



Council Minutes

The 10th Meeting of City Council
May 19, 2020, 4:00 PM

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

Also Present: C. Saunders, M. Schulthess, J. Taylor and B. Westlake-Power
Remote Staff Attendance: L. Livingstone, A. Barbon, G. Belch, B. Card, K. Dickins, G. Kotsifas, J. Raycroft, K. Scherr, B. Somers, C. Smith, S. Stafford, B. Warner
The meeting is called to order at 4:00 PM; it being noted that the following Members were in remote attendance: Councillors M. van Holst, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelozza, A. Kayabaga and S. Hillier.

1. Disclosures of Pecuniary Interest

Mayor E. Holder discloses a pecuniary interest with respect to Item 5 (clause 5.1) of the 6th Report of the Civic Works Committee, having to do with the property located at 745 Waterloo Street as included in the Deferred Matters List, by indicating that his spouse and daughter operate a business at this location.

Motion made by: S. Lewis

Seconded by: P. Van Meerbergen

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. 168, being a by-law to confirm the proceedings of the Council Meeting held on the 19th Day of May, 2020, which will be considered, prior to Stage 14 – Adjournment; and

b) Stage 9 – Added Reports –Item 9.1 - 9th 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. Pelozza, A. Kayabaga, and S. Hillier

Motion Passed (15 to 0)

2. Recognitions

None.

3. Review of Confidential Matters to be Considered in Public

None.

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

Motion made by: A. Hopkins

Seconded by: S. Turner

That the Minutes of the 9th Meeting held on May 5, 2020, BE APPROVED.

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

Motion Passed (15 to 0)

6. Communications and Petitions

None.

7. Motions of Which Notice is Given

None.

8. Reports

8.1 8th Report of the Corporate Services Committee

Motion made by: A. Kayabaga

That the 8th Report of the Corporate 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. Pelozza, A. Kayabaga, and S. Hillier

Motion Passed (15 to 0)

1. Disclosures of Pecuniary Interest

Motion made by: A. Kayabaga

That it BE NOTED that no pecuniary interests were disclosed.

Motion Passed

2. (2.2) 2019 Year-End Capital Monitoring Report

Motion made by: A. Kayabaga

That on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the following actions be taken with respect to the 2019 Year-End Capital Monitoring Report:

a) the above-noted Report BE RECEIVED for information; it being noted that the life-to-date capital budget represents \$1.9 billion with \$1.3 billion committed and \$0.6 billion uncommitted; it being further noted that the City Treasurer, or designate, will undertake the housekeeping adjustments identified in the Report, in accordance with the Multi-Year Budget Policy adopted by By-law No. CPOL.-45-241;

b) the status updates of active 2016 life-to-date capital budgets (2016 and prior) having no future budget requests, appended to the staff report dated May 11, 2020 as Appendix "B", BE RECEIVED for information;

c) the following source of financing adjustments BE APPROVED based on the Civic Administration's ongoing monitoring of the capital budgets; it being noted that these budget adjustments result in one-time pay-as-you-go funding savings of \$422.5 thousand to

mitigate the financial impacts identified in the staff report dated April 28, 2020 with respect to COVID-19 Financial Impacts and Additional Measures for Community Relief:

- i) GGINFRA – Infrastructure-ITS, \$172,539 of pay-as-you-go funding BE TRANSFERRED to capital receipts and BE SUBSTITUTED with Information Technology Reserve Fund funding;
 - ii) PD1146 – Development Management Tracking System Upgrade, \$150,000 of pay-as-you-go funding BE TRANSFERRED to capital receipts and BE SUBSTITUTED with Efficiency, Effectiveness and Economy Reserve funding;
 - iii) PD1215 – Back To The River, \$100,000 of pay-as-you-go funding BE TRANSFERRED to capital receipts and BE SUBSTITUTED with Economic Development Reserve Fund funding; and,
- d) the following actions be taken with respect to the completed capital projects identified in Appendix “C” as appended to the staff report dated May 11, 2020, totalling \$6.8 million of net surplus funding:
- i) the capital projects included in the above-noted Appendix “C” BE CLOSED;
 - ii) the following actions be taken with respect to the funding associated with the capital projects approved for closure in part d) i), above:

Rate Supported

- A) pay-as-you-go funding of \$23,794 BE TRANSFERRED to capital receipts;
- B) authorized debt financing of \$241,675 BE RELEASED resulting in a reduction of authorized, but unissued debt;
- C) uncommitted reserve fund drawdowns of \$2,869,062 BE RELEASED from the reserve funds which originally funded the projects;

Non-Rate Supported

- D) uncommitted reserve fund drawdowns of \$2,440,165 BE RELEASED from the reserve funds which originally funded the projects;
- E) authorized debt financing of \$729,820 BE RELEASED resulting in a reduction of authorized, but unissued debt;
- F) other net non-rate supported funding sources of \$466,870 BE ADJUSTED in order to facilitate project closings.

Motion Passed

3. (2.3) 2019 Annual Report on Development Charges Reserve Funds

Motion made by: A. Kayabaga

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the following actions be taken with respect to the 2019 Annual Report on Development Charges Reserve Funds:

- a) the above-noted Report BE RECEIVED for information in accordance with section 43 (1) of the Development Charges Act, 1997, requiring the City Treasurer to provide a financial statement relating to development charge by-laws and associated reserve funds; and,
- b) the Civic Administration BE DIRECTED to make the 2019

Annual Report on Development Charges Reserve Funds available to the public on the City of London website to fulfill Council's obligation under section 43 (2.1) of the Development Charges Act, 1997.

Motion Passed

4. (2.4) Meeting of the Federation of Canadian Municipalities' Board of Directors held on March 3-6, 2020, Saint-Hyacinthe, Quebec

Motion made by: A. Kayabaga

That the communication from Councillor J. Morgan regarding the Federation of Canadian Municipalities (FCM) update on board activities from the meeting held on March 3-6, 2020 in Saint-Hyacinthe, Quebec BE RECEIVED for information.

Motion Passed

5. (2.1) 2019 Operating Budget Year-End Monitoring Report – Property Tax, Water, Wastewater & Treatment Budgets

Motion made by: A. Kayabaga

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the following actions be taken with respect to the 2019 Operating Budget Year-End Monitoring Report:

a) the 2019 Operating Budget Year-End Monitoring Report for the Property Tax Supported Budget, Water, and Wastewater & Treatment Budgets (appended to the staff report dated May 11, 2020 as Appendix A) BE RECEIVED; it being noted that an overview of the net corporate positions are outlined as follows:

- i) property Tax Supported Budget position is balanced at year-end, after taking into account \$4.5m to fund 2020-2023 Multi-Year Budget business cases for additional investment, and \$3.2m to offset the financial impacts of COVID-19;
- ii) Water Rate Supported Budget position is balanced at year-end;
- iii) Wastewater & Treatment Rate Supported Budget position is balanced at year-end;

b) the following contributions to reserves, in accordance with the Council approved Surplus/Deficit Policy, BE RECEIVED for information:

- i) \$3.2 million to the Operating Budget Contingency Reserve;
- ii) \$1.7 million to the Water Budget Contingency Reserve;
- iii) \$3.3 million to the Wastewater Budget Contingency Reserve;

c) the Civic Administration BE AUTHORIZED to utilize \$3.2 million from the Operating Budget Contingency Reserve as a funding source to offset the anticipated financial impacts of COVID-19 on the City's 2020 budget;

d) the request to fund the 2019 London & Middlesex Community Housing operational deficit of approximately \$0.4 million BE APPROVED (see Appendix E as appended to the staff report dated May 11, 2020 for Letter of Request);

e) notwithstanding the Council approved Surplus/Deficit Policy, the Civic Administration BE AUTHORIZED to allocate the Traffic Control & Street Lights energy savings from Light Emitting Diodes (LED) upgrades of approximately \$0.9 million from the Property Tax Supported Budget to the Efficiency, Effectiveness and Economy Reserve to accelerate repayment of the funds borrowed for this project;

f) notwithstanding the Council approved Surplus/Deficit Policy, the Civic Administration BE AUTHORIZED to allocate the Fleet Management operational savings of approximately \$0.6 million from the Property Tax Supported Budget to the Vehicle and Equipment Replacement Reserve Fund to support replacement costs; and,

g) the Civic Administration's contribution of \$3.7 million (\$3.2 million – Property Tax Supported; \$0.1 million – Water; and \$0.4 million – Wastewater & Treatment) to the Efficiency, Effectiveness and Economy Reserves in 2019 BE RECEIVED for information;

it being noted that the reported year-end position is subject to completion of the financial statement audit.

Motion Passed

6. (5.1) Corporate Services Committee Deferred Matters List

Motion made by: A. Kayabaga

That the Corporate Services Committee Deferred Matters List, as of May 4, 2020 BE RECEIVED.

Motion Passed

8.2 6th Report of the Civic Works Committee

Motion made by: S. Lehman

That the 6th Report of the Civic Works Committee, BE APPROVED, excluding Item 5 (clause 5.1).

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

Motion Passed (15 to 0)

1. Disclosures of Pecuniary Interest

Motion made by: S. Lehman

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

Motion Passed

2. (2.1) 2019 Ministry of the Environment, Conservation and Parks Inspection Report for the City of London Water Distribution System

Motion made by: S. Lehman

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the staff report dated May 12, 2020, with respect to the findings of the 2019 Ministry of the Environment, Conservation and Parks inspection of the City of London Water Distribution System, BE RECEIVED for information.

Motion Passed

3. (2.2) Contract Price Increase: Tender T19-41 Infrastructure Renewal Program - Roehampton Avenue and Monsarrat Avenue Reconstruction

Motion made by: S. Lehman

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the Roehampton Avenue and Monsarrat Avenue Reconstruction project (T19-41):

a) the construction contract value with 2376378 Ontario Corp (CH Excavating (2013)) BE INCREASED by \$465,000.00 to \$2,222,521.61 (excluding HST), in accordance with Section 20.3 (e) of the Procurement of Goods and Services Policy;

b) the construction administration contract with Development Engineering (London) Limited, BE INCREASED by \$51,000.00 to \$315,566.50 (excluding HST), in accordance with Section 20.3 (e) of the Procurement of Goods and Services Policy;

c) the financing for this project BE APPROVED as set out in the Sources of Financing Report appended to the staff report dated May 12, 2020;

d) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with 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.

Motion Passed

4. (2.3) Single Source - Phragmites Control on Roadsides

Motion made by: S. Lehman

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the award of the Phragmites Control on Roadsides contract:

a) that approval hereby BE GIVEN to enter into a four year, with two additional option years, contract for phragmites control along roadsides to Invasive Phragmites Control Centre (IPCC);

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

c) the approval hereby given BE CONDITIONAL upon the Corporation negotiating satisfactory prices, terms and conditions with the IPCC to the satisfaction of the Manager of Purchasing and Supply and the Managing Director, Environmental and Engineering Services and City Engineer; and,

d) the approval hereby given BE CONDITIONAL upon the Corporation entering into a formal contract or having a purchase order relating to the subject matter of this approval.

Motion Passed

5. (5.1) Deferred Matters List

Motion made by: S. Lehman

That the Deferred Matters List at May 4, 2020 BE APPROVED.

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

Motion Passed (14 to 0)

10. Deferred Matters

None.

11. Enquiries

Councillor S. Turner inquires with respect to what plans are in place to expand dedicated space to active transportation in London during this time, noting that the better weather is arriving, COVID restrictions are gradually easing and Londoners are beginning to walk and bike in increasing numbers. The Managing Director, Environmental and Engineering Services and City Engineer responds with respect to steps taken and planned.

12. Emergent Motions

None.

13. By-laws

Motion made by: S. Lehman

Seconded by: P. Van Meerbergen

That Introduction and First Reading of Bill No.'s 169 to 174 BE APPROVED.

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

Motion Passed (15 to 0)

Motion made by: S. Hillier

Seconded by: S. Lewis

That Second Reading of Bill No.'s 169 to 174 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: M. Cassidy

Seconded by: A. Hopkins

That Third Reading and Enactment of Bill No.'s 169 to 174 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)

4. Council, In Closed Session

Motion made by: S. Lehman

Seconded by: M. van Holst

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

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

A matter pertaining to the proposed or pending disposition of land by the municipality, including communications necessary for that purpose; advice that is subject to solicitor-client privilege; commercial and financial information, that belongs to the municipality and has monetary value or potential monetary value and a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality. (6.1/8/CSC)

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

A matter pertaining to the proposed or pending disposition of land by the municipality, including communications necessary for that purpose; advice that is subject to solicitor-client privilege; commercial and financial information, that belongs to the municipality and has monetary value or potential monetary value and a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality. (6.2/8/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. (6.3/8/CSC)

4.4 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. (6.4/8/CSC)

4.5 Litigation/Potential Litigation / Matters Before Administrative Tribunals / Solicitor-Client Privileged Advice

A matter pertaining to litigation with respect to the partial expropriation of property located at at 2115 Wilton Grove Road and 2264 Wilton Grove Road, including matters before administrative tribunals, affecting the municipality or local board; advice that is subject to solicitor-client privilege, including communications necessary for that purpose, in connection with the expropriation of property located at at 2115 Wilton Grove Road and 2264 Wilton Grove Road; and directions and instructions to officers and employees or agents of the municipality regarding settlement negotiations and conduct of litigation in connection with the expropriation of a property located at at 2115 Wilton Grove Road and 2264 Wilton Grove Road. (6.5/8/CSC)

4.6 Litigation/Potential Litigation / Solicitor-Client Privileged Advice

A matter pertaining to litigation currently before the Ontario Court of Justice for the Province of Ontario affecting the municipality; advice that is subject to solicitor-client privilege, including communications necessary for that purpose, in connection with charges under the Occupational Health and Safety Act, against the municipality; and directions and instructions to officers and employees or agents of the municipality regarding litigation currently before the Ontario Court of Justice for the Province of Ontario affecting the municipality. (6.6/8/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. Pelozza, A. Kayabaga, and S. Hillier

Motion Passed (15 to 0)

The Council convenes, In Closed Session, at 4:23 PM, with Mayor E. Holder in the Chair and all Members participating; it being noted that Councillors M. van Holst, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelozza, A. Kayabaga and S. Hillier were in remote attendance.

At 4:36 PM, Councillor A. Hopkins leaves the meeting.

The Council reconvenes at 4:53 PM, with Mayor E. Holder in the Chair and all Members participating, except Councillor A. Hopkins; it being noted that Councillors M. van Holst, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, P. Van Meerbergen, S. Turner, E. Pelozza, A. Kayabaga and S. Hillier were in remote attendance.

9. Added Reports

9.1 9th Report of Council in Closed Session

Motion made by: S. Hillier

Seconded by: M. van Holst

1. Agreement to Purchase Industrial Lands – Dancor Phase III Oxford Inc. – 2.0 Acres, Southerly Portion of Parts 1, 2, 3 and 4, Plan 33R-20656 – Skyway Industrial Park

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 the City-owned industrial land located on the west side of Robin's Hill Road, containing 2.0 acres, more or less subject to final survey, in the City's Skyway Industrial Park, as outlined on the sketch attached hereto as Appendix "A", the following actions be taken:

a) the Agreement of Purchase and Sale Agreement, attached as Appendix "B", submitted by Dancor Phase III Oxford Inc. (the "Purchaser") to purchase from the City approximately 2.0 acres of industrial land located on the west side of Robin's Hill Road, described as the southerly portion of Parts 1, 2, 3 and 4, Plan 33R-20656, as outlined on the location map attached as Appendix "A", in the amount of \$160,000, BE ACCEPTED;

b) the Purchaser to be allowed until 4:00 pm on June 5, 2020 to examine title at his own expense;

c) the Purchaser is to be allowed until 4:00 pm on June 5, 2020 to carry out soil tests as it might reasonably require; and

d) the transaction of purchase and sale to be completed on June 18, 2020 after waiver of the title and soil conditions.

2. Offer to Purchase Industrial Lands – Pan Continent Inc. – Lots 3 and 4, Plan 33M-251 – Trafalgar Industrial Park, Phase III

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer and City Manager, on the advice of the Manager of Realty Services, with respect to the City-owned industrial land located on the east side of Sovereign Road in Trafalgar Industrial Park, Phase III, containing an area of approximately 1.51 acres, being comprised of Lot 3, Plan 33M-251 and Lot 4, Plan 33M-251, as outlined on the sketch attached hereto as Schedule "A", offer submitted by Pan Continent Inc.. (the "Purchaser") to purchase the subject property from the City, at a purchase price of \$98,150.00 (reflecting a sale price of \$65,000.00 per acre), as outlined on the location map attached, BE APPROVED; subject to the following conditions:

a) the Purchaser, is allowed 90 days from the date of acceptance of the Agreement to examine title at his own expense;

b) the Purchaser is allowed 90 days from the date of acceptance of the Agreement to carry out soil test as it might reasonably require;

c) the Purchaser is allowed 90 days from the date of acceptance of the Agreement to carry out environmental tests as it might reasonably require;

d) the Purchaser is allowed 90 days from the date of acceptance of the Agreement to carry out geotechnical test as it might reasonably require; and

e) the transaction of the purchase and sale to be completed within 120 days from the acceptance of the agreement.

3. Property Acquisition – 600 Adelaide Street North – Adelaide Street CP Rail Grade Separation Project

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, with the concurrence of the Division Manager, Transportation Planning and Design and the Director, Roads and Transportation, on the advice of the Manager of Realty Services, with respect to the property located at 600 Adelaide Street North, further described as Part of Lot 3, east of Adelaide Street North, Registered Plan 386(3rd), designated as Part 1, Plan 33R-20554, being the whole of PIN 08280-0004 (LT), as shown on the location map attached, for the purpose of future road improvement to accommodate the Adelaide Street North CP Rail Grade Separation Project, the following actions be taken:

a) the offer submitted by Flor Yadira Barahona Franco, attached as Schedule "A", to sell the subject property to the City, for the sum of \$650,000.00 BE ACCEPTED, subject to the following conditions:

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

ii) 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;

iii) the City agreeing to pay reasonable legal and other non-recoverable expenditures incurred in acquiring a similar replacement property, providing a claim is made within one (1) year of the date of possession; and

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

4. Property Acquisition – 625 Adelaide Street North – Adelaide Street North CP Rail Grade Separation Project

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, with the concurrence of the Division Manager, Transportation Planning and Design and the Director, Roads and Transportation, on the advice of the Manager of Realty Services, with respect to the property located at 625 Adelaide Street North, further described as Part of Lots 7 and 8, lots west side of Adelaide Street North, in the City of London, County of Middlesex, designated as Part 4, Plan 33R-20556, being the whole of PIN 08277-0134 (LT), as shown on the location map attached, for the purpose of future road improvement to accommodate the Adelaide Street North CP Rail Grade Separation Project, the following actions be taken:

a) the offer submitted by Grant Cameron Robinson, attached as Schedule "A", to sell the subject property to the City, for the sum of \$2,034,500.00 BE ACCEPTED, subject to the following conditions:

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

ii) 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;

iii) the City agreeing to pay the Vendor, on closing, the further sum of \$851,800.00 as additional compensation pursuant to section 18(b) of the Expropriations Act;

iv) the City agreeing to pay the Vendor, on closing, the further sum of \$445,000.00 as additional compensation to acquire a replacement site, pursuant to section 18(b) of the Expropriations Act;

v) the City agreeing to pay the Vendor, should the costs actually be incurred, the further sum of \$82,500.00, which costs represents the estimated development charges that would be incurred should a parcel of land be acquired and improved with a new car wash facility. These funds shall be held back from the balance due on closing. The Vendor shall have until the 2nd anniversary of the completion date of this transaction to obtain a site for a new car wash facility and have a development agreement/site plan for its development approved, at which time the holdback, together with any additional development charges shall be released to the Vendor, and failing which the City shall retain the holdback;

vi) the City agreeing to pay the Vendor, the further sum of \$132,200.00, to purchase new car wash equipment, should the costs actually be incurred. These funds shall be held back from the balance due on closing. The Vendor shall have until the 2nd anniversary of the completion date of

this transaction to obtain a site for a new car wash facility and to submit the actual costs of the replacement equipment for re-imbusement, at which time the holdback herein of \$132,200.00, together with any additional costs to purchase the replacement equipment shall be released to the Vendor, and failing which the City shall retain the holdback;

vii) the City agreeing to pay reasonable legal and other non-recoverable expenditures incurred in acquiring a similar replacement property, providing a claim is made within one year of the date of possession; and,

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

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

Absent: (1): A. Hopkins

Motion Passed (14 to 0)

At 5:07 PM, Councillor A. Kayabaga leaves the meeting.

By-laws, continued

Motion made by: J. Helmer

Seconded by: S. Turner

That Introduction and First Reading of Bill No. 168 and the Added Bill No.'s 175 to 178 BE APPROVED.

Yeas: (13): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, P. Van Meerbergen, S. Turner, E. Pelozza, and S. Hillier

Absent: (2): A. Hopkins, and A. Kayabaga

Motion Passed (13 to 0)

At 5:09 PM, Councillor A. Kayabaga enters the meeting.

Motion made by: J. Morgan

Seconded by: E. Pelozza

That Second Reading of Bill No.168 and the Added Bill No.'s 175 to 178 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. Pelozza, A. Kayabaga, and S. Hillier

Absent: (1): A. Hopkins

Motion Passed (14 to 0)

Motion made by: E. Pelozza

Seconded by: S. Hillier

That Third Reading and Enactment of Bill No.168 and the Added Bill No.'s 175 to 178 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. Pelosa, A. Kayabaga, and S. Hillier
Absent: (1): A. Hopkins

Motion Passed (14 to 0)

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

Bill	By-law
Bill No. 168	By-law No. A.-7978-121 – A by-law to confirm the proceedings of the Council Meeting held on the 19th day of May, 2020. (City Clerk)
Bill No. 169	By-law No. S.-6059-122 – A by-law to lay out, constitute, establish and assume certain reserves in the City of London as public highway. (as part of Brunson Way) (Chief Surveyor – for unobstructed legal access through the subdivision)
Bill No. 170	By-law No. S.-6060-123 – A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Dundas Street, east of Hale Street; and as widening to Hale Street, south of Dundas Street) (Chief Surveyor - pursuant to SPA19-006 and in accordance with Zoning By-law Z.-1)
Bill No. 171	By-law No. S.-6061-124 – A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Gainsborough Road, west of Coronation Drive) (Chief Surveyor - pursuant to Consent B.048/18 and in accordance with Zoning By-law Z.-1)
Bill No. 172	By-law No. S.-6062-125 – A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening York Street, west of Richmond Street) (Chief Surveyor - pursuant to Site Plan SPA18-127 and in accordance with Zoning By-law Z.-1)
Bill No. 173	By-law No. S.-6063-126 – A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Oxford Street West, east of Wonderland Road North; and as widening to Wonderland Road North, south of Oxford Street West) (Chief Surveyor - pursuant to SPA19-065 and in accordance with Zoning By-law Z.-1)
Bill No. 174	By-law No. S.-6064-127 – A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Springbank Drive and Wonderland Road South) (Chief Surveyor - pursuant to SPA17-028 and in accordance with Zoning By-law Z.-1)

<p>Bill No. 175 (ADDED)</p>	<p>By-law No. A.-7979-128 – A by-law to authorize and approve an Agreement of Purchase and Sale between The Corporation of the City of London and Pan Continent Inc., for the sale of the City owned industrial land described as Lots 3 and 4, Plan 33M251, in the City’s Trafalgar Industrial Park, in the City of London, and to authorize the Mayor and the City Clerk to execute the Agreement. (6.2/8/CSC)</p>
<p>Bill No. 176 (ADDED)</p>	<p>By-law No. A.-7980-129 – A by-law to authorize an Option to Purchase Agreement between The Corporation of the City of London and Dancor Phase III Oxford Inc. for approximately 2.0 acres of industrial land located on the west side of Robin’s Hill Road, described as the southerly portion of Parts 1, 2, 3 and 4, Plan 33R-20656 and to authorize the Mayor and the City Clerk to execute the Agreement. (6.1/8/CSC)</p>
<p>Bill No. 177 (ADDED)</p>	<p>By-law No. A.-7981-130 – A by-law to authorize and approve an Agreement of Purchase and Sale between The Corporation of the City of London and Flor Yadira Barahona Franco for the acquisition of the property located at 600 Adelaide Street North, in the City of London, for the Adelaide Street North CP Grade Separation Project, and to authorize the Mayor and the City Clerk to execute the Agreement. (6.3/8/CSC)</p>
<p>Bill No. 178 (ADDED)</p>	<p>By-law No. A.-7982-131 – A by-law to authorize and approve an Agreement of Purchase and Sale between The Corporation of the City of London and Grant Cameron Robinson, for the acquisition of property located at 625 Adelaide Street North in the City of London, for the Adelaide Street CPR underpass Project and to authorize the Mayor and the City Clerk to execute the Agreement. (6.4/8/CSC)</p>

14. Adjournment

Motion made by: P. Van Meerbergen

Seconded by: S. Lehman

That the meeting adjourn.

Motion Passed

The meeting adjourned at 5:11 PM.

Ed Holder, Mayor

Catharine Saunders, City Clerk