub-schedule listed in section 1.1 (Schedules and Sub-schedule to the Agreement), and any amending agreement entered into pursuant to section 4.1 (Amendments).

"Authorities" means any government authority, agency, body or department, whether federal, provincial or municipal, having or claiming jurisdiction over the Agreement or the MTEC, or both.

"Business Day" means any working day, Monday to Friday inclusive, excluding statutory and other holidays, namely: New Year's Day; Family Day; Good Friday; Easter Monday; Victoria Day; Canada Day; Civic Holiday; Labour Day; Thanksgiving Day; Remembrance Day; Christmas Day; Boxing Day and any other day on which the Province has elected to be closed for business.

"Effective Date" means the date of signature by the last signing Party to the Agreement.

"Eligible Expenditures" means the costs of the MTEC that are eligible for funding by the Province under the Agreement, and that are further described in section C2.1 (Scope of Eligible Expenditures).

“Event of Default” has the meaning ascribed to it in section A12.1 (Events of Default).

“Expiry Date” means June 30, 2021.

“Funds” means the money the Province provides to the Recipient pursuant to the Agreement.

“Indemnified Parties” means Her Majesty the Queen in right of Ontario, and includes Her ministers, agents, appointees, and employees.

“Ineligible Expenditures” means the costs of the MTEC that are ineligible for funding by the Province under the Agreement, and that are further described in section C3.1 (Scope of Ineligible Expenditures).

“Loss” means any cause of action, liability, loss, cost, damage, or expense (including legal, expert and consultant fees) that anyone incurs or sustains as a result of or in connection with the MTEC or any other part of the Agreement.

“Maximum Funds” means $433,025.

“MTEC” means the municipal transit enhanced cleaning as described in section C1.1 (Description of the MTEC).

“Notice” means any communication given or required to be given pursuant to the Agreement.

“Notice Period” means the period of time within which the Recipient is required to remedy an Event of Default, pursuant to paragraph A12.3(b), and includes any such period or periods of time by which the Province extends that time in accordance with section A12.4 (Recipient not Remedying).

“Parties” means the Province and the Recipient.

“Party” means either the Province or the Recipient.

“Proceeding” means any action, claim, demand, lawsuit, or other proceeding that anyone makes, brings or prosecutes as a result of or in connection with the MTEC or with any other part of the Agreement.

“Records Review” means any assessment the Province conducts pursuant to section A7.4 (Records Review).

“Reports” means the reports described in Schedule “D” (Claim and Attestation Submission, Supporting Documentation and Payment Procedures).

"Requirements of Law" means all applicable requirements, laws, statutes, codes, acts, ordinances, approvals, orders, decrees, injunctions, by-laws, rules, regulations, official plans, permits, licences, authorizations, directions, and agreements with all Authorities.

A2.0 REPRESENTATIONS, WARRANTIES AND COVENANTS

A2.1 **General.** The Recipient represents, warrants and covenants that:

(a) it has, and will continue to have, the experience and expertise necessary to carry out the MTEC;

(b) it is in compliance with, and will continue to comply with, all Requirements of Law related to any aspect of the MTEC, the Funds, or both;

(c) if Funds are used for acquired goods or services, or both, these were acquired in compliance with the Recipient's policies and procedures and, to the extent possible under the COVID-19 unprecedented times, through a process that promotes the best value for the money;

(d) it is in compliance with the insurance requirements set out in section A10.1 (Recipient's Insurance); and

(e) unless otherwise provided for in the Agreement, any information the Recipient provided to the Province in support of its request for funds including, without limitation, information relating to any eligibility requirements, the MTEC and related timelines was true and complete at the time the Recipient provided it and will continue to be true and complete.

A2.2 **Execution of Agreement.** The Recipient represents and warrants that it has:

(a) the full power and authority to enter into the Agreement; and

(b) taken all necessary actions to authorize the execution of the Agreement, including passing a municipal by-law authorizing the Recipient to enter into the Agreement.

A2.3 **Governance.** The Recipient represents, warrants and covenants that it has, will maintain, in writing, and will follow:

(a) procedures to enable the Recipient to manage the Funds prudently and effectively;

(b) procedures to enable the Recipient to complete the MTEC successfully;

(c) procedures to address any identified risks to the MTEC initiatives, all in a timely manner;

(d) procedures to enable the preparation and submission of all Reports required pursuant to Article A7.0 (Reporting, Accounting and Review); and

(e) procedures to enable the Recipient to address such other matters as the Recipient considers necessary to carry out its obligations under the Agreement.

A2.4 **Supporting Proof.** Upon request of the Province and within the timelines set out in the request, the Recipient will provide the Province with proof of the matters referred to in this Article A2.0 (Representations, Warranties and Covenants).

A3.0 TERM OF THE AGREEMENT

A3.1 **Term.** The term of the Agreement will commence on the Effective Date and will expire on the Expiry Date unless terminated earlier pursuant to Article A11.0 (Termination on Notice) or Article A12.0 (Event of Default, Corrective Action and Termination for Event of Default).

A4.0 FUNDS AND CARRYING OUT THE MTEC

A4.1 **Funds Provided.** The Province will:

(a) provide the Recipient up to the Maximum Funds towards the Eligible Expenditures the Recipient incurred and paid for the purpose of carrying out the MTEC;

(b) provide the Funds to the Recipient in accordance with the payment procedures provided for in Schedule “D” (Claim and Attestation Submission, Supporting Documentation and Payment Procedures); and

(c) deposit the Funds into an account designated by the Recipient provided that the account:

(i) resides at a Canadian financial institution; and

(ii) is in the name of the Recipient.

A4.2 **Limitation on Payment of Funds.** Despite section A4.1 (Funds Provided):

(a) the Province is not obligated to provide any Funds to the Recipient until the Recipient provides evidence satisfactory to the Province that the Recipient’s council has authorized the execution of the Agreement by the

Recipient by municipal by-law; and

(b) the Province may adjust the amount of Funds it provides to the Recipient based upon the Province's assessment of the information the Recipient provides to the Province pursuant to section A7.2 (Preparation and Submission).

A4.3 **Use of Funds and Carry Out the MTEC.** The Recipient will do all of the following:

(a) spend the Funds only for Eligible Expenditures; and

(b) not use the Funds to cover any Eligible Expenditure that has or will be funded or reimbursed by one or more of any third party, including any level of government, or ministry, agency, or organization of the Government of Ontario, other than the Province pursuant to the Agreement.

A4.4 **Rebates, Credits and Refunds.** The Province will calculate Funds based on the actual Eligible Expenditures to the Recipient to carry out the MTEC, less any costs (including taxes) for which the Recipient has received, will receive, or is eligible to receive, a rebate, credit or refund.

A5.0 RECIPIENT'S DISPOSAL OF ASSETS

A5.1 **Disposal.** The Recipient agrees not to sell, lease or otherwise dispose of any assets acquired with the Funds without the Province's prior written consent.

A6.0 CONFLICT OF INTEREST

A6.1 **No Conflict of Interest.** The Recipient represents and warrants that there is and there will continue to be no conflict of interest in respect to how the MTEC has been and will continue to be carried out and that the Recipient will use the Funds without an actual, potential, or perceived conflict of interest.

A6.2 **Conflict of Interest Includes.** For the purposes of this Article A6.0 (Conflict of Interest), a conflict of interest includes any circumstances where:

(a) the Recipient; or

(b) any person who has the capacity to influence the Recipient's decisions,

has outside commitments, relationships, or financial interests that could, or could be seen to, interfere with the Recipient's objective, unbiased, and impartial judgment relating to the MTEC, the use of the Funds, or both.

A6.3 **Disclosure to Province.** The Recipient will:

(a) disclose to the Province, without delay, any situation that a reasonable person would interpret as an actual, potential, or perceived conflict of interest; and

(b) comply with any terms and conditions that the Province may prescribe as a result of the disclosure.

A7.0 REPORTING, ACCOUNTING AND REVIEW

A7.1 **Province Includes.** For the purposes of sections A7.4, A7.5 and A7.6, **"Province"** includes any auditor or representative the Province may identify.

A7.2 **Preparation and Submission.** The Recipient will:

(a) submit to the Province at the address referred to in section A15.1 (Notice in Writing and Addressed):

(i) all Reports in accordance with the timelines and content requirements as provided for in Schedule "D" (Claim and Attestation Submission, Supporting Documentation and Payment Procedure); and

(ii) any other reports in accordance with any timelines and content requirements the Province may specify from time to time; and

(b) ensure that all Reports and other reports are:

(i) completed to the satisfaction of the Province; and

(ii) signed by an authorized signing officer of the Recipient.

A7.3 **Record Maintenance.** The Recipient will keep and maintain for a period of seven years from their creation:

(a) proper and accurate financial accounts and records, kept in a manner consistent with generally accepted accounting principles in effect in Canada or with the public sector accounting standards approved or recommended by the Public Sector Accounting Board including, without limitation, its contracts, invoices, statements, receipts, and vouchers and any other evidence of payment relating to the Funds or otherwise to the MTEC; and

(b) all non-financial records and documents relating to the Funds or otherwise to the MTEC.

A7.4 **Records Review.** The Province may, at its own expense, upon twenty-four hours' Notice to the Recipient and during normal business hours, enter upon the Recipient's premises to conduct an audit or investigation of the Recipient regarding the Recipient's compliance with the Agreement, including assessing any of the following:

(a) the truth of any of the Recipient's representations and warranties; and

(b) the Recipient's allocation and expenditure of the Funds.

A7.5 **Inspection and Removal.** For the purposes of any Records Review, the Province may take one or more of the following actions:

(a) inspect and copy any records and documents referred to in section A7.3 (Record Maintenance); and

(b) remove any copies the Province makes pursuant to section A7.5(a).

A7.6 **Cooperation.** To assist the Province in respect of its rights provided for in section A7.5 (Inspection and Removal), the Recipient will cooperate with the Province by:

(a) ensuring that the Province has access to the records and documents including, without limitation, paid invoices and original receipts, wherever they are located;

(b) assisting the Province in copying records and documents;

(c) providing to the Province, in the form the Province specifies, any information the Province identifies; and

(d) carrying out any other activities the Province requests.

A7.7 **No Control of Records.** No provision of the Agreement will be construed so as to give the Province any control whatsoever over the Recipient's records.

A7.8 **Auditor General.** The Province's rights under Article A7.0 (Reporting, Accounting and Review) are in addition to any rights provided to the Auditor General pursuant to section 9.2 of the *Auditor General Act* (Ontario).

A8.0 COMMUNICATIONS REQUIREMENTS

A8.1 **Acknowledge Support.** Unless the Province directs the Recipient to do otherwise, the Recipient will in each of its MTEC-related publications whether written, oral or visual:

(a) acknowledge the support of the Province for the MTEC;

(b) ensure that any acknowledgement is in a form and manner as the Province directs; and

(c) indicate that the views expressed in the publication are the views of the Recipient and do not necessarily reflect those of the Province.

A9.0 INDEMNITY

A9.1 **Indemnification.** The Recipient will indemnify and hold harmless the Indemnified Parties from and against any Loss and any Proceeding, unless solely caused by the negligence or wilful misconduct of the Indemnified Parties.

A10.0 INSURANCE

A10.1 **Recipient's Insurance.** The Recipient is responsible for its own insurance and has been carrying, at its own costs and expense, and requiring the same from its subcontractors, all the necessary and appropriate insurance that a prudent municipality in similar circumstances would maintain in order to protect itself and the Indemnified Parties and support the Recipient's indemnification set out in section A9.1 (Indemnification). For greater certainty, the Recipient is not covered by the Province of Ontario's insurance program and no protection will be afforded to the Recipient by the Government of Ontario for any Loss or Proceeding that may arise out of the MTEC or the Agreement.

A11.0 TERMINATION ON NOTICE

A11.1 **Termination on Notice.** The Province may terminate the Agreement at any time without liability, penalty, or costs upon giving at least 30 days' Notice to the Recipient.

A11.2 **Consequences of Termination on Notice by the Province.** If the Province terminates the Agreement pursuant to section A11.1 (Termination on Notice), the Province may take one or more of the following actions:

(a) cancel all further instalments of Funds; and

(b) demand from the Recipient the payment of any Funds remaining in the possession or under the control of the Recipient.

A12.0 EVENT OF DEFAULT, CORRECTIVE ACTION, AND TERMINATION FOR DEFAULT

A12.1 **Events of Default.** It will constitute an Event of Default if, in the opinion of the Province, the Recipient breaches any representation, warranty, covenant or other material term of the Agreement including, without limitation, failing to do any of the following in accordance with the terms and conditions of the Agreement:

(a) use or spend any of the Funds or related interest for a purpose other than that contemplated under the Agreement without the prior written consent of the Province; or

(b) provide, in accordance with section A7.2 (Preparation and Submission), Reports or such other reports as may have been requested pursuant to paragraph A7.2(b).

A12.2 **Consequences of Events of Default and Corrective Action.** If an Event of Default occurs, the Province may, at any time, take one or more of the following actions:

(a) provide the Recipient with an opportunity to remedy the Event of Default;

(b) suspend the payment of Funds for such period as the Province determines appropriate;

(c) reduce the amount of the Funds;

(d) cancel all further instalments of Funds;

(e) demand from the Recipient the payment of any Funds remaining in the possession or under the control of the Recipient;

(f) demand from the Recipient the payment of an amount equal to any Funds the Recipient used, but did not use in accordance with the Agreement;

(g) demand from the Recipient the payment of an amount equal to any Funds the Province provided to the Recipient;

(h) demand from the Recipient the payment of an amount equal to the costs the Province incurred or incurs to enforce its rights under the Agreement, including the costs of any Record Review and the costs it incurs to collect any amounts the Recipient owes to the Province; and

(i) terminate the Agreement at any time, including immediately, without liability, penalty or costs to the Province upon giving Notice to the Recipient.

A12.3 **Opportunity to Remedy.** If, in accordance with paragraph A12.2(a), the Province provides the Recipient with an opportunity to remedy the Event of Default, the Province will provide Notice to the Recipient of:

(a) the particulars of the Event of Default; and

(b) the Notice Period.

A12.4 **Recipient not Remedying.** If the Province has provided the Recipient with an opportunity to remedy the Event of Default pursuant to paragraph A12.2(a), and:

(a) the Recipient does not remedy the Event of Default within the Notice Period;

(b) it becomes apparent to the Province that the Recipient cannot completely remedy the Event of Default within the Notice Period; or

(c) the Recipient is not proceeding to remedy the Event of Default in a way that is satisfactory to the Province,

the Province may extend the Notice Period, or initiate any one or more of the actions provided for in paragraphs A12.2 (b), (c), (d), (e), (f), (g), (h) and (i).

A12.5 **When Termination Effective.** Termination under this Article A12.0 (Event of Default, Corrective Action, and Termination for Default) will take effect as provided for in the Notice.

A13.0 FUNDS UPON EXPIRY

A13.1 **Funds Upon Expiry.** The Recipient will, upon expiry of the Agreement, pay to the Province any Funds and interest remaining in its possession or under its control.

A14.0 DEBT DUE AND PAYMENT

A14.1 **Payment of Overpayment.** If at any time the Province provides Funds in excess of the amount to which the Recipient is entitled under the Agreement, the Province may:

(a) deduct an amount equal to the excess Funds from any further instalments of Funds; or

(b) demand that the Recipient pay an amount equal to the excess Funds to the Province.

A14.2 **Debt Due.** If, pursuant to the Agreement:

(a) the Province demands from the Recipient the payment of any Funds or an amount equal to any Funds; or

(b) the Recipient owes any Funds or an amount equal to any Funds to the Province, whether or not the Province has demanded their payment,

such amounts will be deemed to be a debt due and owing to the Province by the Recipient, and the Recipient will pay the amounts to the Province immediately, unless the Province directs otherwise.

A14.3 **Interest Rate.** The Province may charge the Recipient interest on any money owing by the Recipient at the then current interest rate charged by the Province of Ontario on accounts receivable.

A14.4 **Payment of Money to Province.** The Recipient will pay any money owing to the Province by cheque payable to the "Ontario Minister of Finance" and delivered to the Province as provided for in Schedule "B" (Contact Information and Authorized Representatives).

A14.5 **Fails to Pay.** Without limiting the application of section 43 of the *Financial Administration Act* (Ontario), if the Recipient fails to pay any amount owing under the Agreement, Her Majesty the Queen in right of Ontario may deduct any unpaid amount from any money payable to the Recipient by Her Majesty the Queen in right of Ontario.

A15.0 NOTICE

A15.1 **Notice in Writing and Addressed.** Notice will be:

(a) in writing;

(b) delivered by email, postage-prepaid mail, personal delivery or courier; and

(c) addressed to the Province and the Recipient as set out in Schedule "B" (Contact Information and Authorized Representatives), or as either Party later designates to the other by Notice.

A15.2 **Notice Given.** Notice will be deemed to have been given:

(a) in the case of postage-prepaid mail, five Business Days after the Notice is mailed; and

(b) in the case of email, personal delivery or courier on the date on which the Notice is delivered.

A15.3 **Postal Disruption.** Despite paragraph A15.2(a), in the event of a postal disruption:

(a) Notice by postage-prepaid mail will not be deemed to be given; and

(b) the Party giving Notice will provide Notice by email, personal delivery or courier.

A16.0 CONSENT BY PROVINCE AND COMPLIANCE BY RECIPIENT

A16.1 **Consent.** When the Province provides its consent pursuant to the Agreement:

(a) it will do so by Notice;

(b) it may attach any terms and conditions to the consent; and

(c) the Recipient may rely on the consent only if the Recipient complies with any terms and conditions the Province may have attached to the consent.

A17.0 SEVERABILITY OF PROVISIONS

A17.1 **Invalidity or Unenforceability of Any Provision.** The invalidity or unenforceability of any provision of the Agreement will not affect the validity or enforceability of any other provision of the Agreement.

A18.0 WAIVER

A18.1 **Waiver Request.** Either Party may, by Notice, ask the other Party to waive an obligation under the Agreement.

A18.2 **Waiver Applies.** If in response to a request made pursuant to section A18.1 (Waiver Request) a Party consents to a waiver, the waiver will:

(a) be valid only if the Party that consents to the waiver provides the consent by Notice; and

(b) apply only to the specific obligation referred to in the waiver.

A19.0 INDEPENDENT PARTIES

A19.1 **Parties Independent.** The Recipient is not an agent, joint venturer, partner or employee of the Province, and the Recipient will not represent itself in any way that might be taken by a reasonable person to suggest that it is, or take any

actions that could establish or imply such a relationship.

A20.0 ASSIGNMENT OF AGREEMENT OR FUNDS

A20.1 **No Assignment.** The Recipient will not, without the prior written consent of the Province, assign any of its rights or obligations under the Agreement.

A20.2 **Agreement Binding.** All rights and obligations contained in the Agreement will extend to and be binding on:

(a) the Recipient's successors, and permitted assigns; and

(b) the successors to Her Majesty the Queen in right of Ontario.

A21.0 GOVERNING LAW

A21.1 **Governing Law.** The Agreement and the rights, obligations and relations of the Parties will be governed by and construed in accordance with the laws of the Province of Ontario and the applicable federal laws of Canada. Any actions or proceedings arising in connection with the Agreement will be conducted in the courts of Ontario, which will have exclusive jurisdiction over such proceedings.

A22.0 FURTHER ASSURANCES

A22.1 **Agreement into Effect.** The Recipient will:

(a) provide such further assurances as the Province may request from time to time with respect to any matter to which the Agreement pertains; and

(b) do or cause to be done all acts or things necessary to implement and carry into effect the terms and conditions of the Agreement to their full extent.

A23.0 JOINT AND SEVERAL LIABILITY

A23.1 **Joint and Several Liability.** Where the Recipient is comprised of more than one entity, all such entities will be jointly and severally liable to the Province for the fulfillment of the obligations of the Recipient under the Agreement.

A24.0 RIGHTS AND REMEDIES CUMULATIVE

A24.1 **Rights and Remedies Cumulative.** The rights and remedies of the Province under the Agreement are cumulative and are in addition to, and not in

substitution for, any of its rights and remedies provided by law or in equity.

A25.0 FAILURE TO COMPLY WITH OTHER AGREEMENTS

A25.1 **Other Agreements.** If the Recipient:

(a) has failed to comply with any term, condition or obligation under any other agreement with Her Majesty the Queen in right of Ontario or one of Her agencies (a "**Failure**");

(b) has been provided with notice of such Failure in accordance with the requirements of such other agreement;

(c) has, if applicable, failed to rectify such Failure in accordance with the requirements of such other agreement; and

(d) such Failure is continuing,

the Province may suspend the payment of Funds for such period as the Province determines appropriate.

A26.0 SURVIVAL

A26.1 **Survival.** The following Articles, sections and paragraphs, and all applicable cross-referenced Articles, sections, paragraphs, schedules and sub-schedules, will continue in full force and effect for a period of seven years from the date of expiry or termination of the Agreement: Articles 1.0 (Entire Agreement), 2.0 (Conflict or Inconsistency), 5.0 (Acknowledgment), and A1.0 (Interpretation and Definitions) and any other applicable definitions, paragraph A2.1(a), sections A4.4 (Rebates, Credits and Refunds), A5.1 (Disposal), A7.1 (Province Includes), A7.2 (Preparation and Submission) to the extent that the Recipient has not provided the Reports or other reports as may have been requested to the satisfaction of the Province, A7.3 (Record Maintenance), A7.4 (Records Review), A7.5 (Inspection and Removal), A7.6 (Cooperation), A7.7 (No Control of Records), A7.8 (Auditor General), Articles A8.0 (Communications Requirements) and A9.0 (Indemnity), sections A11.2 (Consequences of Termination on Notice by the Province) and A12.1 (Events of Default), paragraphs A12.2 (b), (c), (d), (e), (f), (g), (h) and (i), Articles A13.0 (Funds Upon Expiry), A14.0 (Debt Due and Payment), A15.0 (Notice) and A17.0 (Severability of Provisions), section A20.2 (Agreement Binding), Articles A21.0 (Governing Law), A23.0 (Joint and Several Liability), and A24.0 (Rights and Remedies Cumulative), and this Article A26.0 (Survival).

- END OF GENERAL TERMS AND CONDITIONS -

SCHEDULE "B"
CONTACT INFORMATION AND AUTHORIZED REPRESENTATIVES

Contact information for the purposes of Notice to the Province	**Address:** **Attention:** **Phone:** **Email:**	Strategic Investments Office Ministry of Transportation 777 Bay, 30th Floor Toronto, ON M7A 2J8 Kevin Dowling, Manager, Strategic Investments Office (416) 585-6312 kevin.dowling@ontario.ca
Contact information for the purposes of Notice to the Recipient	**Position:** **Address:** **Attention:** **Phone:** **Email:**	General Manager, London Transit Commission 450 Highbury Avenue North London ON N5W 5L2 Kelly Paleczny (519) 451-1340 x337 kpaleczn@londontransit.ca
Contact information for the senior financial official in the Recipient organization (e.g., CFO, CAO) – to respond as required to requests from the Province in respect of the Agreement	**Position:** **Address:** **Attention:** **Phone:** **Email:**	Managing Director, Corporate Services and City Treasurer, Chief Financial Officer 300 Dufferin Ave PO BOX 5035 London ON N6A 4L9 Anna Lisa Barbon (519) 661-2489 x4705 abarbon@london.ca
Authorized representative of the Province for the purpose of Section 4.2 (Execution of Amending Agreements - Exceptions)	**Position:**	Director, Municipal Programs Branch, Ministry of Transportation
Authorized representative of the Recipient for the purpose of Section 4.2 (Execution of Amending Agreements - Exceptions)	**Position:**	Managing Director, Corporate Services and City Treasurer, Chief Financial Officer

SCHEDULE "C"
ELIGIBLE EXPENDITURES AND INELIGIBLE EXPENDITURES

C1.0 MTEC

C1.1 **Description of the MTEC.** To address health related issues in respect of the COVID-19 pandemic, the Recipient has been acquiring goods and services for the MTEC of its transit system. Subject to Article C2.1 (Scope of Eligible Expenditures) and for greater clarity, the costs of the MTEC that are eligible for funding by the Province under the Agreement are only those that are supplemental to the Recipient's regular transit system cleaning.

C2.0 ELIGIBLE EXPENDITURES

C2.1 **Scope of Eligible Expenditures.** Subject to Article C3.0 (Ineligible Expenditures), Eligible Expenditures include the direct costs incurred by the Recipient on or after April 1, 2020 and on or before December 31, 2020 and that, in the opinion of the Province, are considered to have been properly and reasonably incurred and are necessary for the MTEC of transit vehicles and any other public and non-public facing transit assets, that provide or support transit services. In addition to having been incurred, these costs will have to have been paid by the Recipient prior to being submitted to the Province for payment and may include:

(a) costs of cleaning materials for the MTEC;

(b) costs of hand sanitizer for passenger and staff use;

(c) costs of safety wear for the MTEC, such as gloves or goggles;

(d) costs of equipment purchased for the MTEC;

(e) costs of contracted services for the MTEC;

(f) costs of salaries, including redeployment of staff, for the MTEC; and

(g) any other costs that, in the opinion of the Province, are considered necessary for the MTEC.

C3.0 INELIGIBLE EXPENDITURES

C3.1 **Scope of Ineligible Expenditures.** Without limitation, the following costs will be considered Ineligible Expenditures:

(a) costs incurred before April 1, 2020 and after December 31, 2020;

(b) costs not paid prior to having been submitted to the Province for payment;

(c) marketing costs including advertising, promotion and communications;

(d) core administrative and overhead costs (e.g., rent, telephone and communication lines/services, insurance, and computers);

(e) Recipient's staff, including permanent and seasonal, salaries and travel costs unless otherwise indicated in C2.1 (Scope of Eligible Expenditures);

(f) legal, audit, or interest fees;

(g) budget deficits;

(h) personal protective equipment, unless otherwise indicated in C2.1 (Scope of Eligible Expenditures);

(i) refundable Harmonized Sales Tax or other refundable expenses (e.g., security deposits, etc.); and

(j) any other costs that, in the opinion of the Province, are considered ineligible for payment under the Agreement.

SCHEDULE "D"
CLAIM AND ATTESTATION SUBMISSION, SUPPORTING DOCUMENTATION AND PAYMENT PROCEDURES

D1.0 CLAIM AND ATTESTATION

D1.1 **Claim and Attestation from the Recipient's Senior Financial Official.** The Recipient will use the form in Sub-schedule "D.1" (Claim and Attestation Form) for the submission of its claim for payment.

D2.0 SUPPORTING DOCUMENTATION

D2.1 **Report on Expenditures and Additional Report and Information.** The Recipient will, together with the claim form described in section D1.1 (Claim and Attestation from the Recipient's Senior Financial Official), submit the following supporting documentation with its claim for payment:

(a) a report on expenditures using the form in Appendix A (Form of Report on Expenditures) to Sub-schedule "D.1" (Claim and Attestation Form); and

(b) any additional reports or information, or both, the Province may request at its sole discretion and in a form provided by the Province.

D3.0 PAYMENT PROCEDURES

D3.1 **Submission of Claim for Payment and Required Documentation.** The Recipient will submit its claim for payment, together with the supporting documentation set out in section D1.1 (Claim and Attestation from the Recipient's Senior Financial Official) and section D2.1 (Report on Expenditures and Additional Report and Information) on or before January 31, 2021.

D3.2 **Claim Payments.** Subject to the terms and conditions set out in the Agreement and if due and owing under the Agreement, the Province will use its reasonable efforts to make the payment to the Recipient for the claim submitted pursuant to section D3.1 (Submission of Claim for Payment and Required Documentation) in a timely manner.

D3.3 **No Interest.** The Province will under no circumstances be liable for interest for failure to make a payment within the time limit provided for in section D3.2 (Claim Payments).

D3.4 **No Obligation to Pay.** For greater clarity and without limitation to any other right of the Province, the Province will have no obligation to pay a claim if it does not meet the terms and conditions of the Agreement including, without limitation, if the claim is missing any of the required supporting documentation or is submitted after January 31, 2021, or both.

SUB-SCHEDULE "D.1"
CLAIM AND ATTESTATION FORM

Ministry of Transportation File No.: _____

TO: Ministry of Transportation
Transportation Programs Office
10th Floor
151 Bloor Street West
Toronto, ON M5S 1S4

Attention: Manager, Transportation Programs Office
Email: MTO-Transit Cleaning Funding @Ontario.ca

FROM: **[Insert address of the senior official]**

Attention: **[insert name and title of Recipient senior official]**
Telephone No.: **[insert telephone number of Recipient senior official]**

RE: **Transfer Payment Agreement for Municipal Transit Enhanced Cleaning**

In the matter of the Transfer Payment Agreement for Municipal Transit Enhanced Cleaning entered into between Her Majesty the Queen in right of Ontario, represented by the Minister of Transportation for the Province of Ontario, and the **[insert the name of the Recipient]** (the "Recipient"), on **[insert the month day, and year]** _____ (the "Agreement").

I, _____ **[insert the name and title of the senior official]**, an authorized representative of the Recipient, having made such inquiries as I have deemed necessary for this attestation, hereby certify that to the best of my knowledge, information and belief.

1. On and as of the date set out below:

   a. all representations and warranties contained in Article A2.0 (Representations, Warranties and Covenants) and section A6.1 (No Conflict of Interest) of the Agreement are true and accurate;

   b. Funds have been solely used on Eligible Expenditures as claimed in this Claim and Attestation Form and the Form of Report on Expenditures attached as Appendix A (Form of Report on Expenditures) to this Claim and Attestation Form;

c. the Recipient is in compliance with all the terms and conditions of the Agreement, and no Event of Default, as described in the Agreement, has occurred and is continuing; and

d. all records (including, without limitation, contracts, invoices, statements, receipts, vouchers) are being retained in accordance with the requirements of the Agreement.

2. The Eligible Expenditures have been incurred by the Recipient on or after April 1, 2020 and on or before December 31, 2020, and paid on or before January 31, 2021.

By signing below, I hereby claim a payment in the amount of $ _____, on behalf of the Recipient, on account of the Province's contribution towards the Eligible Expenditures of the MTEC costs.

Declared at _____ (city), in the Province of Ontario, this _____ day of _____, 20_____.

(Signatures)

_____	_____
Name:	Witness Name:
Title:	Title:

I have authority to bind the Recipient.

APPENDIX A
FORM OF REPORT ON EXPENDITURES
TO
SUB-SCHEDULE "D.1" (CLAIM AND ATTESTATION FORM)

MTEC Expenditure Report - April 1, 2020 to December 31, 2020	
Date:	
Recipient's Name:	
Total Funds Allocated:	
Total Funds Claimed:	
Remaining Allocation:	

	Period of Work Performed					Amount Paid ($)				
Date of Invoice (if Applicable) (DD/MM/YY)	From (DD/MM/YY)	To (DD/MM/YY)	Vendor Name	Description of Expense	Eligibility per Schedule "C"	Subtotal w/o HST ($) (a)	Total HST ($) (b)	Recoverable HST ($) (c)	Net Total ($) (a) + (b) - (c)	Amount Claimed ($)
									$0.00	$0.00
									$0.00	$0.00
									$0.00	$0.00
									$0.00	$0.00
									$0.00	$0.00
									$0.00	$0.00
									$0.00	$0.00
									$0.00	$0.00
									$0.00	$0.00
									$0.00	$0.00
									$0.00	$0.00
									$0.00	$0.00
					Total	**$0.00**	**$0.00**	**$0.00**	**$0.00**	**$0.00**

Results Achieved with Provincial Funding:
Additional Comments:
Conclusion:

Recommended for payment:

_____ _____

Date: **[insert/print the name and title of the Recipient's authorized representative]**

Recommended for payment:

_____ _____

Date: **[insert/print the name of the Director]**
Director, Ministry of Transportation

Bill No. 66
2021

By-law No. A.-6825(__)-_____

A by-law to amend By-law A.-6825-162, as amended, entitled “A by-law to establish a municipal service board for the purpose of operating and managing Eldon House” to amend the Board composition to provide for the appointment of a past Chair of the Board as a Director.

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 the Municipal Council passed By-law A-6825-162 on May 22, 2012 to establish a municipal service board for the purpose of operating and managing Eldon House;

AND WHEREAS the Municipal Council deems it appropriate to amend By-law A.6395-162, as amended, to amend the composition of the Board of Directors by adding an additional Director being a past Chair of the Board;

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

1. By-law A.-6825-162, as amended by By-law A.-6825(a)-385 is hereby amended by deleting section 3.1 in its entirety and by replacing it with the following new section 3.1 as follows:

3.1 The corporation shall consist of a board of directors composed of ten (10) directors appointed by Council each of whom shall be a person qualified to be elected as a member of Council and a resident of the City of London:

(a) one (1) of whom shall have a background in and experience with finance;
(b) one (1) of whom shall have a background in and experience with law;
(c) one (1) of whom shall have a background in and experience with human resources and labour relations;
(d) one (1) of whom shall have a background in and experience with public history or education;
(e) one (1) of whom shall have a background in and experience with marketing and promotion;
(f) four (4) of whom shall have experience with one or more of the following areas:
- a distinct interest and/or appreciation of history and heritage
- community relations and business partnerships
- heritage property and museum operations
- administrative experience with municipal agencies, boards or commissions; and,

(g) a past Chair of the Eldon House Board of Directors.

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

PASSED in Open Council on February 23, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – February 23, 2021
Second Reading – February 23, 2021
Third Reading – February 23, 2021

Bill No. 67
2021

By-law No. C.P.-_____-___

A by-law to exempt from Part-Lot Control, lands located at 1160 Wharncliffe Road South, legally described as Block 2, 3, 4, 5 and 7 in Registered Plan 33M-786.

WHEREAS pursuant to subsection 50(7) of the *Planning Act, R.S.O. 1990, c. P.13,* as amended, and pursuant to the request from Rockwood Homes, it is expedient to exempt lands located at 1160 Wharncliffe Road South, legally described as 2, 3, 4, 5 and 7 in Registered Plan 33M-786, from Part-Lot Control;

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

1. Block 2, 3, 4, 5 and 7 in Registered Plan 33M-786, located at 1160 Wharncliffe Road South, are hereby exempted from Part-Lot Control, pursuant to subsection 50(7) of the *Planning Act, R.S.O. 1990, c.P.13*, as amended, for a period not to exceed three (3) years.

2. This by-law comes into force when it is registered at the Land Registry Office.

PASSED in Open Council on February 23, 2021

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – February 23, 2021
Second Reading – February 23, 2021
Third Reading – February 23, 2021

Bill No. 68
2021

By-law No. PS-113

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.”

WHEREAS subsection 10(2) paragraph 7. Of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, provides that a municipality may pass by-laws to provide any service or thing that the municipality considers necessary or desirable to the public;

AND WHEREAS subsection 5(3) of the *Municipal Act*, 2001, as amended, 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. Reserved Lane

The PS-113 By-law is hereby amended by deleting Section 21.1 in its entirety and replacing it with the following:

Reserved Lane (Schedule 9.1)

21.1 (1) With respect to the highways set out in Column 1 of Schedule 9.1 of this by-law which have been divided into clearly marked lanes for traffic between the limits set out in Column 2, each of the lanes indicated in Column 3 is during the times and days set out in Column 4 hereby designated for traffic moving in the particular direction set out in Column 5, for use only by the class or type of vehicle set out in Column 6.

(2) No person shall drive or permit to be driven any vehicle, other than the class or type of vehicle set out in Column 6 of Schedule 9.1, on any lane or part of lane established as a reserved lane under subsection (1).

(3) No person shall park a vehicle other than the class or type of vehicle set out in Column 6 of Schedule 9.1, on any lane or part of lane established as a reserved lane under subsection (1)

(4) Each designation made by subsection (1) above shall be effective upon the erection of an official sign indicating such designation. In this section, “official sign” means a sign for a reserved lane in the form set out in the Ontario Traffic Manual.

(5) In a reserved lane, set out by subsection 21.1(1), neither section 8 nor subsection (2) apply to prevent:

(a) the driver of a cab, operating under a valid licence, from stopping for a period of not more than 45 seconds for the purpose of and while in the process of receiving or discharging passengers;

(b) the stopping of a motor vehicle for the purpose of and while actually engaged in receiving or discharging a physically disabled person, provided that such motor vehicle has a valid disability parking permit displayed upon its dashboard or on the sun visor in accordance with the provisions of the Highway Traffic Act;

(c) the driver of a school bus from pulling into or out of a school bus bay at a school;

(d) a vehicle pulled over for emergency purposes or repairs;

(e) the ingress and egress from a private lane or driveway adjacent to the reserved lane;

(f) the making of a turn at a highway intersecting the reserved lane;

(g) the entering or exiting a curb lane used for parking.

(h) the stopping of a police, fire or emergency medical services vehicle while actively engage in providing emergency services;

(i) the stopping of a passenger vehicle of the London Transit Commission when actively discharging or picking up passengers;

(j) the stopping of a maintenance vehicle of the Corporation or under contract to the Corporation while actively engaged in maintenance activities within the road allowance; or

(k) the stopping of a solid waste collection vehicle of the Corporation or under contract to the Corporation while actively engaged in material collection activities within the road allowance.

2. No Stopping

Schedule 1 (No Stopping) of the By-law PS-113 is hereby amended by adding the following rows:

Column 1 Street	Column 2 Side	Column 3 From	Column 4 To	Column 5 Period
Adelaide Street N	Both	100m north of Grenfell Drive	Sunningdale Road W	Anytime
Adelaide Street S	Both	Bradley Avenue	Southdale Road E	Anytime
Base Line Road W	Both	Cotswold Gate	McGregor Avenue	Anytime
Byron Baseline Road	Both	Wickerson Road	Blake Street	Anytime
Byron Baseline Road	Both	Blake Street	Blake Street	6:30 am to 9:30 am & 3:30 pm to 6:30 pm
Byron Baseline Road	Both	Byron Avenue	97 m east of Boler Road	Anytime
Byron Baseline Road	Both	97 m east of Boler Road	North Street	6:30 am to 9:30 am & 3:30 pm to 6:30 pm
Bruce Street	Both	Wharncliffe Road S	Ridout Street	6:30 am to 9:30 am & 3:30 pm to 6:30 pm
Bradley Avenue	Both	Ernest Avenue	Wellington Road	Anytime
Cheapside Street	South	Saint George Street	Richmond Street	6:30 am to 9:30 am & 3:30 pm to 6:30 pm
Cheapside Street	Both	Adelaide Street N	Taylor Street	6:30 am to 9:30 am & 3:30 pm to 6:30 pm

Column 1 Street	Column 2 Side	Column 3 From	Column 4 To	Column 5 Period
Cheapside Street	Both	Taylor Street	Sandford Street	Anytime
Clarke Road	Both	Firestone Blvd	Charterhouse Crescent (North Intersection)	Anytime
Colborne Street	Both	Nelson Street	Grey Street	Anytime
Colborne Street	Both	Horton Street E	Dufferin Avenue	Anytime
Commissioners Road W	Both	Stephen Street	Halls Mill Road	Anytime
Commissioners Road W	Both	Wonderland Road S	Viscount Road	Anytime
Commissioners Road E	Both	Deveron Crescent	Meadowgate Blvd	Anytime
Dundas Street	South	Thames River	94 m west of Ridout Street N	Anytime
Dundas Street	South	Quebec Street	Egerton Street	Anytime
Egerton Street	Both	Thames River	Grafton Street	6:30 am to 9:30 am & 3:30 pm to 6:30 pm
Egerton Street	Both	Grafton Street	Dundas Street	Anytime
Elmwood Avenue E	Both	Wharncliffe Road	Wortley Road	6:30 am to 9:30 am & 3:30 pm to 6:30 pm
Fanshawe College Blvd	Both	Oxford Street	Cheapside Street	Anytime
Fanshawe Park Road W	Both	Dalmagarry Road	500m east of Wonderland Road N	Anytime
Fanshawe Park Road E	Both	Adelaide Street	300m East of Highbury Avenue	Anytime
Ferndale Avenue	South	Homeview Road	Nixon Avenue	Anytime
Hamilton Road	Both	Hale Street	Gore Road	6:30 am to 9:30 am & 3:30 pm to 6:30 pm
Highbury Avenue N	Both	130m north of Edgevalley Road	Blackwell Blvd	Anytime
Huron Street	Both	William Street	Adelaide Street N	6:30 am to 9:30 am & 3:30 pm to 6:30 pm
Hyde Park Road	Both	Oxford Street W	Fanshawe Park Road W	Anytime

Column 1 Street	Column 2 Side	Column 3 From	Column 4 To	Column 5 Period
Kilally Road	Both	Highbury Avenue	Webster Street.	Anytime
King Street	South	Wellington Street	Rectory Street	Anytime
Kipps Lane	Both	Adelaide Street N	Belfield Street	6:30 am to 9:30 am & 3:30 pm to 6:30 pm
Kipps Lane	Both	Belfield Street	Arbour Glen Crescent (east intersection)	Anytime
Nixon Avenue	Both	Southdale Road E	Ferndale Avenue	Anytime
Oxford Street E	Both	Averswood Avenue	Second Street	Anytime
Oxford Street W	Both	Commissioners Road W	Sanatorium Road	Anytime
Oxford Street W	North	Sanatorium Road	Hyde Park Road	Anytime
Oxford Street W	South	Sanatorium Road	490 m west of Hyde Park Road	Anytime
Oxford Street W	South	490 m west of Hyde Park Road	490 m west of Hyde Park Road	6:30 am to 9:30 am & 3:30 pm to 6:30 pm
Oxford Street W	South	490 m west of Hyde Park Road	Hyde Park Road	Anytime
Platt's Lane	Both	Oxford Street W	Cherryhill Place	6:30 am to 9:30 am & 3:30 pm to 6:30 pm
Platt's Lane	Both	Trott Drive	Western Road	Anytime
Pond Mills Road	Both	Millers Road	Oldham Street (south intersection)	Anytime
Pond Mills Road	Both	Burlington Crescent	335 m north of Cleveland Avenue	Anytime
Quebec Street	Both	Queens Avenue	Mornington Avenue	Anytime
Queens Avenue	North	Thames River	Talbot Street	Anytime
Queens Avenue	North	Waterloo Street	Maitland Street	Anytime, Monday to Saturday

Column 1 Street	Column 2 Side	Column 3 From	Column 4 To	Column 5 Period
Queens Avenue	North	Peter Street	Adelaide Street N	6:30 am to 9:30 am & 3:30 pm to 6:30 pm
Queens Avenue	North	Adelaide Street	Elizabeth Street	6:30 am to 9:30 am & 3:30 pm to 6:30 pm
Ridout Street S	Both	Commissioners Road W	Ingleside Place	Anytime
Ridout Street N	West	Dundas Street	Queens Avenue	Anytime
Riverside Drive	Both	Wonderland Road N	Beaverbrook Avenue	Anytime
Riverside Drive	Both	Woodward Avenue	Wharncliffe Road N	Anytime
Riverside Drive	South	Wharncliffe Road N	Thames River	Anytime
Riverside Drive	North	Wharncliffe Road N	Wilson Avenue	6:30 am to 9:30 am & 3:30 pm to 6:30 pm
Riverside Drive	North	Wilson Avenue	Thames River	Anytime
Sanatorium Road	West	118 m north of Riverside Drive	Oxford Street W	Anytime
Sanatorium Road	East	118 m north of Riverside Drive	Oxford Street W	6:30 am to 9:30 am & 3:30 pm to 6:30 pm
Sandford Street	Both	Cheapside Street	Huron Street	Anytime
Sarnia Road	Both	Hyde Park Road	Sleightholme Avenue	Anytime
Second Street	Both	Leonard Street	Oxford Street E	Anytime
Southdale Road W	Both	266 m east of Wonderland Road S	Wharncliffe Road S	Anytime
Southdale Road E	Both	Willow Drive	Pond Mills Road	Anytime
Saint George Street	Both	Cheapside Street	Victoria Street	6:30 am to 9:30 am & 3:30 pm to 6:30 pm
Thompson Road	Both	Adelaide Street S	Pond Mills Road	Anytime
Trafalgar Street	Both	Egerton Street	Ash Street	Anytime

Column 1 Street	Column 2 Side	Column 3 From	Column 4 To	Column 5 Period
Trafalgar Street	North	Ash Street	Hume Street	6:30 am to 9:30 am & 3:30 pm to 6:30 pm
Trafalgar Street	South	Ash Street	Hume Street	Anytime
Trafalgar Street	Both	Hume Street	Giles Street	Anytime
Upper Queen Street	Both	Ferndale Avenue	Wilkins Street	Anytime
Upper Queen Street	Both	Wilkins Street	Commissioners Road E	6:30 am to 9:30 am & 3:30 pm to 6:30 pm
Western Road	Both	Essex Street	Platt's Lane	Anytime
Western Road	West	488 m north of Sarnia Road	Richmond Street	Anytime
Western Road	East	650 m north of Philip Aziz Avenue	Windermere Road	Anytime
Western Road	East	Windermere Road	Richmond Street	6:30 am to 9:30 am & 3:30 pm to 6:30 pm
Wharncliffe Road N	Both	50m north Oxford Street	Essex Street	Anytime
White Oaks Road	Both	Exeter Road	Bateman Trai	Anytime
White Oaks Road	West	200 m north of Bateman Trail	185 m south of Southdale Road E	6:30 am to 9:30 am & 3:30 pm to 6:30 pm
White Oaks Road	West	185 m south of Southdale Road E	Southdale Road E	Anytime
White Oaks Road	East	Bateman Trail	Southdale Road E	Anytime
William Street	Both	Harrison Crescent	Huron Street	6:30 am to 9:30 am & 3:30 pm to 6:30 pm
Windermere Road	Both	Tallwood Circle	Doon Drive (east intersection)	Anytime
Wonderland Road N	Both	Thames River	Oxford Street W	Anytime
Wonderland Road N	Both	Gainsborough Road	Fanshawe Park Road W	Anytime
Wonderland Road N	Both	Eagletrace Drive	Sunningdale Road W	Anytime

Column 1 Street	Column 2 Side	Column 3 From	Column 4 To	Column 5 Period
Woodward Avenue	Both	Riverside Drive	Oxford Street W	Anytime

3. No Parking

Schedule 2 (No Parking) of the By-law PS-113 is hereby amended by adding the following rows:

Column 1 Street	Column 2 Side	Column 3 From	Column 4 To	Column 5 Period
Byron Baseline Road	Both	Blake Street	Blake Street	Anytime
Byron Baseline Road	Both	97 m east of Boler Road	North Street	Anytime
Bruce Street	Both	Wharncliffe Road S	Ridout Street	Anytime
Cheapside Street	South	Saint George Street	Richmond Street	Anytime
Cheapside Street	Both	Adelaide Street N	Taylor Street	Anytime
Egerton Street	Both	Thames River	Grafton Street	Anytime
Elmwood Avenue E	Both	Wharncliffe Road	Wortley Road	Anytime
Hamilton Road	Both	Hale Street	Gore Road	Anytime
Huron Street	Both	William Street	Adelaide Street N	Anytime
Kipps Lane	Both	Adelaide Street N	Belfield Street	Anytime
Oxford Street W	South	490 m west of Hyde Park Road	490 m west of Hyde Park Road	Anytime
Platt's Lane	Both	Oxford Street W	Cherryhill Place	Anytime
Queens Avenue	North	Waterloo Street	Maitland Street	Anytime
Queens Avenue	North	Peter Street	Adelaide Street N	Anytime
Queens Avenue	North	Adelaide Street	Elizabeth Street	Anytime
Riverside Drive	North	Wharncliffe Road N	Wilson Avenue	Anytime
Sanatorium Road	East	118 m north of Riverside Drive	Oxford Street W	Anytime
Saint George Street	Both	Cheapside Drive	Victoria Street	Anytime
Trafalgar Street	North	Ash Street	Hume Street	Anytime
Upper Queen Street	Both	Wilkins Street	Commissioners Road E	Anytime
Western Road	East	Windermere Road	Richmond Street	Anytime

Column 1 Street	Column 2 Side	Column 3 From	Column 4 To	Column 5 Period
White Oaks Road	West	200 m north of Bateman Trail	185 m south of Southdale Road E	Anytime
William Street	Both	Harrison Crescent	Huron Street	Anytime

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

PASSED in Open Council on February 23, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – February 23, 2021
Second Reading – February 23, 2021
Third Reading – February 23, 2021

Bill No. 69
2021

By-law No. S.-5868(_)-___

A by-law to amend By-law S.-5868-183 entitled "A by-law prohibiting and regulating signs, and regulating the placing of signs upon highways and buildings".

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;

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

1. Section 3.4 "Signs Exempt from This By-Law" is amended by adding the following exemption:

"(k) posters on City-controlled bike locker frames."

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

PASSED in Open Council on February 23, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – February 23, 2021
Second Reading – February 23, 2021
Third Reading – February 23, 2021

Bill No. 70
2021

By-law No. S.-_____-____

A by-law to lay out, constitute, establish and assume certain reserves in the City of London as public highway. (as widening to Richmond Street between College Avenue and Grosvenor Street; and as widening to St. George Street between College Avenue and Grosvenor Street)

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 as widening to Richmond Street between College Avenue and Grosvenor Street, namely:

> "Part of Lots 7, 8, 9, 10, 11 and 12 West of Richmond Street on Registered Plan 28(W) in the City of London and County of Middlesex, designated as Part 3 on Reference Plan 33R-20857"

2. The lands and premises hereinafter described are laid out, constituted, established and assumed as public highway as widening to as widening to St. George Street between College Avenue and Grosvenor Street, namely:

> "Part of Lots 12 and 7 East of St. George Street on Registered Plan 28(W) in the City of London and County of Middlesex, designated as Parts 1 and 2 on Reference Plan 33R-20857 respectively."

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

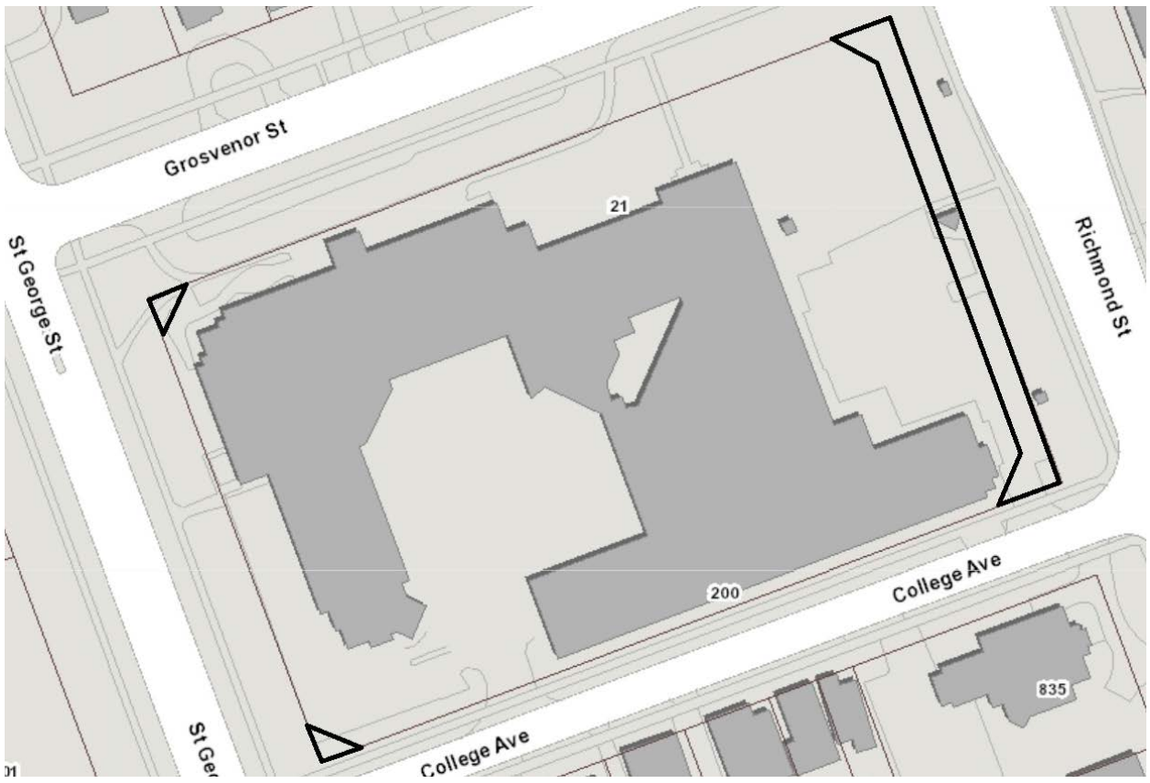
PASSED in Open Council on February 23, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – February 23, 2021
Second Reading – February 23, 2021
Third Reading – February 23, 2021

LOCATION MAP



SUBJECT LANDS

Bill No. 71
2021

By-law No. S.-_____-____

A by-law to lay out, constitute, establish and assume certain reserves in the City of London as public highway. (as widening to Hyde Park Road, south of Gainsborough Road)

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 as widening to Hyde Park Road, south of Gainsborough Road, namely:

> "Part of Lot 24 in Concession 3 in the geographic Township of London, now in the City of London and County of Middlesex designated as Parts 1 and 3 on Reference Plan 33R-20868"

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

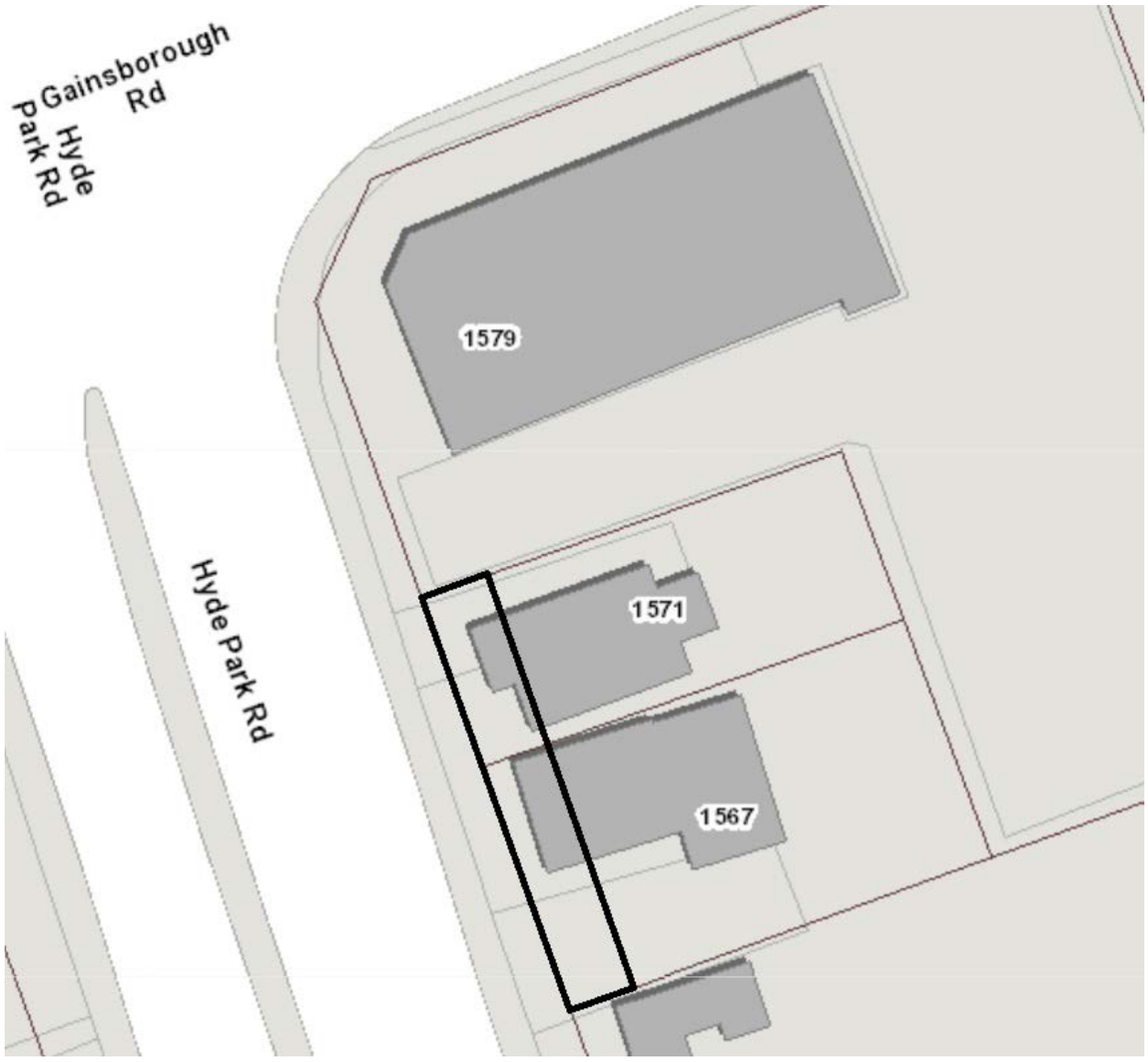
PASSED in Open Council on February 23, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – February 23, 2021
Second Reading – February 23, 2021
Third Reading – February 23, 2021

LOCATION MAP



SUBJECT LANDS

Bill No. 72
2021

By-law No. S.-_____-___

A by-law to lay out, constitute, establish and assume certain reserves in the City of London as public highway. (as widening to Upperpoint Boulevard, east of Westdel Bourne)

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 Upperpoint Boulevard, east of Westdel Bourne, namely:

"All of Block 111 on Registered Plan 33M-711 and all of Block 147 on Registered Plan 33M-754 in the City of London and County of Middlesex"

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

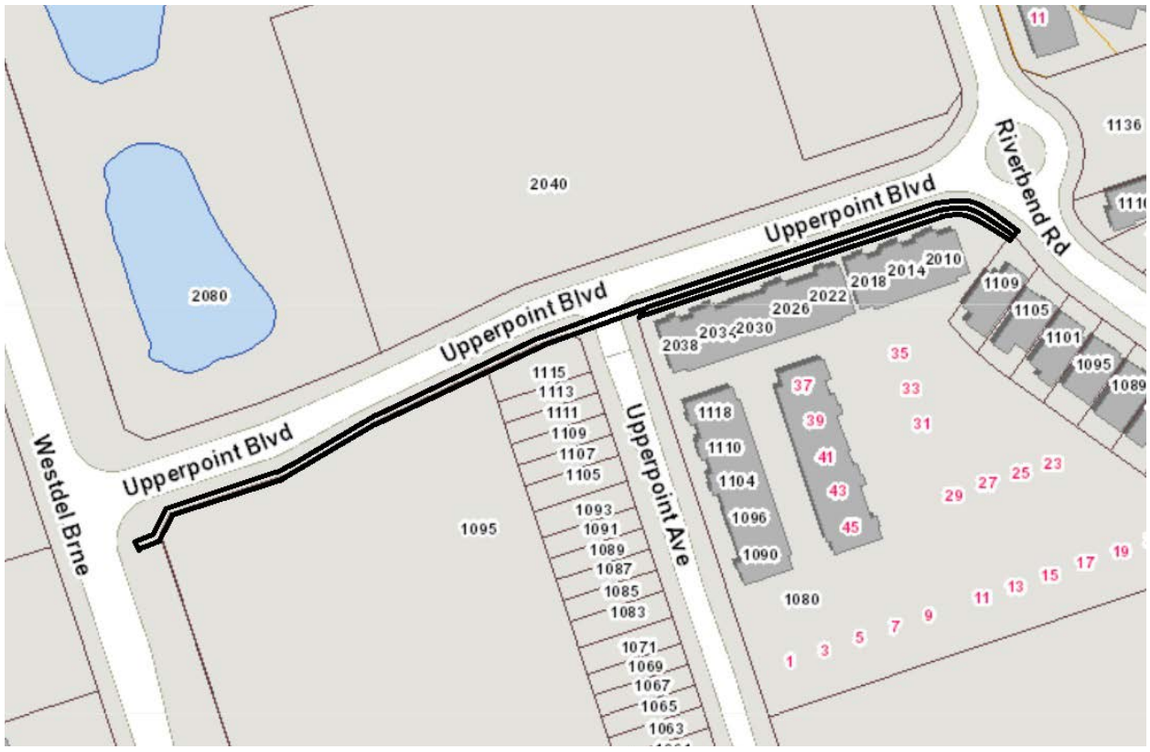
PASSED in Open Council on February 23, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – February 23, 2021
Second Reading – February 23, 2021
Third Reading – February 23, 2021

LOCATION MAP



SUBJECT LANDS

Bill No. 73
2021

By-law No. S.-_____-____

A by-law to lay out, constitute, establish and assume certain reserves in the City of London as public highway. (as widening to Grey Street, west of Maitland Street)

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 a as widening to Grey Street, west of Maitland Street, namely:

> "Part of Lot 15 South of Grey Street East, on Registered Plan 178(E), in the City of London and County of Middlesex, designated as Part 1 on Reference Plan 33R-20814."

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

PASSED in Open Council on February 23, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – February 23, 2021
Second Reading – February 23, 2021
Third Reading – February 23, 2021

LOCATION MAP

SUBJECT LANDS

Bill No. 74
2021

By-law No. S.-_____-__

A by-law to permit Megan Elizabeth Strachan to maintain and use a boulevard parking area upon the road allowance for 789 Lorne Avenue, City of London.

WHEREAS Megan Elizabeth Strachan (the "Owner") represents that they are the registered owner of certain lands and premises in the City of London, in the County of Middlesex, known municipally as 789 Loren Avenue, 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 Owner, Megan Elizabeth Strachan, has 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 Owner 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 February 23, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – February 23, 2021
Second Reading – February 23, 2021
Third Reading – February 23, 2021

Schedule A

THIS AGREEMENT made in duplicate this 12th day of January, 2021
BETWEEN

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

OF THE FIRST PART

AND **MEGAN ELIZABETH STRACHAN**
(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, **789 Lorne Avenue** 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 **789 Lorne Avenue** 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. /S

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

MEGAN ELIZABETH STRACHAN

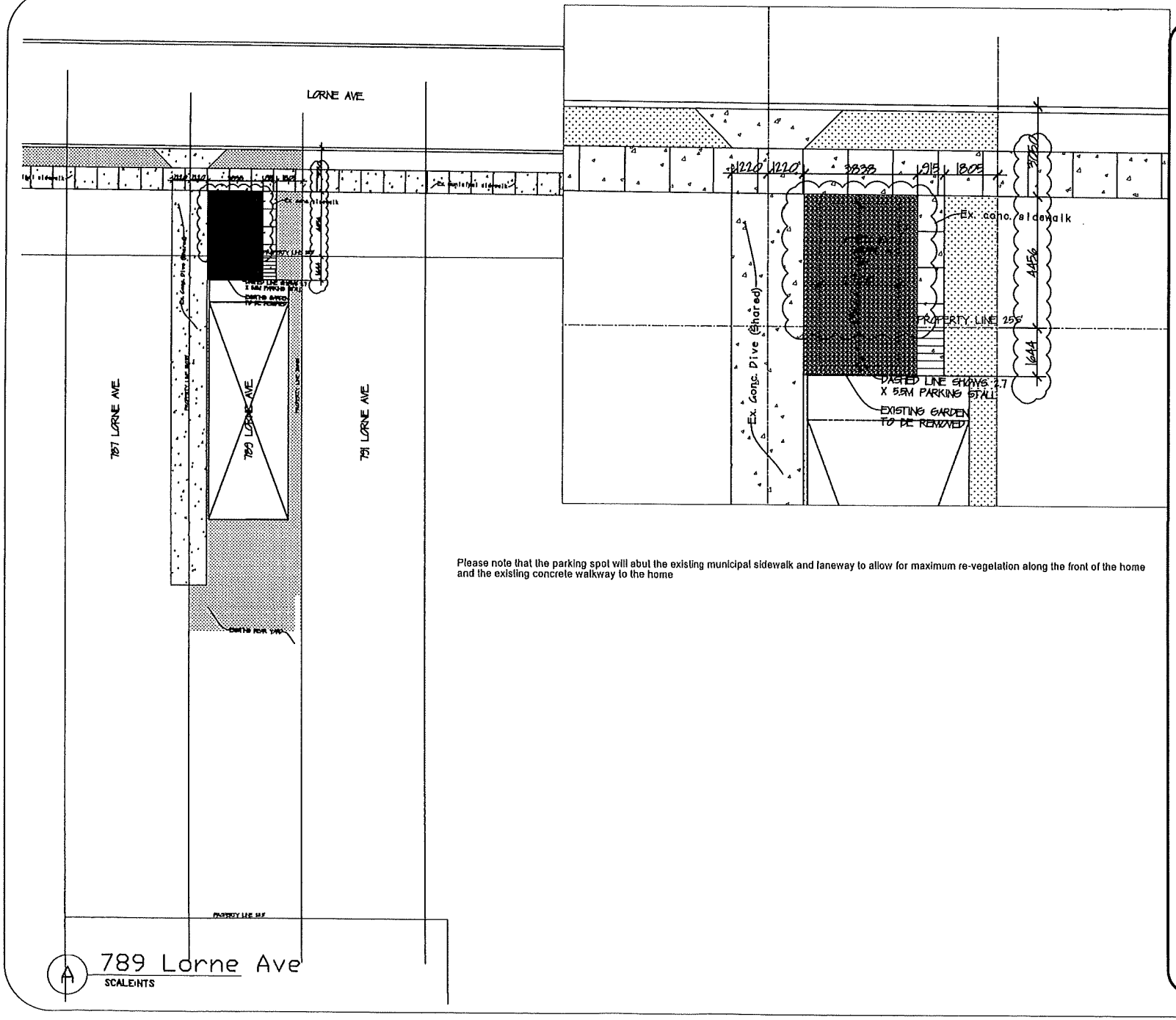
THE CORPORATION OF THE CITY OF LONDON

Ed Holder, Mayor

Catharine Saunders, City Clerk

SCHEDULE "A"

ALL AND SINGULAR that certain parcel or tract of land and premises, lying, being and situate on PLAN 416 BLK V PART LOT 41, SOUTHSIDE OF LORNE AVE, WEST OF ENGLISH STREET, LONDON.



Please note that the parking spot will abut the existing municipal sidewalk and laneway to allow for maximum re-vegetation along the front of the home and the existing concrete walkway to the home

A 789 Lorne Ave
SCALEINTS

General Notes

KEY PLAN

No.	Revision/Issue	Date
1	Per city comments	20/08/12

Firm Name and Address

Project Name and Address
789 LORNE AVE
LONDON, ONTARIO
N5W 3K9

Project

Date
2020-07-31

Scale
1/8" = 1'-0"

Sheet
SP1

Bill No. 75
2021

By-law No. W.-5607(__)-___

A by-law to amend by-law No. W.-5607-237, as amended, entitled, “A by-law to authorize the Southdale Road Upgrades, Phase 2 Wickerson to Bramblewood (Project No. TS1407-2).”

WHEREAS the Treasurer has calculated an updated limit for The Corporation of the City of London using its most recent debt and financial obligation limit determined by the Ministry of Municipal Affairs in accordance with the provisions of Ontario Regulation 403/02, and has calculated the estimated annual amount payable by The Corporation of the City of London in respect of the project described in this by-law and has determined that such estimated annual amount payable does not exceed the Limit;

AND WHEREAS it has been deemed expedient to amend By-law No. W.-5607-237, as amended, to authorize an increase in the net amount of monies to be debentured for the “A by-law to authorize the Southdale Road Upgrades, Phase 2 Wickerson to Bramblewood (Project No. TS1407-2).”;

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

1. The net cost of this project shall be met by the increase in the issue of debentures by $354,330.00 from $525,500.00 to $879,830.00

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

PASSED in Open Council on February 23, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – February 23, 2021
Second Reading – February 23, 2021
Third Reading – February 23, 2021

Bill No. 76
2021

By-law No. W.-5618(__)-_____

A by-law to amend by-law No. W.-5618-64, as amended, entitled “A by-law to authorize the Southdale Road Widening-Farnham Road to Pine Valley (Project No. TS1629-1)”

WHEREAS the Treasurer has calculated an updated limit for The Corporation of the City of London using its most recent debt and financial obligation limit determined by the Ministry of Municipal Affairs in accordance with the provisions of Ontario Regulation 403/02, and has calculated the estimated annual amount payable by The Corporation of the City of London in respect of the project described in this by-law and has determined that such estimated annual amount payable does not exceed the Limit;

AND WHEREAS it has been deemed expedient to amend By-law No. W.-5618-64, as amended, to authorize an increase in the net amount of monies to be debentured for the “Southdale Road Widening-Farnham Road to Pine Valley (Project No. TS1629-1)”;

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

1. The net cost of this project shall be met by the increase in the issue of debentures by $52,069.00 from $44,998.00 to $97,067.00.

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

PASSED in Open Council on February 23, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading –
Second Reading –
Third Reading –

Bill No. 77
2021

By-law No. W.-_____-___

A by-law to authorize the Dingman Drive Road Improvements – HWY 401 to Wellington Road (Project No. TS1746).

WHEREAS the Treasurer has calculated an updated limit for The Corporation of the City of London using its most recent debt and financial obligation limit determined by the Ministry of Municipal Affairs in accordance with the provisions of Ontario Regulation 403/02, and has calculated the estimated annual amount payable by The Corporation of the City of London in respect of the project described in this by-law and has determined that such estimated annual amount payable does not exceed the Limit;

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

1. The “Dingman Drive Road Improvements – HWY 401 to Wellington Road (Project No. TS1746)” is hereby authorized.

2. The net cost of this project shall be met by the issue of debentures in an amount not to exceed $8,820,406.00.

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

PASSED in Open Council on February 23, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – February 23, 2021
Second Reading – February 23, 2021
Third Reading – February 23, 2021

Bill No. 78
2021

By-law No. W.-_____-___

A by-law to authorize the 2020 Bus Purchase Replacement. (Project No. MU104420).

WHEREAS the Treasurer has calculated an updated limit for The Corporation of the City of London using its most recent debt and financial obligation limit determined by the Ministry of Municipal Affairs and Housing in accordance with the provisions of Ontario Regulation 403/02, and has calculated the estimated annual amount payable by The Corporation of the City of London in respect of the project described in this by-law and has determined that such estimated annual amount payable does not exceed the Limit;

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

1. The “2020 Bus Purchase Replacement. (Project No. MU104420)” is hereby authorized.

2. The net cost of this project shall be met by the issue of debentures in an amount not to exceed $ 5,367,700.00.

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

PASSED in Open Council on February 23, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – February 23, 2021
Second Reading – February 23, 2021
Third Reading – February 23, 2021

Bill No. 79
2021

By-law No. W.-_____-___

A by-law to authorize the Oxford Street West and Gideon Drive Intersection Improvements (Roundabout) (Project No. TS1332).

WHEREAS the Treasurer has calculated an updated limit for The Corporation of the City of London using its most recent debt and financial obligation limit determined by the Ministry of Municipal Affairs in accordance with the provisions of Ontario Regulation 403/02, and has calculated the estimated annual amount payable by The Corporation of the City of London in respect of the project described in this by-law and has determined that such estimated annual amount payable does not exceed the Limit;

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

1. The “Oxford Street West and Gideon Drive Intersection Improvements (Roundabout) (Project No. TS1332)” is hereby authorized.

2. The net cost of this project shall be met by the issue of debentures in an amount not to exceed $22,193.00.

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

PASSED in Open Council on February 23, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – February 23, 2021
Second Reading – February 23, 2021
Third Reading – February 23, 2021

Bill No. 80
2021

By-law No. Z.-1-21_____

A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at 335 Kennington Way, 3959 and 3964 Avenue; legally described as Part of Block 1, Plan 33M765, Designated as Part 2 and 3 Plan 33R-20777 and Block 2, 33M 765.

WHEREAS Sifton Properties Limited has applied to remove the holding provisions from the zoning on lands located at 335 Kennington Way, 3959 and 3964 Avenue, legally described as Part of Block 1, Plan 33M765, Designated as Part 2 and 3 Plan 33R-20777 and Block 2, 33M 765, as shown on the map attached to this by-law, as set out below;

AND WHEREAS it is deemed appropriate to remove the holding provisions from the zoning of the said lands;

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

1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 335 Kennington Way, 3959 and 3964 Mia Avenue, legally described as Part of Block 1, Plan 33M765, Designated as Part 2 and 3 Plan 33R-20777 and Block 2, 33M 765, as shown on the attached map comprising part of Key Map No. 111, to remove the h, h-100 and h-198 holding provisions so that the zoning of the lands as a Residential R4 Special Provision/R5 Special Provision/R6 Special Provision R4-6(10)/R5-4(23)/R6-5(51) Zone comes into effect.

2. This By-law shall come into force and effect on the date of passage.

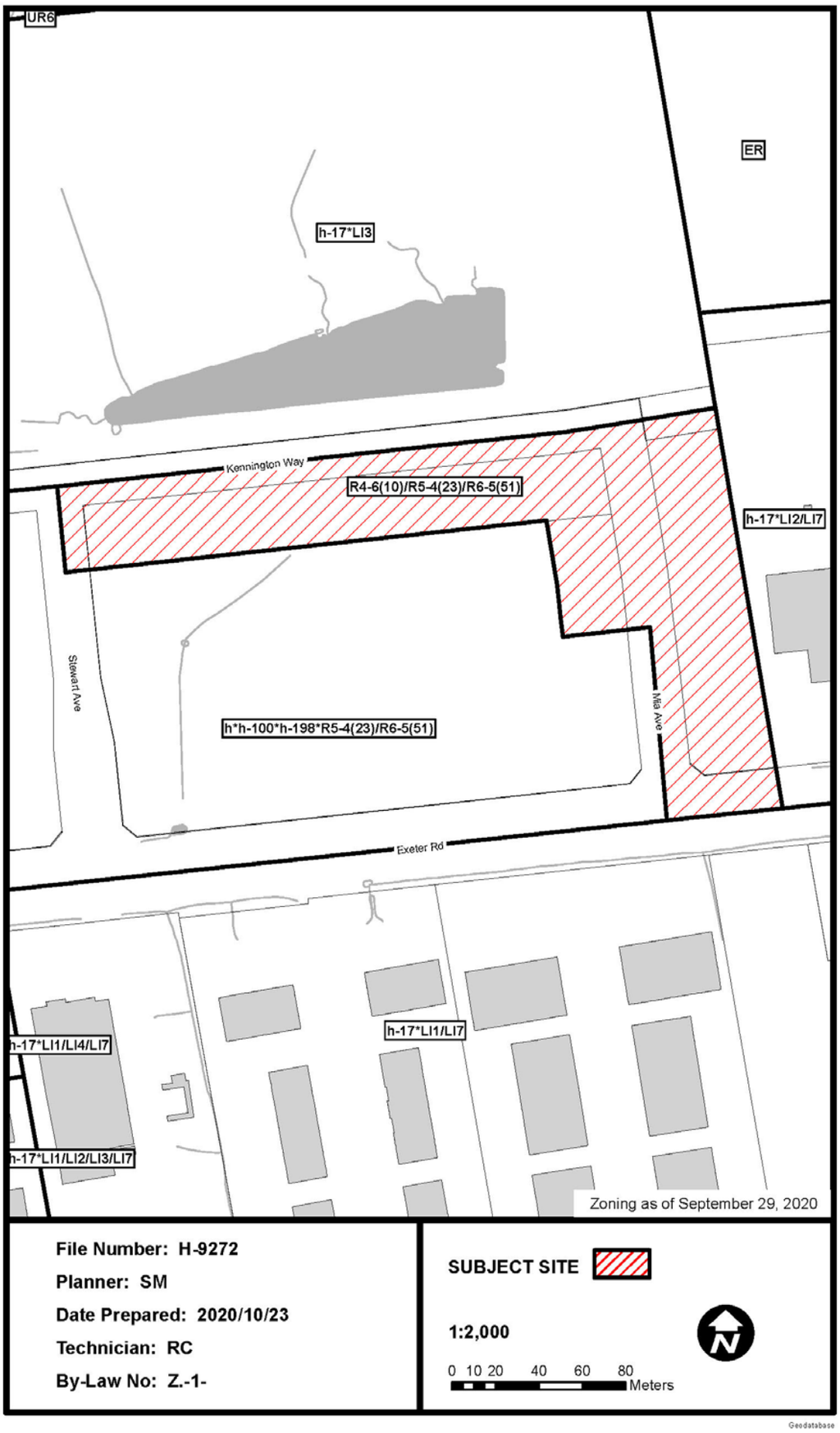
PASSED in Open Council on February 23, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – February 23, 2021
Second Reading – February 23, 2021
Third Reading – February 23, 2021

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



Bill No. 81
2021

By-law No. Z.-1-21_____

A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at 3542 Emilycarr Lane.

WHEREAS Goldfield Ltd. has applied to remove the holding provisions from the zoning for the lands located at 3542 Emilycarr Lane, as shown on the map attached to this by-law, as set out below;

AND WHEREAS it is deemed appropriate to remove the holding provisions from the zoning of the said lands;

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

1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to the lands located at 3542 Emilycarr Lane, as shown on the attached map, to remove the h, h-100, h-104 and h-155 holding provisions so that the zoning of the lands as a Residential R5 (R5-7) Zone comes into effect.

2. This By-law shall come into force and effect on the date of passage.

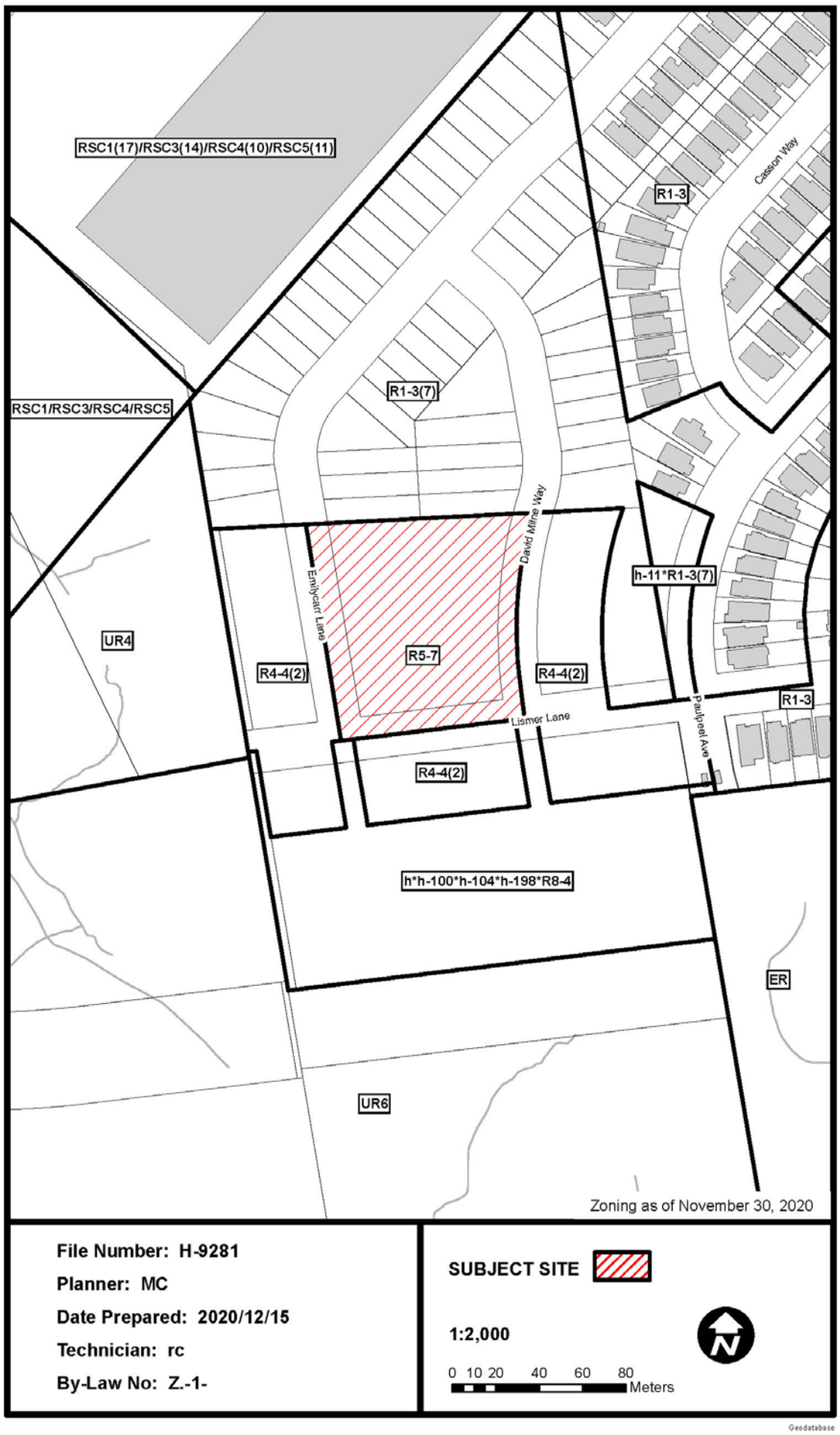
PASSED in Open Council on February 23, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – February 23, 2021
Second Reading – February 23, 2021
Third Reading – February 23, 2021

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



Bill No. 82
2021

By-law No. Z.-1-21_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 3195 White Oak Road.

WHEREAS 2748714 Ontario Inc. has applied to rezone an area of land located at 3195 White Oak Road, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

1. Schedule “A” to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 3195 White Oak Road, as shown on the attached map comprising part of Key Map No. A-111, from a Holding Urban Reserve Special Provision (h-94*UR4(11)) and an Urban Reserve (UR4) Zone, to a Holding Residential R1 Special Provision (h-94*R1-3(21)) and an Urban Reserve (UR4) Zone.

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

3. This By-law shall come into force and be deemed to come into force in accordance with Section 34 of the *Planning Act*, *R.S.O. 1990, c. P.13,* either upon the date of the passage of this by-law or as otherwise provided by the said section.

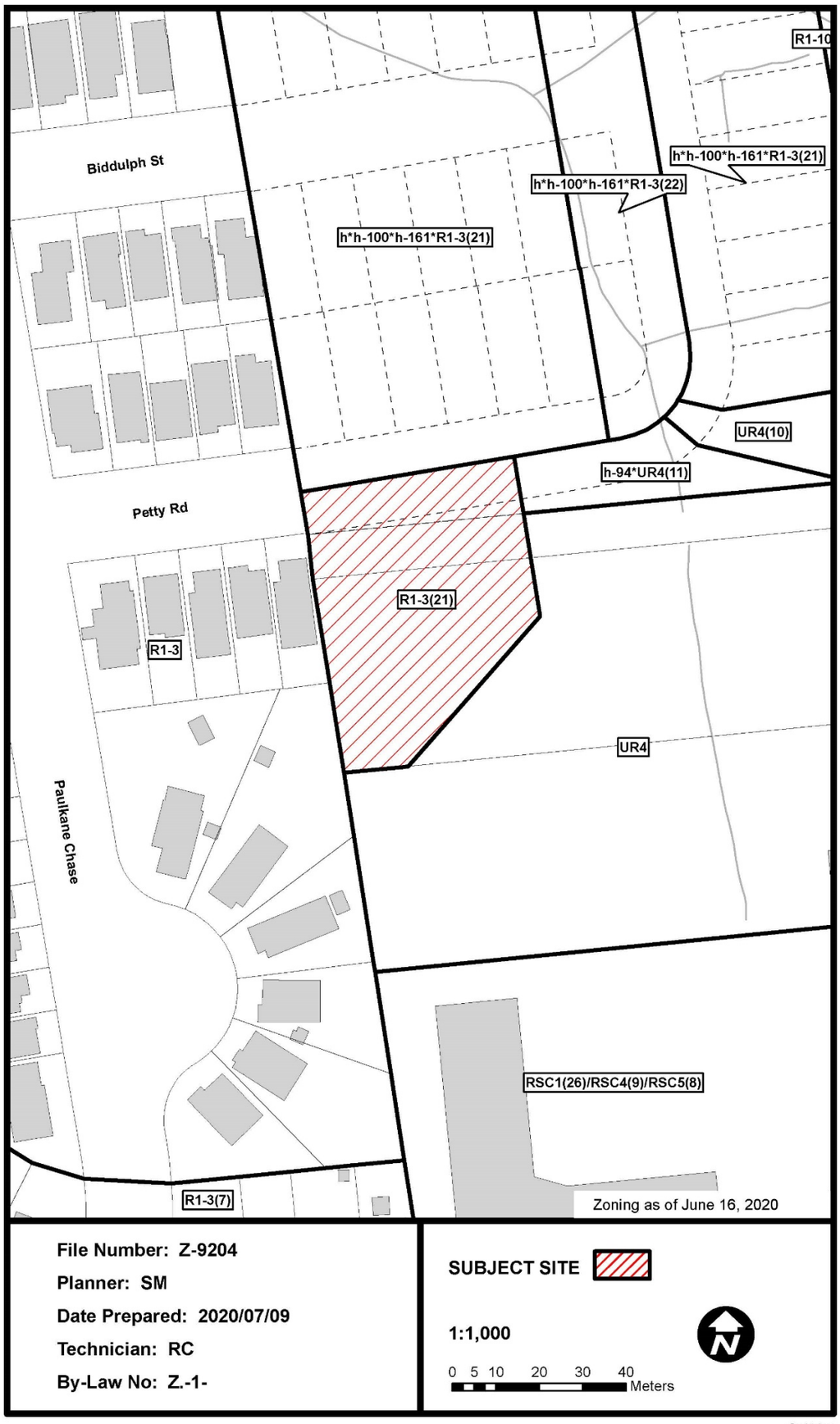
PASSED in Open Council on February 23, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – February 23, 2021
Second Reading – February 23, 2021
Third Reading – February 23, 2021

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



Bill No. 83
2021

By-law No. Z.-1-21_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 185 Horton Street East.

WHEREAS 1524400 Ontario Inc. applied to rezone an area of land located at 185 Horton Street East, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

1. Schedule “A” to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 185 Horton Street East as shown on the attached map comprising part of Key Map No. A.107, from an Arterial Commercial Special Provision (AC4(11)) Zone, to an Arterial Commercial Special Provision Bonus Zone (AC4(__)/B__) Zone;

2. Section Number 26.4 of the Arterial Commercial (AC) zone is amended by adding the following Special Provision:

AC4(__) 185 Horton Street East

a) Additional Permitted Use:

i) Dormitory building

3. Section 2.0, Definitions, to By-law No. Z.-1 is amended by adding the following definition:

“Dormitory” - Means a residential building in association with and ancillary to an educational institution where residents have exclusive use of a bedroom with a separate entrance from a common hall and share common facilities such as washrooms, kitchens, lounges, recreation rooms and study facilities.

4. Section Number 4.3 of the General Provision in Zoning By-law Z.-1 is amended by adding the following new Bonus Zone:

B(__) 185 Horton Street East

The Bonus Zone shall be implemented through one or more agreements to facilitate the development of a high quality mixed-use commercial/dormitory apartment building with a maximum density of 389 units per hectare and a maximum height of 51 metres (16-storeys) which substantially implements the Site Plan and Elevations attached as Schedule “1” to the amending by-law in return for the following facilities, services and matters:

(a) A high quality development which substantially implements the site plan and elevations as attached in Schedule “1” to the amending by-law:

Building Design

i) High quality architectural design (building/landscaping) including a common design theme for residential and commercial elements; and provision of structure parking facilities and screening for surface parking areas.

Underground Parking

i) Underground Parking Structure parking provided to reduce surface parking areas (a minimum of 27 subsurface spaces provided).

Outdoor Amenity and Landscaping

i) Common outdoor amenity area to be provided in the northeast

quadrant of the site; and rooftop terraces above the 7th, 12th and 16th floors.

ii) Landscape enhancements beyond City design standards, including theme lighting.

iii) Landscape plans for common outdoor amenity areas to incorporate hard landscape elements and drought resistant landscaping to reduce water consumption.

Sustainability

i) Provides a pedestrian-oriented environment along Horton Street East, which facilitates passive surveillance of the streetscape and, ultimately, safer streets.

ii) Fosters social interaction and facilitates active transportation and community connectivity with Downtown.

iii) The subject lands are close to public open space and parkland in the area, particularly Thames Park, Charles Hunt Park, and the Thames River Pathway system, which provides recreational opportunities for residents (passive and active).

The following special regulations apply within the bonus zone upon the execution and registration of the required development agreement(s):

a) Regulations:

i)	Density (maximum)	389 uph 3:1 ratio of 3 beds equals 1 dwelling unit, 296 beds converts to a density of 389 units per hectare
ii)	Height (maximum)	51 metres
iii)	Off Street Parking (minimum)	27 spaces
iv)	West Interior Side Yard Depth (maximum)	0.98m (3.2 ft)
v)	East Interior Side Yard Depth (maximum)	1.3m (4.3 ft)
vi)	Rear Yard Depth (maximum)	5.5m (18.0 ft)
vii)	Lot Coverage (maximum)	51%

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

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

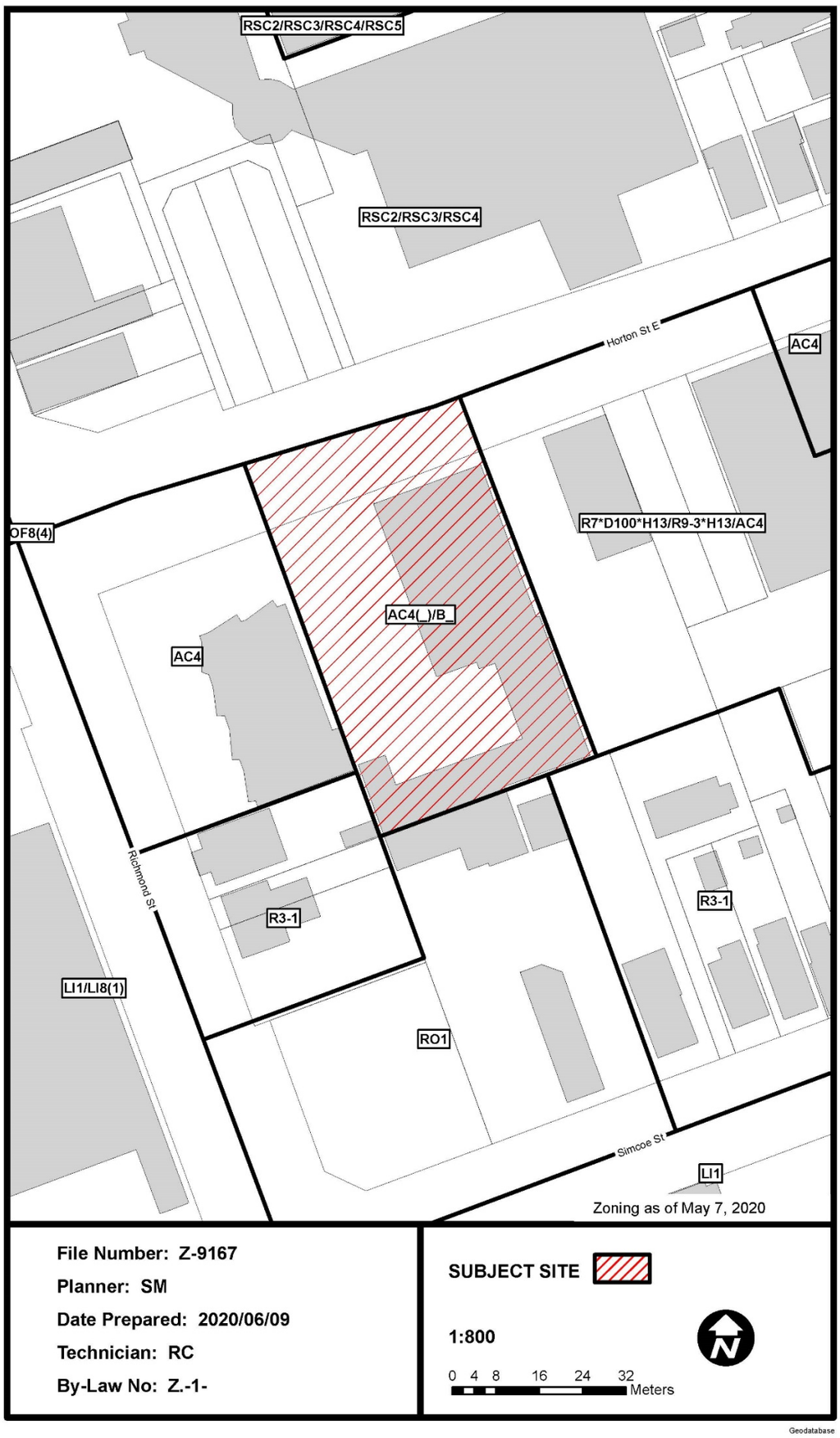
PASSED in Open Council on February 23, 2021

Ed Holder
Mayor

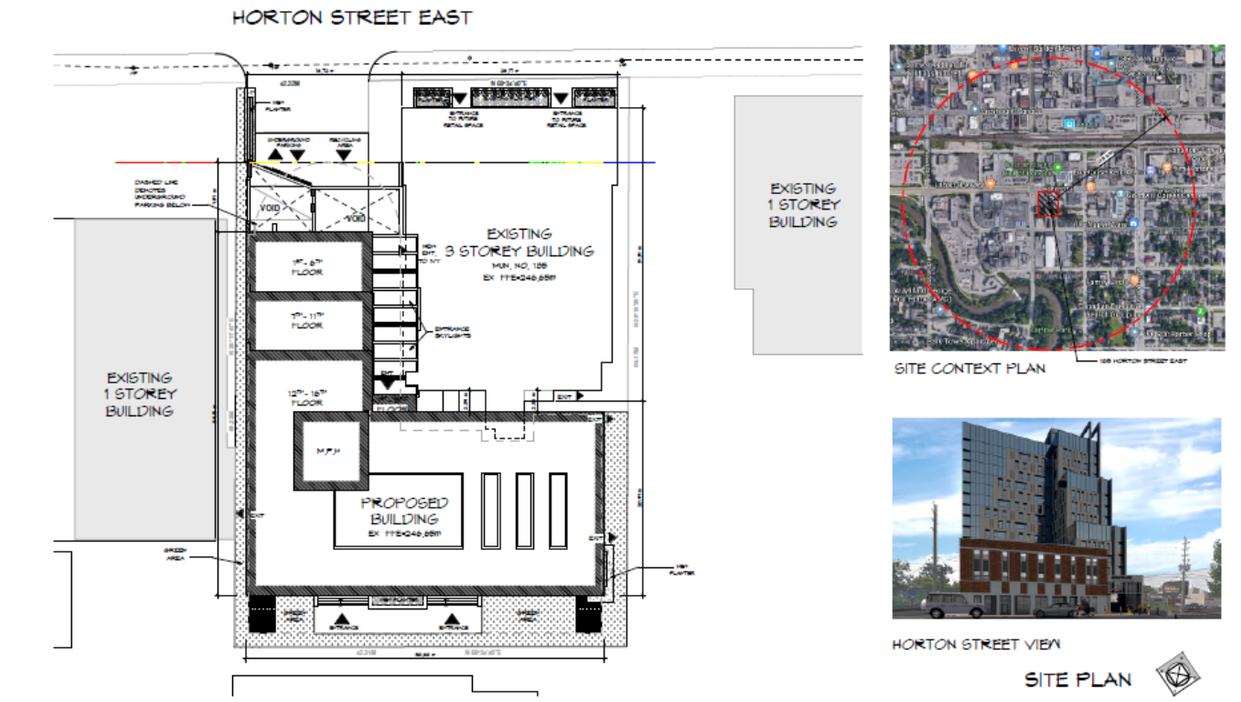
Catharine Saunders
City Clerk

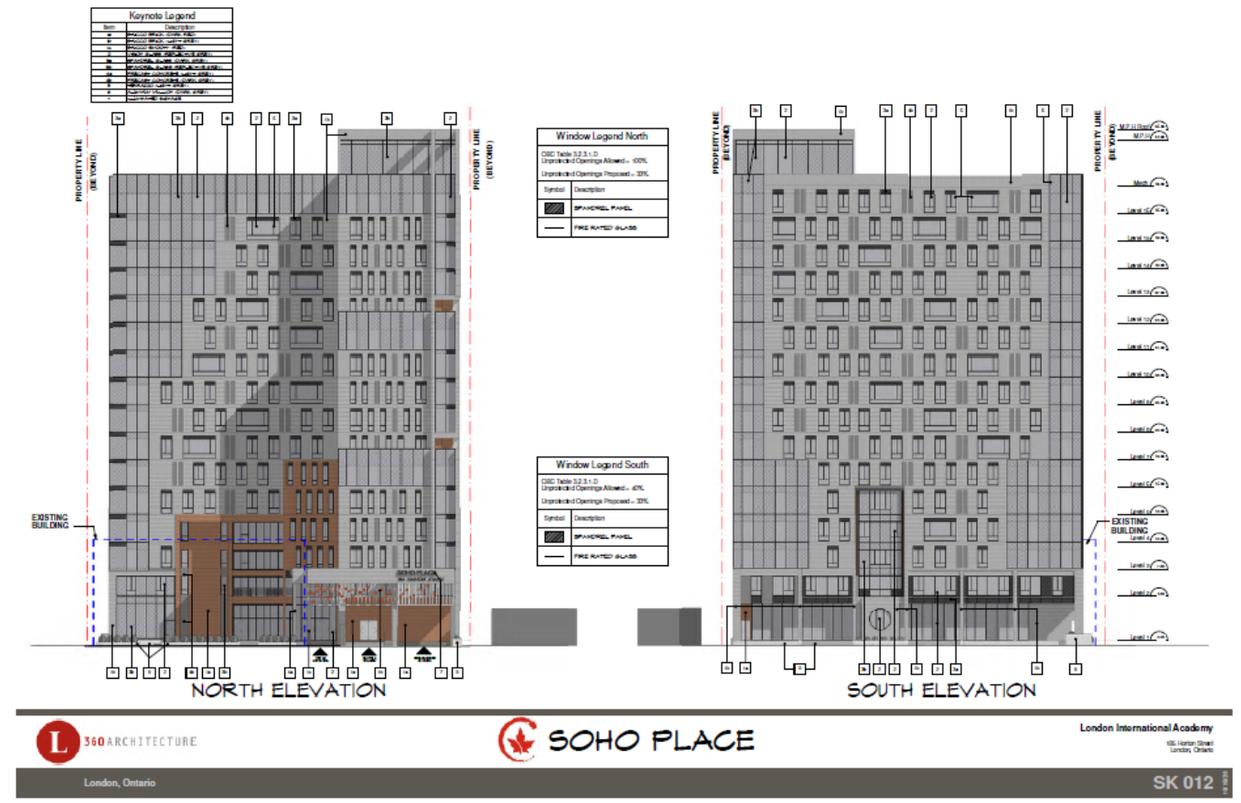
First Reading – February 23, 2021
Second Reading – February 23, 2021
Third Reading – February 23, 2021

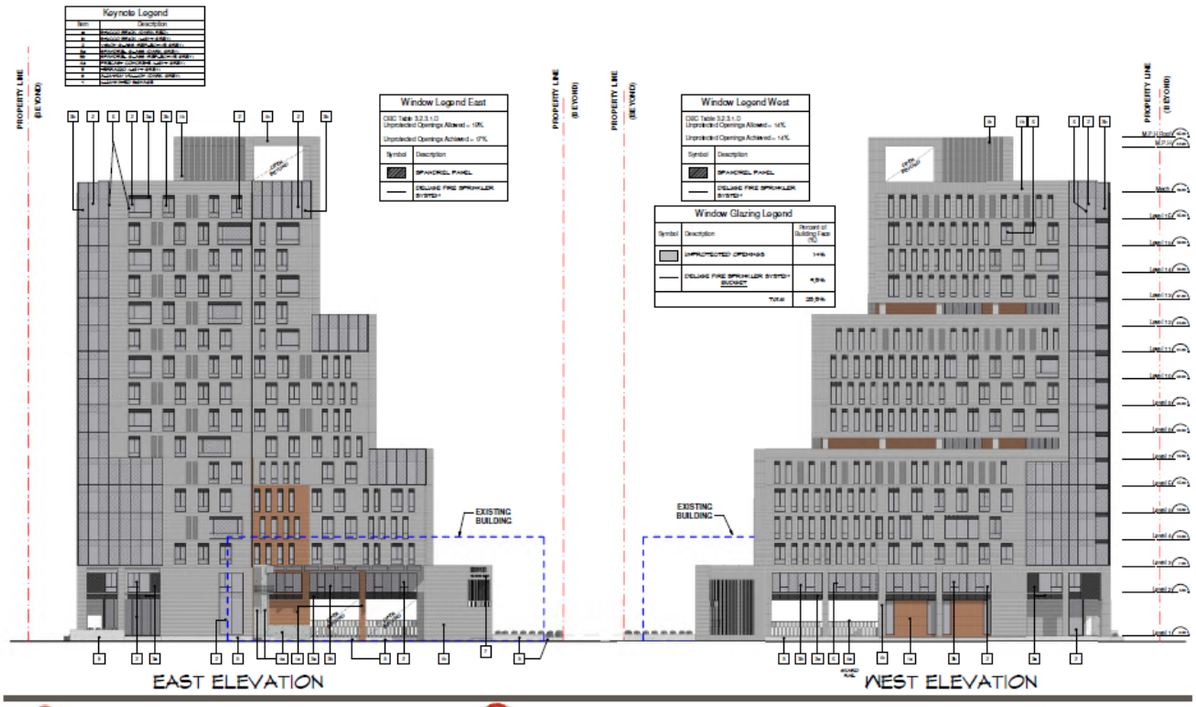
AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)



Schedule “1”


HORTON STREET EAST
EXISTING 3 STOREY BUILDING
EXISTING 1 STOREY BUILDING
EXISTING 1 STOREY BUILDING
PROPOSED BUILDING
SITE CONTEXT PLAN
HORTON STREET VIEW
SITE PLAN
360 ARCHITECTURE
SOHO PLACE
London International Academy
London, Ontario
SK 002


Keynote Legend
Window Legend North
Window Legend South
PROPERTY LINE (BEYOND)
EXISTING BUILDING
NORTH ELEVATION
SOUTH ELEVATION
360 ARCHITECTURE
SOHO PLACE
London International Academy
London, Ontario
SK 012



360 ARCHITECTURE

SOHO PLACE

London International Academy

London, Ontario

SK 013

VIEW FROM NORTHEAST

VIEW FROM NORTHWEST

360 ARCHITECTURE

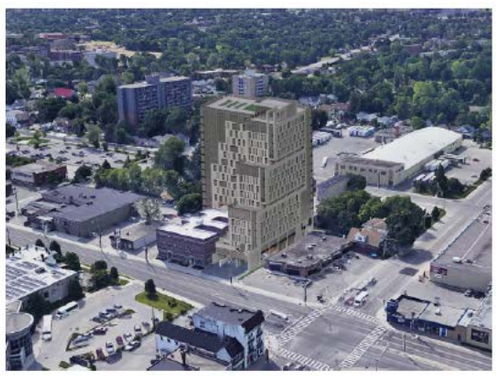
SOHO PLACE

London International Academy

London, Ontario

SK 014

VIEW FROM NORTHEAST



VIEW FROM NORTHWEST

360 ARCHITECTURE

SOHO PLACE

London International Academy

London, Ontario

SK 015