



Council Minutes

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

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

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

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

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

1. Disclosures of Pecuniary Interest

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

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

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

2. Recognitions

None.

3. Review of Confidential Matters to be Considered in Public

None.

4. Council, In Closed Session

None.

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

Motion made by: S. Lewis

Seconded by: P. Van Meerbergen

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

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

Absent: (1): A. Kayabaga

Motion Passed (14 to 0)

6. Communications and Petitions

None.

7. Motions of Which Notice is Given

None.

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

8. Reports

8.1 7th Report of the Civic Works Committee

Motion made by: S. Lehman

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

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

Motion Passed (15 to 0)

1. Disclosures of Pecuniary Interest

Motion made by: S. Lehman

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

Motion Passed

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

Motion made by: S. Lehman

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

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

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

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

- d) the approvals given herein BE CONDITIONAL upon the Corporation entering into a formal contract; and,
- e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2020-E01)

Motion Passed

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

Motion made by: S. Lehman

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

Motion Passed

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

Motion made by: S. Lehman

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the award of contract for the W12A Landfill Site Cell 10 Base and Leachate Collection System Construction:

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

Motion Passed

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

Motion made by: S. Lehman

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

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

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

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

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

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

Motion Passed

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

Motion made by: S. Lehman

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

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

Motion Passed

7. (5.1) Deferred Matters List

Motion made by: S. Lehman

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

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

Motion Passed (14 to 0)

8.2 8th Report of the Planning and Environment Committee

Motion made by: M. Cassidy

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

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

Motion Passed (15 to 0)

1. Disclosures of Pecuniary Interest

Motion made by: M. Cassidy

That it BE NOTED that no pecuniary interests were disclosed.

Motion Passed

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

Motion made by: M. Cassidy

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

Motion Passed

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

Motion made by: M. Cassidy

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

Motion Passed

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

Motion made by: M. Cassidy

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

Motion Passed

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

Motion made by: M. Cassidy

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

Municipal Council meeting to be held on June 2, 2020 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM a Holding Residential R1 (h*h-100*R1-3) Zone TO Residential R1 (R1-3) Zone to remove the “h” and h-100” holding provisions.

Motion Passed

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

Motion made by: M. Cassidy

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

Motion Passed

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

Motion made by: M. Cassidy

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

Motion Passed

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

Motion made by: M. Cassidy

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to entering into a Subdivision Agreement between The Corporation of the City of London and Drewlo Holdings Inc., for the subdivision of land over Lot 1, Lot 7 and Lot 8 Registered Plan No. 284(C) and Part of Lot 17 and Lot 18 Broken Front Concession B (Geographic Township of Westminster) and Part of Block 73 Plan 33M-269 in the City of London, County of Middlesex; situated on the east of Pond Mills Road, south of the Thames River, and west of Shelborne Place, municipally known as 130, 136, 146 and 164 Pond Mills Road:

a) the Special Provisions, to be contained in a Subdivision Agreement between The Corporation of the City of London and Drewlo Holdings Inc., for the Pond Mills Subdivision (39T-12501) appended to the staff report dated May 25, 2020 as Appendix “A”, BE APPROVED;

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

- c) the financing for this project BE APPROVED as set out in the Source of Financing Report appended to the staff report dated May 25, 2020 as Appendix “C”; and,
- d) the Mayor and the City Clerk BE AUTHORIZED to execute this Agreement, any amending agreements and all documents required to fulfill its conditions.

Motion Passed

10. (5.1) Deferred Matters List

Motion made by: M. Cassidy

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

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

Motion Passed

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

Motion made by: M. Cassidy

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

Amendment:

Motion made by: M. Cassidy

Seconded by: S. Hillier

That clause 2.2 BE AMENDED to read as follows:

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

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

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

Motion Passed (15 to 0)

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

That clause 2.2, as amended, BE APPROVED.

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

Motion Passed (15 to 0)

8.3 6th Report of the Community and Protective Services Committee

Motion made by: S. Lewis

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

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

Motion Passed (15 to 0)

1. Disclosures of Pecuniary Interest

Motion made by: S. Lewis

That it BE NOTED that no pecuniary interests were disclosed.

Motion Passed

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

Motion made by: S. Lewis

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

Motion Passed

6. (5.1) Deferred Matters List

Motion made by: S. Lewis

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

Motion Passed

3. (4.1) Food Security Pilot - Backyard Chickens

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

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

Motion made by: S. Lewis

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

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

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

Recuse: (1): S. Turner

Motion Passed (11 to 3)

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

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

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

Motion made by: S. Lewis

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

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

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

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

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

Motion made by: S. Lewis

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

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

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

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

Motion Passed (15 to 0)

Motion made by: S. Lewis

Motion to approve part b):

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

Yeas: (1): J. Helmer

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

Motion Failed (1 to 14)

The motion as enacted reads as follows:

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

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

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

Motion made by: S. Lewis

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

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

Recuse: (1): S. Turner

Motion Passed (14 to 0)

- 8.4 9th Report of the Corporate Services Committee

Motion made by: A. Kayabaga

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

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

Motion Passed (15 to 0)

1. Disclosures of Pecuniary Interest

Motion made by: A. Kayabaga

That it BE NOTED that no pecuniary interests were disclosed.

Motion Passed

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

Motion made by: A. Kayabaga

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

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

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

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

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

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

Motion Passed

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

Motion made by: A. Kayabaga

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

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

Motion Passed

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

Motion made by: A. Kayabaga

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

Motion Passed

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

Motion made by: A. Kayabaga

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

Motion Passed

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

Motion made by: A. Kayabaga

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

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

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

Motion Passed

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

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

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

Motion made by: A. Kayabaga

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

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

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

Motion made by: A. Kayabaga

Motion to approve part a):

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

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

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

Motion Passed (15 to 0)

Motion made by: A. Kayabaga

Motion to approve part b):

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

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

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

Motion Passed (10 to 5)

9. Added Reports

None.

10. Deferred Matters

None.

11. Enquiries

None.

12. Emergent Motions

None.

13. By-laws

Motion made by: J. Helmer

Seconded by: A. Hopkins

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

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

Motion Passed (15 to 0)

Motion made by: P. Van Meerbergen

Seconded by: E. Pelozza

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

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

Motion Passed (15 to 0)

Motion made by: S. Lehman

Seconded by: M. van Holst

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

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

Motion Passed (15 to 0)

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

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

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

14. Adjournment

Motion made by: S. Hillier

Seconded by: P. Van Meerbergen

That the meeting BE ADJOURNED.

Motion Passed

The meeting was adjourned at 5:00 PM.

Ed Holder, Mayor

Catharine Saunders, City Clerk

REVISED

Bill No.
2020

By-law No. CP-23_____

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

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

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

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

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

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

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

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

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

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

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

2.2 Exception, London Consent Authority

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

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

PASSED in Open Council on June 2, 2020.

Ed Holder
Mayor

Catharine Saunders
City Clerk

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