



Council Minutes

The 19th Meeting of City Council
October 27, 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: M. Ribera, C. Saunders, M. Schulthess, B. Westlake-Power
Remote Attendance: L. Livingstone, A. Barbon, G. Barrett, B. Card, M. Daley, K. Dickins, G. Kotsifas, K. Scherr, E. Skalski, C. Smith, S. Stafford, B. Warner, R. Wilcox, P. Yeoman
The meeting is called to order at 4:04 PM, with all Members participating; it being noted that the following Members attended the meeting remotely: M. van Holst, M. Salih, J. Helmer, M. Cassidy, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelozza, A. Kayabaga and S. Hillier.

1. Disclosures of Pecuniary Interest

His Worship the Mayor discloses a pecuniary interest in Item 10 (5.1) of the 12th Report of the Civic Works Committee having to do with 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.

Councillor A. Hopkins discloses a pecuniary interest in Item 2 (2.1) of the 12th Report of the Civic Works Committee having to do with the award of consulting engineering service for detailed design of the Springbank Reservoir 1 and 3- roof membrane replacement and reservoir repairs RFP 20-44, by indicating that she owns property in close vicinity to the Reservoir.

2. Recognitions

None.

3. Review of Confidential Matters to be Considered in Public

None.

Motion made by: S. Hillier

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. 309, being a by-law to confirm the proceedings of the Council Meeting held on the 27th Day of October, 2020, which will be considered, prior to Stage 14 – Adjournment; and

b) Stage 9 – Added Reports –Item 9.1 - 16th 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)

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

Motion made by: A. Hopkins
Seconded by: M. Cassidy

That the Minutes of the 18th Meeting held on October 13, 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

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

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

6.1 Demolition Request for Heritage Listed Property - 954 Gainsborough Road

M. Dowds;

A. Thompson;

6.2 Meadowlily Environmentally Significant Area - Conservation Master Plan (Z-9245)

H. Froussios, Zelinka Priamo Ltd.;

H. Froussios and G. Balango, Zelinka Priamo Ltd;

6.3 Application - 348 Sunningdale Road East (Z-9011)

A. Thompson;

6.4 197, 183 and 179 Ann Street - 7th Report of the London Advisory Committee on Heritage

A.M. Valastro;

6.5 London Hydro Restructuring

Councillor M. van Holst

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)

7. Motions of Which Notice is Given

None.

8. Reports

8.1 16th Report of the Corporate Services Committee

Motion made by: A. Kayabaga

That the 16th 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)

At 4:16 PM, His Worship the Mayor takes a seat at the Council Board and places Councillor J. Helmer in the Chair.

At 4:17 PM, His Worship the Mayor resumes the Chair and Councillor J. Helmer takes a seat at the Council Board.

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) RFP 20-37 Cognos Modernization Irregular Result

Motion made by: A. Kayabaga

That, on the recommendation of the Director, Information Technology Services, City Manager's Office, and with the concurrence of the Director, Financial Services, Finance & Corporate Services, the following actions be taken with respect to the Cognos Modernization:

- a) the proposal submitted by Newcomp Analytics, 175 Commerce Valley Drive West, Suite 230, Thornhill, ON L3T 7P6, for the Cognos Modernization for a total cost of \$553,116.97 (excluding taxes) BE ACCEPTED in accordance with section 8.10 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 staff report dated October 19, 2020 as Appendix "A";
- c) the Civic Administration BE AUTHORIZED to undertake all administrative acts that are necessary in connection with this purchase; and,
- d) 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) City of London's Credit Rating

Motion made by: A. Kayabaga

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the City of London's Credit Rating Report, providing a summary of Moody's Investors Service Credit Opinion of the City of London, BE RECEIVED for information.

Motion Passed

4. (2.3) Expropriation of Land - Fanshawe Park Road and Richmond Street Intersection Improvements Project (Relates to Bill No. 319)

Motion made by: A. Kayabaga

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, with the concurrence of the Director, Roads and Transportation, on the advice of the Manager of Realty Services, approval BE GIVEN to the expropriation of land as may be required for the Fanshawe Park Road and Richmond Street Intersection Improvements Project and that the following actions be taken in connection therewith:

a) application be made by The Corporation of the City of London as Expropriating Authority to the Council of The Corporation of the City of London as approving authority for the approval to expropriate the land required for Fanshawe Park Road / Richmond Street Intersection Improvements Project;

b) The Corporation of the City of London serve and publish notice of the above application in accordance with the terms of the *Expropriations Act*;

c) The Corporation of the City of London forward to the Chief Inquiry Officer any requests for a hearing that may be received and report such to the Council of The Corporation of the City of London for its information; and

d) the by-law as appended to the staff report dated October 19, 2020 as Schedule "B" BE INTRODUCED at the Council meeting on October 27, 2020 to authorize and approve an application to expropriate land in the City of London, in the County of Middlesex, for the Fanshawe Park Road / Richmond Street Intersection Improvements Project.

Motion Passed

5. (4.1) Application - Issuance of Proclamation - Fung Loy Kok Institute of Taoism 50th Anniversary

Motion made by: A. Kayabaga

That based on the application dated September 24, 2020, from Fung Loy Kok Institute of Taoism, the day of November 7, 2020 BE PROCLAIMED as Fung Loy Kok Institute of Taoism 50th Anniversary.

Motion Passed

6. (4.2) Application - Issuance of Proclamation - Day of Awareness for Survivors of Financial Abuse and Economic Injustice

Motion made by: A. Kayabaga

That based on the application dated September 30, 2020, from the Canadian Centre for Women's Empowerment, the day of November 26, 2020 BE PROCLAIMED as Day of Awareness for Survivors of Financial Abuse and Economic Injustice.

Motion Passed

7. (5.1) Federation of Canadian Municipalities (FCM) Update

Motion made by: A. Kayabaga

That it BE NOTED that Councillor J. Morgan provided a verbal update to the Corporate Services Committee with respect to the FCM Board of Directors/Committee opportunities.

Motion Passed

- 8.2 12th Report of the Civic Works Committee

Motion made by: S. Lehman

That the 12th Report of the Civic Works Committee BE APPROVED, excluding Items 2 (2.1) and 10 (5.2).

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: S. Lehman

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

3. (2.2) Amendments to the Traffic and Parking By-law (Relates to Bill No. 320)

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 October 20, 2020, BE INTRODUCED at the Municipal Council meeting to be held on October 27, 2020 to amend By-law PS-113, entitled, "A by-law to regulate traffic and the parking of motor vehicles in the City of London". (2020-T02)

Motion Passed

4. (2.3) Appointment of Consulting Engineers - Infrastructure Renewal Program

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 appointment of consulting engineers for the Infrastructure Renewal Program:

- a) the following consulting engineers BE APPOINTED to carry out consulting services for the identified 2022 and future Infrastructure Renewal Program at the upset amounts identified below, in accordance with the estimate on file, and in accordance with Section 15.2(e) of the City of London's Procurement of Goods and Services Policy:
- i) R.V. Anderson Associates Limited BE APPOINTED consulting engineers to complete the pre-design and detailed design of the 2022 Infrastructure Renewal Program Assignment I, Labatt Trunk Sewer Siphon Replacement, in the total amount of \$208,813.00, including contingency, (excluding HST);
 - ii) Development Engineering (London) Limited BE APPOINTED consulting engineers to complete the pre-design and detailed design of future Infrastructure Renewal Program Assignment J, Rhine Avenue from Wistow Street to Flanders Row, Flanders Row from Paardeberg Crescent to Rhine Avenue and Paardeberg Crescent from Rhine Avenue to Rhine Avenue, in the total amount of \$219,736.00, including contingency, (excluding HST);
 - iii) R.V. Anderson Associates Limited BE APPOINTED consulting engineers to complete the pre-design and detailed design of the future Infrastructure Renewal Program Assignment K, McKenzie Avenue from Wortley Road to Belgrave Avenue, Baker Street from Ridout Street to Belgrave Avenue, Windsor Avenue from Ridout Street to Belgrave Avenue and Belgrave Avenue from Baker Street to McKenzie Avenue, in the total amount of \$197,933.00, including contingency, (excluding HST);
 - iv) GM BluePlan Engineering Limited BE APPOINTED consulting engineers to complete the predesign and detailed design of the future Infrastructure Renewal Program Assignment L, Whitehall Drive from Vancouver Street to Atkinson Boulevard in the total amount of \$149,688.00, including contingency, (excluding HST);
- b) the financing for the above-noted projects BE APPROVED as set out in the Sources of Financing Report, as appended to the staff report dated October 20, 2020;

- 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 each consultant for the respective 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. (2020-E01)

Motion Passed

- 5. (2.4) Richmond North Recreational Crossing and Pathway Extension Project Detailed Design and Tendering - Appointment of Consulting Engineer

Motion made by: S. Lehman

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, and with concurrence of the Managing Director, Parks and Recreation, the following actions be taken with respect to the appointment of a Consulting Engineer for the Richmond North Recreational Crossing and Pathway Extension Project:

- a) AECOM Canada Limited, BE APPOINTED Consulting Engineers for the detailed design and tendering for the said project at an upset amount of \$520,259.50 (excluding HST), in accordance with RFP20-27 and in accordance with Section 15.2 (e) 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 staff report dated October 20, 2020;
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project;
- d) the approvals given herein BE CONDITIONAL upon the Corporation entering into a formal contract with the consultant for the work; and,
- e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2020-R04)

Motion Passed

- 6. (2.5) Single Source Procurement - Rental Car Contract

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 Single Source Procurement for a Rental Car Contract:

- a) the Civic Administration BE AUTHORIZED to extend the current single source agreement greater than \$50,000 for the procurement of compact rental cars as per Section 14.4(d) of the Procurement of Goods and Services Policy;

- b) the submission from Discount Car and Truck Rentals, 720 Arrow Road, North York, Ontario, M9M 2M1, BE ACCEPTED for the supply and delivery of compact rental cars for the remainder of 2020 with a total annual cost of \$84,000 (excluding HST) and an additional option year (2021), should it be required;
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this purchase; and,
- d) the 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. (2020-V01)

Motion Passed

- 7. (2.6) Joint Occupancy and Use Agreement - Elgin-Middlesex Pumping Station (Relates to Bill No. 312)

Motion made by: S. Lehman

That, on the recommendation of the Director, Water and Wastewater, the following actions be taken with respect to a Joint Occupancy and Use Agreement between Partner Municipalities and the Elgin Area Primary Water Supply System with respect to the Elgin-Middlesex Pumping Station:

- a) the proposed by-law, as appended to the staff report dated October 20, 2020, BE INTRODUCED at the Municipal Council meeting to be held on October 27, 2020, to approve a Joint Occupancy and Use Agreement between The Corporation of the City of London, the Elgin Area Primary Water Supply System, the Aylmer Area Secondary Water Supply System and the St. Thomas Secondary Water Supply System, with respect to the Elgin-Middlesex Pumping Station; and,
- b) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with the above-noted Agreement;
it being noted that the Boards of Management for the Elgin Area Primary Water Supply System and both Secondary Water Supply Systems are concurrently undertaking similar actions in order to enter into this Joint Occupancy and Use Agreement. (2020-E03)

Motion Passed

- 8. (2.7) Vauxhall Wastewater Treatment Plant Upgrades - Engineering Design 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 completion of detailed design for upgrades at the Vauxhall Wastewater Treatment Plant:

- a) AECOM Canada Ltd. BE APPOINTED as Consulting Engineers in the amount of \$282,221.50, including 15% 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 as set out in the Sources of Financing Report, as appended to the staff report dated October 20, 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-E03)

Motion Passed

9. (4.1) Mud Creek Stormwater Management Project

Motion made by: S. Lehman

That the communication, dated September 24, 2020, from C. Blake, with respect to the Mud Creek Stormwater Management Project, BE RECEIVED. (2020-E01)

Motion Passed

2. (2.1) Award of Consulting Engineering Services for Detailed Design of the Springbank Reservoir 1 and 3 - Roof Membrane Replacement and Reservoir Repairs RFP 20-44

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 consulting engineering services for RFP 20-44 Detailed Design of the Springbank Reservoir 1 and 3, Roof Membrane Replacement and Reservoir Repairs (EW3583):

- a) the proposal submitted by R.V. Anderson Associates Limited, 557 Southdale Road East, Suite 200, London Ontario N6E 1A2, in the amount of \$294,901.00, including \$67,718 contingency (excluding HST) 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, as appended to the staff report dated October 20, 2020;
- 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 effect these recommendations. (2020-V07)

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

Recuse: (1): A. Hopkins

Motion Passed (14 to 0)

10. (5.1) Deferred Matters List

Motion made by: S. Lehman

That the Civic Works Committee Deferred Matters List, as at October 9, 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)

8.3 16th Report of the Planning and Environment Committee Meeting

Motion made by: M. Cassidy

That the 16th Report of the Planning and Environment Committee BE APPROVED, excluding Items 15 (3.4) and 17 (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. 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) Changes to the Residential Development Charges Grant Program for Downtown and Old East Village (Relates to Bill No.'s 315 and 316)

Motion made by: M. Cassidy

That, on the recommendation of the Director, City Planning and City Planner, the following actions be taken with respect to updating the guidelines for the Residential Development Charges Grant Program permitted through the Downtown and Old East Village Community Improvement Plans:

a) the proposed by-law appended to the staff report dated October 19, 2020 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on October 27, 2020 to amend By-law C.P.-1467-175, as amended, being a by-law to establish financial incentives for the Downtown Community Improvement Project Areas, to delete the existing Schedule 1 and replace with the new Schedule 1 (Downtown Community Improvement Plan – Financial Incentive Program Guidelines);

b) the proposed by-law appended to the staff report dated October 19, 2020 as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on October 27, 2020 to amend By-law C.P.-1468-176, as amended, being a by-law to establish financial incentives for the Old East Village Community Improvement Project Area, to delete the existing Schedule 1 and replace with the new Schedule 1 (Old East Village Community Improvement Plan – Financial Incentive Program Guidelines); and,

c) the Civic Administration BE DIRECTED to process the Residential Development Charges Grant of \$14,895 due to Youth Opportunities Unlimited for improvements made to 340 Richmond Street.

Motion Passed

3. (2.2) Draft Core Area Community Improvement Plan (O-9257)

Motion made by: M. Cassidy

That, on the recommendation of the Director, City Planning and City Planner, the following actions be taken with respect to the Draft Core Area Community Improvement Plan:

a) the Civic Administration BE DIRECTED to proceed with public consultation on the Draft Core Area Community Improvement Plan appended to the staff report dated October 19, 2020; and,

b) the staff report dated October 19, 2020 entitled "Core Area Community Improvement Plan" BE RECEIVED for information.

Motion Passed

4. (2.3) Bill 108, The More Homes, More Choice Act and 2019 Bill 197, The COVID-19 Economic Recovery Act, 2020, Information Report

Motion made by: M. Cassidy

That, on the recommendation of the Director, City Planning and City Planner, the staff report dated October 19, 2020 entitled "Bill 108, the *More Homes, More Choice Act, 2019* and Bill 197, the *COVID-19 Economic Recovery Act, 2020*, Information Report BE RECEIVED for information.

Motion Passed

5. (2.4) Application - 3635 Southbridge Avenue - Removal of Holding Provision (H-9236) (Relates to Bill No. 325)

Motion made by: M. Cassidy

That, on the recommendation of the Director, Development Services, based on the application by Sifton Properties Limited, relating to lands located at 3635 Southbridge Avenue, legally described as Block 127 Plan 33M-785, the proposed by-law appended to the staff report dated October 19, 2020 BE INTRODUCED at the Municipal Council meeting to be held on October 27, 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 R5 Special Provision/Residential R6 Special Provision (h•h-100•h-198•R5-4(22)/R6-5(50)) Zone TO a Residential R5 Special Provision/Residential R6 Special Provision (R5-4(22)/R6-5(50) Zone to remove the h, h-100 and h-198 holding provisions.

Motion Passed

6. (2.5) Application - 3575 Southbridge Avenue - Removal of Holding Provision (H-9236) (Relates to Bill No. 326)

Motion made by: M. Cassidy

That, on the recommendation of the Director, Development Services, based on the application by Sifton Properties Limited, relating to lands located at 3575 Southbridge Avenue, legally described as Block 125 Plan 33M-785, the proposed by-law appended to the staff report dated October 19, 2020 BE INTRODUCED at the Municipal Council meeting to be held on October 27, 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 R5 Special Provision/Residential R6 Special Provision (h•h-100•h-198•R5-4(22)/R6-5(50)) Zone TO a Residential R5 Special Provision/Residential R6 Special Provision (R5-4(22)/R6-5(50) Zone to remove the h, h-100 and h-198 holding provisions.

Motion Passed

7. (2.6) Application - 1605 Twilite Boulevard - Removal of Holding Provisions (h, h-54, h-71 and h-100) (H-9201) (Relates to Bill No. 327)

Motion made by: M. Cassidy

That, on the recommendation of the Director, Development Services, based on the application by Foxwood Building Company, relating to the property located at 1605 Twilite Boulevard, the proposed by-law appended to the staff report dated October 19, 2020 BE INTRODUCED at the Municipal Council meeting to be held on October 27, 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 R5/R6 (h*h-54*h-71*h-100*R5-6/R6-5) Zone TO Residential R5/R6 (R5-6/R6-5) Zone to remove the h, h-54, h-71 and h-100 holding provisions.

Motion Passed

8. (2.7) Application - 3620 Southbridge Avenue - Removal of Holding Provision (H-9229) (Relates to Bill No. 328)

Motion made by: M. Cassidy

That, on the recommendation of the Director, Development Services, based on the application by Sifton Properties Limited, relating to lands located at 3620 Southbridge Avenue, legally described as Block 124 Plan 33M-785, the proposed by-law appended to the staff report dated October 19, 2020 BE INTRODUCED at the Municipal Council meeting to be held on October 27, 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 R4 Special Provision (h*h-100*R4-6(8)) Zone TO a Residential R4 Special Provision (R4-6(8)) Zone to remove the "h and h-100" holding provisions.

Motion Passed

9. (2.8) Application - 3740 Southbridge Avenue - Removal of Holding Provision (H-9230) (Relates to Bill No. 329)

Motion made by: M. Cassidy

That, on the recommendation of the Director, Development Services, based on the application by Sifton Properties Limited, relating to lands located at 3740 Southbridge Avenue, legally described as Block 130 Plan 33M-785, the proposed by-law appended to the staff report dated October 19, 2020 BE INTRODUCED at the Municipal Council meeting to be held on October 27, 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 R4 Special Provision (h*h-100*R4-6(8)) Zone TO a Residential R4 Special Provision (R4-6(8)) Zone to remove the h and h-100 holding provisions.

Motion Passed

10. (2.9) Application - 1300 Fanshawe Park Road East - Stoney Creek South Subdivision - Special Provisions 39T-04512-2

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 700531 Ontario Limited, for the subdivision of land over Part of Lot 9, Concession 5, situated on the north side of Fanshawe Park Road East, east of Highbury Avenue North, municipally known as 1300 Fanshawe Park Road East:

- a) the Special Provisions, to be contained in a Subdivision Agreement between The Corporation of the City of London and 700531 Ontario Limited, for the Stoney Creek Subdivision, Phase 2 (39T-04512-2) appended to the staff report dated October 19, 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 October 19, 2020 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.

Motion Passed

11. (2.10) Application - 965 Upperpoint Avenue (H-9233) (Relates to Bill No. 330)

Motion made by: M. Cassidy

That, on the recommendation of the Director, Development Services, based on the application by Sifton Properties Limited, relating to a portion the property located at 965 Upperpoint Avenue, the proposed by-law appended to the staff report dated October 19, 2020 BE INTRODUCED at the Municipal Council meeting to be held on October 27, 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 R4/R5/R6/R8 Special Provision (h*h-54*h-209*R4-6(11)R5-7(9)/R6-5(61)/R8-3(5)) Zone TO a Residential R4/R5/R6/R8 Special Provision (R4-6(11)R5-7(9)/R6-5(61)/R8-3(5)) Zone to remove the holding provisions for portions of these lands to be developed as Street Townhouse Dwellings.

Motion Passed

12. (3.1) Application - 1761 Wonderland Road North

Motion made by: M. Cassidy

That, the application by 1830145 Ontario Limited, relating to the property located at 1761 Wonderland Road South, BE REFERRED back to the Civic Administration to work with the applicant to incorporate a mixed-use building including bonus zoning and affordable housing and to report back at a future Planning and Environment Committee meeting;

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.

Motion Passed

13. (3.2) Application - 355 Marconi Boulevard - Draft Plan of Subdivision and Zoning By-law Amendments 39T-20501 (Z-9210) (Relates to Bill No. 331)

Motion made by: M. Cassidy

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application by JNF Group Inc., relating to the property located at 355 Marconi Boulevard:

- a) the proposed by-law appended to the staff report dated October 19, 2020 as Appendix 'A' BE INTRODUCED at the Municipal Council meeting to be held on October 27, 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 Restricted Service Commercial RSC1/RSC3/RSC5 Zone TO a Holding Residential R1 (h•R1-1) Zone and a Holding Residential R1 Special Provision (h•R1-1()) Zone;
- b) the Approval Authority BE ADVISED that no issues were raised at the public meeting with respect to the application for Draft Plan of Subdivision submitted by JNF Group Inc., relating to the lands located at 355 Marconi Boulevard; and,
- c) the Approval Authority BE ADVISED that Municipal Council supports issuing draft approval of the proposed plan of subdivision as submitted by JNF Group Inc., prepared by Archibald, Gray & McKay Ltd. (AGM) (Plan No. 8-L-5546, dated July 24, 2020), as red line revised which shows thirty (30) single detached residential dwelling lots and one (1) new street, SUBJECT TO the conditions appended to the staff report dated October 19, 2020 as Appendix "B";

it being pointed out that the Planning and Environment Committee reviewed and received a communication dated October 2, 2020 from F. Strothers, by email, with respect to these matters;

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 proposed draft plan of subdivision and zoning amendment is consistent with the Provincial Policy Statement (PPS), 2020, as it achieves objectives for efficient and resilient development and land use patterns. It represents a small infill development of single detached dwelling lots of modest size taking place within the City's urban growth area, and within an established suburban neighbourhood. It also achieves objectives for promoting compact form, contributes to the neighbourhood mix of housing and densities that allows for the efficient use of land, infrastructure and public service facilities, supports the use of public transit, and avoids land use and development patterns which may cause

environmental or public health and safety concerns;

- the proposed draft plan and zoning conforms to the in-force policies of The London Plan, including but not limited to the Neighbourhoods Place Type, Our Strategy, City Building and Design, Our Tools, and all other applicable London Plan policies;
- the proposed draft plan and zoning conforms to the policies of the (1989) Official Plan, including but not limited to the Multi-Family, Medium Density Residential designation; and,
- the recommended zoning is considered appropriate and compatible with the form and character of existing residential development in the surrounding neighbourhood

Motion Passed

14. (3.3) Demolition Request for Heritage Listed Property - 954 Gainsborough Road

Motion made by: M. Cassidy

That, on the recommendation of the Director, Development Services, with the advice of the Heritage Planner, the request to demolish the buildings on the heritage listed property located at 954 Gainsborough Road BE PERMITTED, and the following actions be taken:

- a) the Chief Building Official BE ADVISED of Municipal Council's intention in this matter; and,
- b) the property at 954 Gainsborough Road BE REMOVED from the Register of Cultural Heritage Resources;

it being pointed out that the Planning and Environment Committee reviewed and received a communication from S. Bharij, by email, with respect to this matter;

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.

Motion Passed

16. (3.5) Application - 348 Sunningdale Road East (Z-9011) (Relates to Bill No. 333)

Motion made by: M. Cassidy

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application by Westchester Homes Ltd., relating to the property located at 348 Sunningdale Road East:

- a) the proposed by-law appended to the staff report dated October 19, 2020 BE INTRODUCED at the Municipal Council meeting to be held on October 27, 2020 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM an Urban Reserve (UR1) Zone TO a Holding Residential R5 Special Provision (h-17*R5-3(_)) Zone and an Open Space Special Provision (OS5(_)) Zone;

it being noted that the following site plan matters were raised during the application review process:

- i) orientation of the southerly townhouse building to the Open Space area to the south and to Sunningdale Road East;
- ii) the provision of appropriately located and adequately protected outdoor amenity area to meet Ministry of the Environment, Conservation and Parks requirements;
- iii) extension of sidewalks to Sunningdale Road East along driveway; and,
- iv) ensure naturalization with feature restoration and compensation is required to be completed by the landowner in accordance with the mitigation measures in the recommendations and Table 2 of the Environmental Impact Assessment (MTE, March 30, 2020), and an approved Restoration and Monitoring Plan;

it being pointed out that the Planning and Environment Committee reviewed and received the a communication dated October 14, 2020 from P.A. and H. Reynolds, by email, with respect to this matter;

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 Zoning By-law amendment is consistent with the Provincial Policy Statement (PPS), 2020 which encourages settlement areas to be the main focus of growth and development to 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 proposed amendment conforms to the in-force policies of The London Plan, including but not limited to the policies of the Neighbourhoods Place Type;
- the proposed amendment conforms to the in-force policies of the 1989 Official Plan, including but not limited to the Multi-family, Medium Density Residential designation which contemplates townhouse development up to a maximum density of 75 units per hectare; and,
- the subject lands represent an appropriate location for intensification in the form of townhouses, along a high-order street adjacent to existing development at an intensity that is appropriate for the site and surrounding neighbourhood.

Motion Passed

15. (3.4) Meadowlily Environmentally Significant Area - Conservation Master Plan (Z-9245) (Relates to Bill No.'s 314, 317 and 332)

Motion made by: M. Cassidy

That, on the recommendation of the Director, City Planning and City Planner, the following actions be taken with respect to the application by The Corporation of the City of London, relating to the Meadowlily Woods Environmentally Significant Area:

- a) the proposed revised, ~~attached~~ by-law (Appendix "A") BE INTRODUCED at the Municipal Council meeting to be held on October 27, 2020 to amend the Official Plan to:

- i) change the designation of the subject lands FROM Urban Reserve Community Growth, Multi-family High Density Residential, Multi-family Medium Density Residential and Environmental Review designations, TO an Open Space designation and FROM Environmental Review and Open Space designations TO an Urban Reserve Community Growth designation to align with the limits of the Meadowlily Woods Environmentally Significant Area;
 - ii) change Map Schedule B1 (Flood Plain and Environmental Features) TO apply an Environmentally Significant Area delineation to the lands identified as the Meadowlily Woods Environmentally Significant Area that are designated Open Space as amended above; and,
 - iii) change Section 19.2.2 Guideline Documents TO add the Meadowlily Woods Environmentally Significant Area Conservation Master Plan to the list of Guideline Documents;
- b) the proposed revised, ~~attached~~ by-law (Appendix "B") BE INTRODUCED at the Municipal Council meeting to be held on October 27, 2020 to amend The London Plan by changing Policy 1719_ 10 FROM Meadowlily Woods Master Plan TO Meadowlily Woods Environmentally Significant Area Conservation Master Plan;
- c) the proposed revised, ~~attached~~ by-law (Appendix "C") BE INTRODUCED at a future meeting of Municipal Council after the London Plan maps are in force and effect following the Local Planning Appeals Tribunal Hearings;
- i) change the Place Types on Map 1 - Place Types - FROM Neighbourhoods TO Green Space, and FROM Green Space TO Neighbourhoods to align with the limits of the Meadowlily Woods Environmentally Significant Area; and,
 - ii) change Map 5 - Natural Heritage - FROM Potential Environmentally Significant Area and Neighbourhood TO Environmentally Significant Area; and,
- d) the proposed revised, ~~attached~~ by-law (Appendix "D") BE INTRODUCED at the Municipal Council meeting to be held on October 27, 2020 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan, as amended in part a) above), to change the zoning of the subject property FROM a Holding Urban Reserve (h-2*UR1) Zone, a Urban Reserve (UR4) Zone, a Holding Open Space (h-2*OS4) Zone, an Environmental Review (ER) Zone, an Open Space (OS1) Zone, an Open Space Special Provision (OS1(1)) Zone, an Open Space (OS2) Zone, an Open Space (OS4) Zone and an Open Space Special Provision (OS4(1)) Zone TO an Open Space (OS5) Zone;

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

- a communication dated October 13, 2020 and presentations from G. Smith, Friends of Meadowlily Woods Community Association; and,
- a communication from S. Levin, 59 Longbow 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;

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

- the proposed amendment is consistent with the Provincial Policy Statement, 2014 as natural features and areas shall be

protected for the long term and the diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved;

- the proposed amendment conforms to the policies of the 1989 Official Plan; and,
- the proposed amendment conforms to the policies of The London Plan.

Yeas: (14): Mayor E. Holder, M. van Holst, 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

Nays: (1): S. Lewis

Motion Passed (14 to 1)

17. (4.1) 7th Report the London Advisory Committee on Heritage

Motion made by: S. Turner

That, the following actions be taken with respect to the 7th Report of the London Advisory Committee on Heritage, from its meeting held on October 14, 2020:

a) clause 4.1 c) and d) of the 7th Report of the LACH BE REFERRED to the Civic Administration to report to the November 30, 2020 Planning and Environment Committee meeting relating to the properties located at 197 Ann Street and 183 Ann Street; it being noted that clause 4.1 c) and d) read as follows:

"c) the resource known as 197 Ann Street BE DESIGNATED, pursuant to Part IV of the Ontario Heritage Act, based on the ~~attached~~ evaluation of the property including the Statement of Cultural Heritage Value or Interest; it being noted that the properties located at 175, 179, 183, and 197 Ann Street and 84 and 86 St. George Street have merged;

d) the resource known as 183 Ann Street BE DESIGNATED, pursuant to Part IV of the Ontario Heritage Act, based on the ~~attached~~ evaluation of the property including the Statement of Cultural Heritage Value or Interest;

it being noted that the properties at 175, 179, 183, and 197 Ann Street and 84 and 86 St. George Street have merged;"

b) the following actions be taken with respect to the Stewardship Sub-Committee Report, from its meetings held on September 23, September 30, October 5 and October 6, 2020:

i) the following properties BE ADDED to the Register of Cultural Heritage Resources based on the cultural heritage information presented in the North Talbot Cultural Heritage Inventory prepared by Timmins Martelle Heritage Consultants:

- 124 Albert Street
- 125 Albert Street
- 127 Albert Street
- 129 Albert Street
- 137 Albert Street
- 153-155 Albert Street
- 159 Albert Street
- 175-177 Albert Street
- 179-181 Albert Street
- 65 Ann Street
- 72 Ann Street

- 123 Ann Street
- 125 Ann Street
- 131-133 Ann Street
- 137 Ann Street
- 139 Ann Street
- 140 Ann Street
- 145 Ann Street
- 156 Ann Street
- 164 Ann Street
- 175 Ann Street
- 179 Ann Street
- 180 Ann Street
- 183 Ann Street
- 97 Barton Street
- 100 Central Avenue
- 122 Central Avenue
- 132 Central Avenue
- 133 Central Avenue
- 138 Central Avenue
- 140 Central Avenue
- 141 Central Avenue
- 144 Central Avenue
- 148 Central Avenue
- 150 Central Avenue
- 152 Central Avenue
- 154 Central Avenue
- 156 Central Avenue
- 177 Central Avenue
- 182 Central Avenue
- 183 Central Avenue
- 188 Central Avenue
- 190 Central Avenue
- 204 Central Avenue
- 64 Fullarton Street
- 66 Fullarton Street
- 156-158 Hyman Street
- 195 Hyman Street
- 197 Hyman Street
- 119 John Street
- 121 John Street
- 125 John Street
- 132 John Street
- 133 John Street
- 137 John Street
- 141 John Street
- 142 John Street
- 145 John Street
- 149 John Street
- 151 John Street
- 153 John Street
- 157 John Street
- 158 John Street
- 163 John Street
- 165 John Street
- 166 John Street
- 168 John Street
- 169 John Street
- 170 John Street
- 171 John Street
- 172 John Street
- 173 John Street
- 174 John Street

- 176 John Street
- 178 John Street
- 185 John Street
- 188 John Street
- 189 John Street
- 190-192 John Street
- 197 John Street
- 201 John Street
- 204-206 John Street
- 205 John Street
- 82-84 Kent Street
- 86-88 Kent Street
- 90 Kent Street
- 92 Kent Street
- 96 Kent Street
- 125 Mill Street
- 134 Mill Street
- 134 ½ Mill Street
- 136 ½ Mill Street
- 143 Mill Street
- 147 Mill Street
- 148 Mill Street
- 149 Mill Street
- 160 Mill Street
- 162-164 Mill Street
- 175 Mill Street
- 181 Mill Street
- 185-187 Mill Street
- 191-193 Mill Street
- 207 Mill Street
- 147 Piccadilly Street
- 176 Piccadilly Street
- 214 Piccadilly Street
- 571-575 Richmond Street
- 539 Richmond Street
- 579 Richmond Street
- 581-583 Richmond Street
- 595 Richmond Street
- 609 Richmond Street
- 633-635 Richmond Street
- 637 Richmond Street, 209 John Street
- 711 Richmond Street
- 569-571 Ridout Street North
- 583 Ridout Street North
- 1 St. George Street
- 3 St. George Street
- 4 St. George Street
- 5 St. George Street
- 6 St. George Street
- 7 St. George Street
- 8 St. George Street
- 9 St. George Street
- 10 St. George Street
- 11 St. George Street
- 14 St. George Street
- 49 St. George Street
- 51 St. George Street
- 52 St. George Street
- 53 St. George Street
- 60 St. George Street
- 61 St. George Street
- 62 St. George Street

- 64 St. George Street
- 66 St. George Street
- 75 St. George Street
- 77 St. George Street
- 84 St. George Street
- 86 St. George Street
- 100 St. George Street
- 123 St. George Street
- 130 St. George Street
- 132 St. George Street
- 135 St. George Street
- 547-551 Talbot Street
- 564 Talbot Street
- 569-571 Talbot Street
- 584 Talbot Street
- 590-592 Talbot Street
- 615 Talbot Street
- 620-622 Talbot Street
- 624 Talbot Street
- 625 Talbot Street
- 662 Talbot Street
- 664 Talbot Street
- 666 Talbot Street
- 668 Talbot Street
- 670 Talbot Street
- 694 Talbot Street
- 698 Talbot Street
- 700 Talbot Street
- 718 Talbot Street
- 724 Talbot Street;

it being noted that the Stewardship Sub-Committee does not recommend that the properties at 600 Talbot Street and 152 Albert Street be added to the Register of Cultural Heritage Resources;

ii) the property located at 1928 Huron Street BE ADDED to the Register of Cultural Heritage Resources based on the ~~attached~~ statement explaining the cultural heritage value or interest of the property; and,

iii) the balance of the above-noted Stewardship Sub-Committee Report, BE RECEIVED;

c) on the recommendation of the Director, City Planning and City Planner, with the advice of the Heritage Planner, the application under Section 42 of the Ontario Heritage Act seeking approval for alterations to the property located at 784 Hellmuth Avenue, within the Bishop Hellmuth Heritage Conservation District, BE PERMITTED with the following terms and conditions:

- the replacement of the windows, specified in this Heritage Alteration Permit, be replaced no later than December 22, 2020; and,
- the Heritage Alteration Permit be displayed in a location visible from the street while the work is underway;

d) on the recommendation of the Director, Development Services, with the advice of the Heritage Planner, the following actions be taken with respect to the request to demolish the buildings on the heritage listed property located at 954 Gainsborough Road:

- i) the above-noted request to demolish BE PERMITTED;
- ii) the Chief Building Official BE ADVISED of Municipal Council's intention in this matter; and,

- iii) the property located at 954 Gainsborough Road BE REMOVED from the Register of Cultural Heritage Resources; and,
e) clauses 1.1, 3.1 and 3.2, BE RECEIVED for information;

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

- a communication dated October 15, 2020 from S. Allen, MHBC Planning, Urban Design & Landscape Architecture;
- a presentation by M. Tovey;
- a communication from A.M. Valastro;
- a communication from the North Talbot Neighbourhood Association;
- a communication dated October 15, 2020 from K. McKeating, President, Architectural Conservancy Ontario - London Region;
- a communication from P. Black, by e-mail;
- a communication dated October 15, 2020 from J. Grainger, 956 Colborne Street;
- a communication from E. Wiley, Library Assistant, The D.B. Weldon Library, Western University;
- a communication from D. Murphy, by e-mail;
- a communication from L. Tinsley, by e-mail;
- a communication from A. Peters, Forked River Brewing Company, by e-mail;
- a communication from S. Murdoch, by e-mail; and,
- a communication from M. Lee, by e-mail;

it being noted that the Planning and Environment Committee heard verbal delegations from M. Walley, Vice-Chair, London Advisory Committee on Heritage; A. Soufan, York Developments; M. Tovey and A.M. Valastro, with respect to these matters.

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

Nays: (2): M. Cassidy, and A. Hopkins

Motion Passed (13 to 2)

8.4 17th Report of the Strategic Priorities and Policy Committee

Motion made by: J. Helmer

That the 17th Report of the Strategic Priorities and Policy Committee BE APPROVED, excluding Items 7 (2.5), 9 (3.2) and 10 (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. Pelozza, 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. (2.2) Strategic Plan: 2019 Performance Report

Motion made by: J. Helmer

That, on the recommendation of the City Manager, the staff report dated October 20, 2020 regarding the Strategic Plan including the 2019 Performance Report, BE RECEIVED for information.

Motion Passed

3. (2.6) Community Diversity and Inclusion Strategy Leadership Table Recommendations: Progress and Next Steps

Motion made by: J. Helmer

That, on the recommendation of the Managing Director, Neighbourhood, Children and Fire Services and with the concurrence of the City Manager, the staff report dated October 20, 2020 with respect to the Community Diversity and Inclusion Strategy Leadership Table Recommendations: Progress and Next Steps BE RECEIVED for information.

Motion Passed

4. (2.1) 2021 Development Charges Update Covering Report and Proposed By-law (Relates to Bill No. 318)

Motion made by: J. Helmer

That, on the recommendation of the Managing Director, Corporate Services & City Treasurer, Chief Financial Officer, the following actions be taken with respect to the 2021 Development Charges Update:

a) the 2021 Development Charges Background Study Update BE APPROVED;

b) the proposed by-law, as appended to the staff report dated October 20, 2020, being a by-law respecting the payment of Development Charges BE INTRODUCED at the meeting of Municipal Council to be held on October 27, 2020; it being noted that the by-law will come into force and effect on January 1, 2021;

c) the intention to meet the capital project needs of growth, as listed in the rate calculations contained in Appendices "B" through "K" of the 2021 DC Background Study Update BE CONFIRMED in accordance with the *Development Charges Act*, it being noted that further review will be undertaken through the annual Capital Budget process;

d) in accordance with Section 5(1)5 of the *Development Charges Act*, it BE CONFIRMED that the Municipal Council has expressed its intention that excess capacity of the works identified

in the 2021 Development Charges Background Study Update be paid for by Development Charges; and

e) it BE CONFIRMED that the Municipal Council has determined that no further public meeting is required pursuant to Section 12 of the *Development Charges Act*.

Motion Passed

5. (2.3) Annual Recognition Awards

Motion made by: J. Helmer

That, on the recommendation of the City Clerk, the following actions be taken with respect to the Annual Recognitions of the City of London:

a) the staff report dated October 20, 2020 entitled “Annual Recognition Awards 2020”, BE RECEIVED; and

b) notwithstanding the Diversity, Race Relations and Inclusivity Award Policy and the Mayor’s New Year’s Honour List Policy, the nominations submitted in 2020 for these awards BE FORWARDED to the Strategic Priorities and Policy Committee for consideration; it being noted that due to the COVID-19 emergency in person presentations and receptions will not occur.

Motion Passed

6. (2.4) Amendment - Terms of Reference Committee of Management for the Dearness Home (Relates to Bill No. 310)

Motion made by: J. Helmer

That, on the recommendation of the City Clerk, the proposed by-law appended to the staff report dated October 20, 2020 as Appendix “A”, being “A by-law to amend By-law No. A.-6582-255 being “A By-law to establish a Committee of Management for the Dearness Home in accordance with section 132 of the Long-Term Care Homes Act, 2007” by removing the requirement for a minimum of one meeting a year to be held at the Dearness Home due to health and safety concerns, BE INTRODUCED at the Municipal Council Meeting to be held on October 27, 2020.

Motion Passed

8. (3.1) Amendments to Consolidated Fees and Charges By-law (Relates to Bill No. 313)

Motion made by: J. Helmer

That, on the recommendation of the City Clerk, with the concurrence of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the proposed by-law, appended to the staff report dated October 20, 2020 as Appendix “A” BE INTRODUCED at the Municipal Council meeting to be held on October 27, 2020 for the purpose of repealing By-law No. A-55, as amended, being “A by-law to provide for Various Fees and Charges” and replacing it with a new Fees and Charges By-law that adds and adjusts certain fees and charges for services or activities provided by the City of London;

it being noted that the following individual spoke at the public participation meeting associated with this matter;

M. Wallace, London Development Institute - indicating support for the staff report and suggesting the consideration of a different index in the calculation, for future years.

Motion Passed

11. (4.2) Appointment of Deputy Mayor (Relates to Bill No. 311)

Motion made by: J. Helmer

That, on the recommendation of the Mayor, the following actions be taken with respect to the appointment of the Deputy Mayor:

- a) the appointment of Councillor Josh Morgan as Deputy Mayor for the City of London, for a term commencing on December 1, 2020 and ending on November 15, 2022 to carry out such responsibilities as set out and as provided for in the Council Policy “Appointment of Deputy Mayor Policy” and the Council Procedure By-law, BE APPROVED;
- b) the proposed by-law, as appended to the staff report dated October 20, 2020 as Appendix “A” being “A by-law to appoint a Deputy Mayor for the City of London and to repeal By-law No. A.-7794-2, being a By-law to appoint a Deputy Mayor, as selected by the Mayor, for the City of London, BE INTRODUCED at the Municipal Council meeting to be held on October 27, 2020; and
- c) the City Clerk BE DIRECTED to bring forward to a future meeting of the Strategic Priorities and Policy Committee an amendment to Council Policy “Appointment of Deputy Mayor Policy” to incorporate wording that would ensure consideration of the appointment through a diversity, gender and inclusivity lens.

Motion Passed

12. (4.3) Committee Appointments

That the following appointments for the term December 1, 2020 to November 30, 2020 BE CONFIRMED:

Motion made by: J. Helmer

That the following appointments BE MADE to the Standing Committees of the Municipal Council for the term December 1, 2020 to November 30, 2021;

a) Planning and Environment Committee

Councillor P. Squire (Chair)
Councillor S. Hillier
Councillor A. Hopkins
Councillor S. Lehman
Councillor S. Lewis

b) Civic Works Committee

Councillor E. Pelozo (Chair)
Councillor J. Helmer
Councillor M. Cassidy
Councillor P. Van Meerbergen
Councillor S. Turner

c) Community and Protective Services Committee

Councillor J. Helmer (Chair)

Councillor S. Lewis

Councillor M. Salih

Councillor A. Kayabaga

Councillor S. Hillier

d) Corporate Services Committee

Councillor M. Cassidy (Chair)

Councillor M. van Holst

Councillor J. Morgan

Councillor E. Pelosa

Councillor A. Kayabaga

e) the communication dated October 18, 2020, from Councillor M. van Holst with respect to suggested assignments BE RECEIVED.

Motion Passed

13. (4.4) Master Accommodation Plan

Motion made by: J. Helmer

That the Civic Administration BE DIRECTED to initiate an update of the Master Accommodation Plan taking into account the potential for alternate work strategies and long term impacts on work space requirements resulting from the COVID-19 Pandemic.

Motion Passed

7. (2.5) Rapid Transit Implementation Working Group

Motion made by: M. Cassidy

That, on the recommendation of the Managing Director, Environmental & Engineering Services and City Engineer and the City Clerk, the "Rapid Transit Implementation Working Group" (RTIWG) BE DISSOLVED as the mandate of the RTIWG has been completed; it being noted that the Terms of Reference of the RTIWG sets out that the Working Group shall dissolve upon completion of its mandate.

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

Nays: (4): M. van Holst, M. Salih, J. Helmer, and S. Turner

Motion Passed (11 to 4)

9. (3.2) 2021-2023 Water and Wastewater Rates (Relates to Bill No.'s 323 & 324)

That, on the recommendation of the Managing Director, Environmental and Engineering Services & City Engineer, and the Managing Director, Corporate Services & City Treasurer, Chief Financial Officer the following actions be taken with respect to the 2021-2023 Water and Wastewater rates and charges:

a) the proposed by-law, appended to the staff report dated October 20, 2020 as Appendix “A”, “A by-law to amend By-law WM-28 being ‘A by-law for regulation of wastewater and stormwater drainage systems in the City of London’”, as amended by providing for an increase in the rates and charges, BE INTRODUCED at the Municipal Council meeting to be held October 27, 2020 to effect rates and charges increases of 2.5 percent effective January 1, 2020, an additional 2.7 percent effective July 1, 2021, 2.5 percent effective January 1, 2022, and 2.5 percent effective January 1, 2023; and,

b) the proposed by-law, appended to the staff report dated October 20, 2020 as Appendix “B”, “A by-law to amend By-law W-8 being ‘A by-law to provide for the Regulation of Water Supply in the City of London’”, as amended by providing for an increase in the rates and charges, BE INTRODUCED at the Municipal Council meeting to be held October 27, 2020 to effect rates and charges increases of 2.5 percent effective January 1, 2021, 2.5 percent effective January 1, 2022, and 2.5 percent effective January 1, 2023;

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

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

Nays: (3): A. Hopkins, S. Turner, and E. Pelozo

Motion Passed (12 to 3)

10. (4.1) London Hydro Proposed Corporate Restructuring

That part b) BE AMENDED to read as follows:

b) the Civic Administration BE DIRECTED to investigate the option of creating an unregulated company and bring forward a report that would compare this option with the options outlined in the above-noted report in a timeframe that allows for the chosen affiliate structure to be in place by the first week of February.

Motion made by: J. Helmer

That the following actions be taken with respect to proposed Corporate restructuring to London Hydro:

a) the staff report dated October 20, 2020 with respect to the restructuring proposal by London Hydro Inc. (LHI) BE RECEIVED for information; and

b) the Civic Administration BE DIRECTED to investigate the option of creating an unregulated company and bring forward a report that would compare this option with the options outlined in the above-noted report;

it being noted that the Strategic Priorities and Policy Committee received a communication dated October 16, 2020 from Councillor M. van Holst with respect to this matter.

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

Motion Passed (15 to 0)

10. Deferred Matters

None.

11. Enquiries

None.

12. Emergent Motions

12.1 (ADDED) Bill 218 and Ranked Ballots

Motion made by: S. Lewis
Seconded by: A. Kayabaga

That pursuant to section 20.2 of the Council Procedure By-law leave BE GIVEN to introduce the following emergent motion expressing concern with the Province of Ontario's proposal to amend the Municipal Elections Act, 1996 that would remove the option for a municipality to hold a Ranked ballot election.

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: J. Helmer
Seconded by: J. Morgan

That the following actions be taken with respect to the Bill 218 "An Act to enact the Supporting Ontario's Recovery Act, 2020":

a) the Civic Administration BE DIRECTED to submit the following comments on behalf of the City of London (the "City") to the Province of Ontario with respect to the proposed changes to the Municipal Elections Act, 1996 :

i) the City does not support the proposed changes to the Municipal Elections Act, 1996, specifically related to the removal of the option for a municipality to hold a ranked ballot election;

ii) the City does support the principle that each municipality should be able to choose whether or not to use first-past-the-post or a ranked ballot election; and,

iii) the City encourages the provincial government to meaningfully consult with municipalities on municipal issues before introducing legislative changes of this magnitude;

b) the Mayor BE REQUESTED to ask the Premier and the Minister of Municipal Affairs and Housing to exempt the City of London from the proposed changes to the Municipal Elections Act, 1996 as set out in Bill 218, if the Province proceeds with the legislation as drafted; and,

c) the Civic Administration BE DIRECTED to report back with an estimate of the costs of being forced by the Province to switch back to a first-past-the-post Municipal Election in 2022.

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

Nays: (1): P. Squire

Motion Passed (14 to 1)

13. By-laws

Motion made by: P. Van Meerbergen

Seconded by: S. Lehman

That Introduction and First Reading of Bill No.'s 310 to 333, excluding Bill No. 324, 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. Pelozo, A. Kayabaga, and S. Hillier

Motion Passed (15 to 0)

Motion made by: E. Pelozo

Seconded by: S. Hillier

That Second Reading of Bill No.'s 310 to 333, excluding Bill No. 324, 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. Pelozo, A. Kayabaga, and S. Hillier

Motion Passed (15 to 0)

Motion made by: S. Turner

Seconded by: S. Lewis

That Third Reading and Enactment of Bill No.'s 310 to 333, excluding Bill No. 324, 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. Pelozo, A. Kayabaga, and S. Hillier

Motion Passed (15 to 0)

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

That Introduction and First Reading of Bill No. 324, BE APPROVED.

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

Nays: (3): A. Hopkins, S. Turner, and E. Pelozo

Motion Passed (12 to 3)

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

That Second Reading of Bill No. 324, BE APPROVED.

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

Nays: (3): A. Hopkins, S. Turner, and E. Pelozo

Motion Passed (12 to 3)

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

That Third Reading and Enactment of Bill No. 324, BE APPROVED.

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

Nays: (3): A. Hopkins, S. Turner, and E. Pelozo

Motion Passed (12 to 3)

4. Council, In Closed Session

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

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 instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality.
(6.1/16/CSC)

4.2. Land Acquisition

A matter pertaining to the proposed or pending acquisition of land by the municipality, including communications necessary for that purpose. (6.2/16/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 5:32 PM, with Mayor E. Holder in the Chair and all Members participating.

At 5:45 PM, the Council resumes in public session, with Mayor E. Holder in the Chair and all Members participating.

9. Added Reports

9.1 16th Report of Council In Closed Session

Motion made by: P. Squire

Seconded by: S. Lehman

1. Property Acquisition – Fanshawe Park Road / Richmond Street Intersection Improvement Project - 1680 Richmond Street Space

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, the following actions be taken with respect to the property located at 1680 Richmond Street, further described as Part of Blocks 1 and 2, Plan 33M-103 and Part of lot 16, Concession 4, Geographic Township of London, in the City of London, County of Middlesex, described as Parts 1, 2, 3, 4, 7 and 8, Plan 33R-20496, being part of PINS 08083-0003(LT), 8083-2233(LT) and 8083-2235(LT), as shown on the location map attached as Appendix “B”, for the purpose of future road improvements to accommodate the Fanshawe Park Road / Richmond Street Intersection Improvements Project, the following actions be taken:

a) the offer submitted by CF / Realty Holdings Inc., attached as Schedule “A”, to sell the subject property to the City, for the sum of \$248,000.00 BE ACCEPTED, subject to the following conditions:

i) the City agreeing to pay the Vendor’s reasonable legal, appraisal costs, 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; and

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

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)

13. By-laws Continued

Motion made by: P. Van Meerbergen

Seconded by: S. Lewis

That Introduction and First Reading of Bill No. 309, and the Added Bill No. 334 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: M. Cassidy

Seconded by: S. Hillier

That Second Reading of Bill No. 309, and the Added Bill No. 334 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: M. Cassidy

Seconded by: S. Hillier

That Third Reading and Enactment of Bill No. 309, and the Added Bill No. 334 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)

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

Bill	By-law
Bill No. 309	By-law No. A.-8026-219A by-law to confirm the proceedings of the Council Meeting held on the 27th day of October, 2020. (City Clerk)
Bill No. 310	By-law No. A.-6582(a)-220A by-law to amend By-law A.-6582-255 being “A by-law to establish a Committee of Management for the Dearness Home in accordance with section 132 of the Long-Term Care Homes Act, 2007” by removing the requirement for a minimum of one meeting a year to be held at the Dearness Home due to health and safety concerns. (2.4/17/SPPC)
Bill No. 311	By-law No. A.-8027-221A by-law to appoint a Deputy Mayor for the City of London and to repeal By-law No. A.-7794-2 being “A by-law to appoint a Deputy Mayor, as selected by the Mayor, for the City of London”. (4.2b/17/SPPC)
Bill No. 312	By-law No. A.-8028-222A by-law to approve a Joint Occupancy and Use Agreement between the Corporation of the City of London, the Elgin Area Primary Water Supply System, the Aylmer Area Secondary Water Supply System, and the St. Thomas Secondary Water Supply System with respect to the Elgin-Middlesex Pumping Station. (2.6a/12/CWC)
Bill No. 313	By-law No. A-56A by-law to provide for Various Fees and Charges and to repeal By-law A-55 being “A by-law to provide for Various Fees and Charges”. (3.1/17/SPPC)
Bill No. 314	By-law No. C.P.-1284(vq)-223A by-law to amend the Official Plan for the City of London, 1989 relating to the Meadowlily Environmentally Significant Area. (3.4a/16/PEC)
Bill No. 315	By-law No. C.P.-1467(i)-224A by-law to amend C.P.-1467-175, as amended, being “A by-law to establish financial incentives for the Downtown Community Improvement Project Areas”. (2.1a/16/PEC)
Bill No. 316	By-law No. C.P.-1468(e)-225A by-law to amend C.P.-1468-176, as amended, being “A by-law to establish financial incentives for the Old East Village Community Improvement Project Area”. (2.1b/16/PEC)
Bill No. 317	By-law No. C.P.-1512(aa)-226A by-law to amend The London Plan for the City of London, 2016 relating to the Meadowlily Environmentally Significant Area. (3.4b/16/PEC)
Bill No. 318	By-law No. C.P.-1551-227A by-law respecting the payment of Development Charges. (2.1b/17/SPPC)

Bill No. 319	By-law No. L.S.P.-3487-228A by-law to authorize and approve an application to expropriate land in the City of London, in the County of Middlesex, for the Fanshawe Park Road / Richmond Street Intersection Improvements Project (2.3d/16/CSC)
Bill No. 320	By-law No. PS-113-20056A 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." (2.2/12/CWC)
Bill No. 321	By-law No. S.-6076-229A by-law to lay out, constitute, establish and assume certain reserves in the City of London as public highway (as widening to Stoneybrook Crescent, south of Fanshawe Park Road East). (Chief Surveyor - pursuant to SPA20-024 and in accordance with Zoning By-law Z-1)
Bill No. 322	By-law No. S.-6077-230A by-law to lay out, constitute, establish, name, and assume lands in the City of London as public highway to be known as Veterans Memorial Parkway (namely Veterans Memorial Parkway, between Huron Street and Clarke Road) (Chief Surveyor)
Bill No. 323	By-law No. W-8-2008A by-law to amend By-law W-8 being "A by-law to provide for the Regulation of Water Supply in the City of London", as amended, by providing for an increase in the rates and charges. (3.2b/17/SPPC)
Bill No. 324	By-law No. WM-28-20009A by-law to amend By-law WM-28 being "A by-law for regulation of wastewater and stormwater drainage systems in the City of London", as amended, by providing for an increase in the rates and charges. (3.2a/17/SPPC)
Bill No. 325	By-law No. Z.-1-202878A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at 3635 Southbridge Avenue; legally described as Block 127 Plan 33M-785 (2.4/16/PEC)
Bill No. 326	By-law No. Z.-1-202879A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at 3575 Southbridge Avenue; legally described as Block 125 Plan 33M-785. (2.5/16/PEC)
Bill No. 327	By-law No. Z.-1-202880A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at 1605 Twilite Boulevard. (2.6/16/PEC)
Bill No. 328	By-law No. Z.-1-202881A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at 3620 Southbridge Avenue; legally described as Block 124 Plan 33M-785. (2.7/16/PEC)

Bill No. 329	By-law No. Z.-1-202882A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at 3740 Southbridge Avenue; legally described as Block 130 Plan 33M-785. (2.8/16/PEC)
Bill No. 330	By-law No. Z.-1-202883A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for portions of the lands located at 965 Upperpoint Avenue. (2.10/16/PEC)
Bill No. 331	By-law No. Z.-1-202884A by-law to amend By-law No. Z.-1 to rezone lands located at 355 Marconi Boulevard. (3.2/16/PEC)
Bill No. 332	By-law No. Z.-1-202885A by-law to amend By-law No. Z.-1 to rezone the Meadowlily Environmentally Significant Area. (3.4d/16/PEC)
Bill No. 333	By-law No. Z.-1-202886A by-law to amend By-law No. Z.-1 to rezone an area of land located at 348 Sunningdale Road East. (3.5/16/PEC)
Bill No. 334	(ADDED) By-law No. A.-8029-231A by-law to authorize and approve an Agreement of Purchase and Sale between The Corporation of the City of London and CF/ Realty Holdings Inc., for the acquisition of property located at 1680 Richmond Street, in the City of London, for the Fanshawe Park Road / Richmond Street Intersection Improvements Project, and to authorize the Mayor and the City Clerk to execute the Agreement. (6.1/16/CSC)

14. Adjournment

Motion made by: A. Hopkins

Seconded by: M. Cassidy

That the meeting BE ADJOURNED.

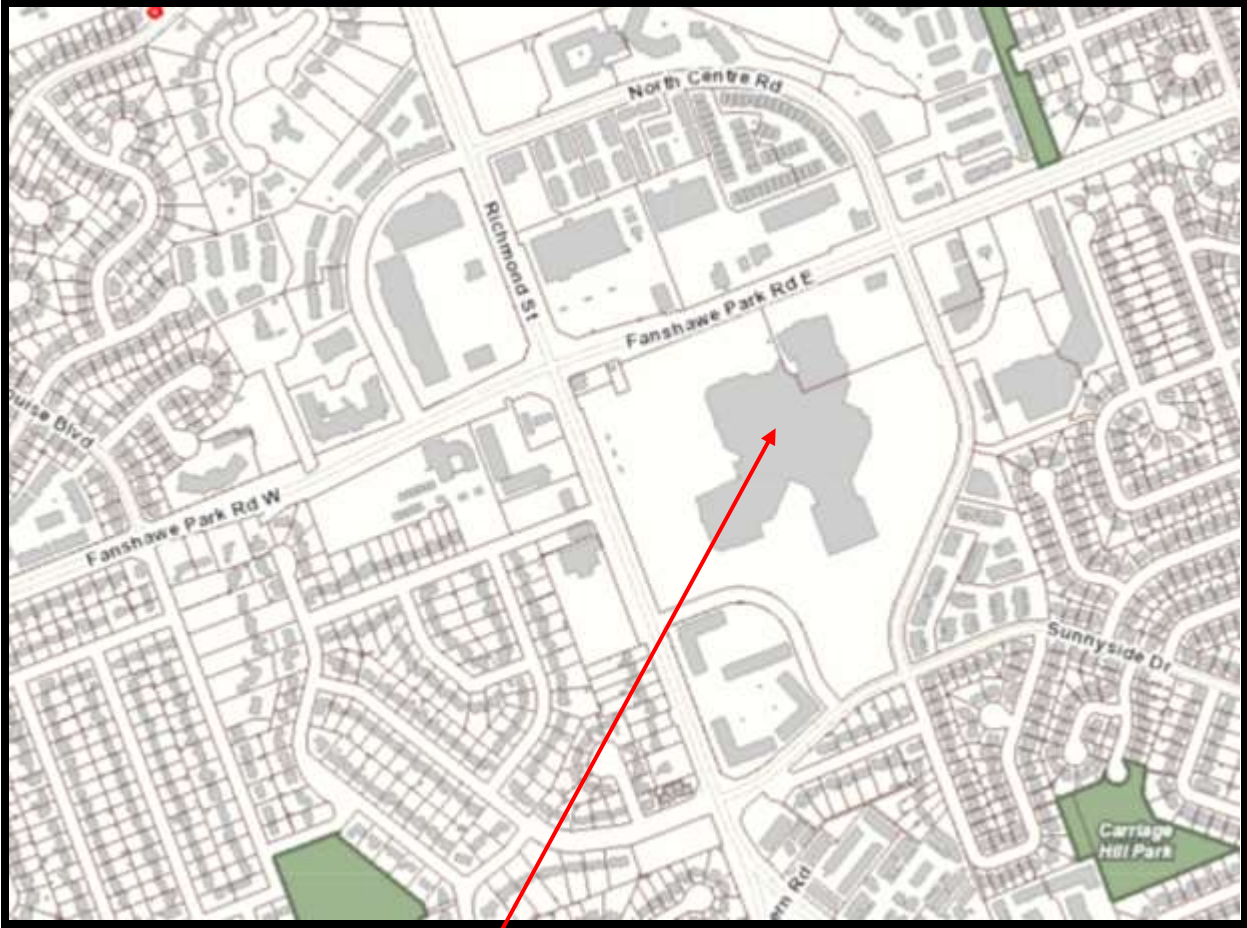
Motion Passed

The meeting adjourns at 5:56 PM.

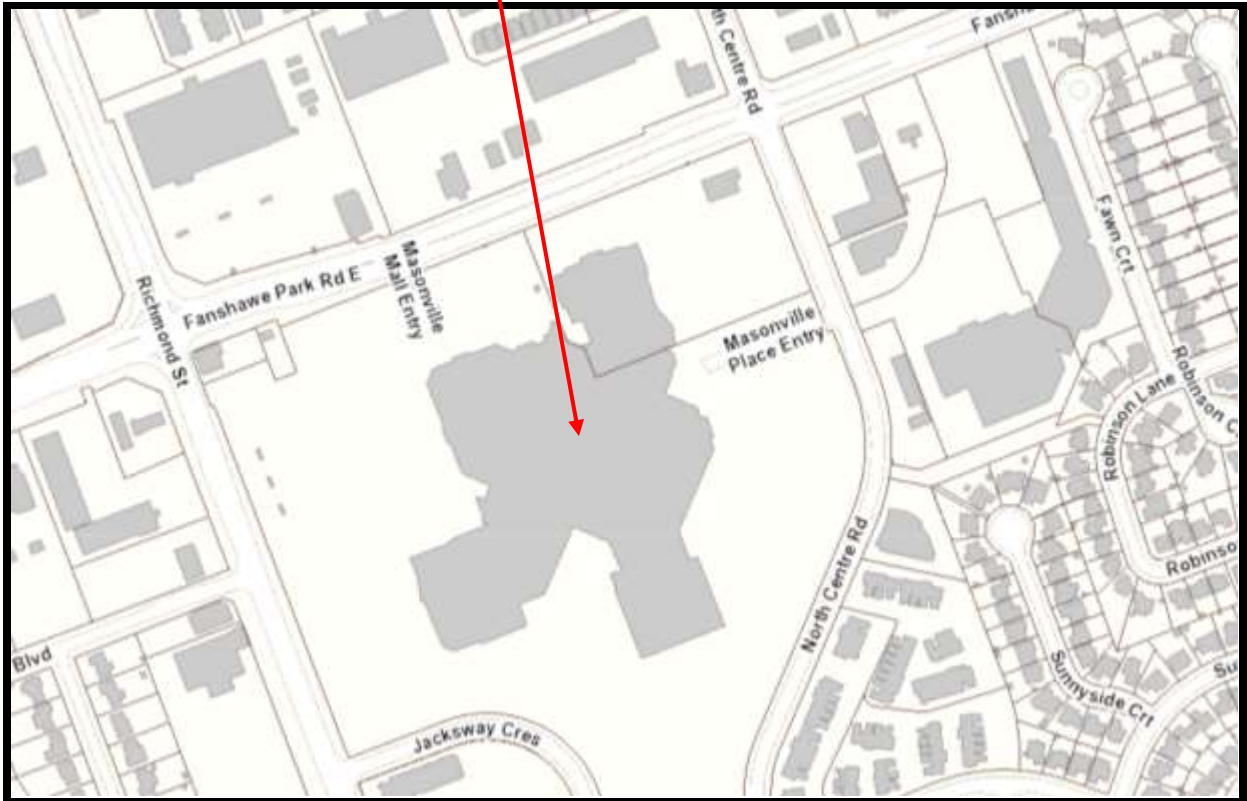
Ed Holder, Mayor

Catharine Saunders, City Clerk

APPENDIX "B"
LOCATION MAP



1680 RICHMOND STREET



SCHEDULE "A"
Agreement of Purchase and Sale

AGREEMENT OF PURCHASE AND SALE

PURCHASER: THE CORPORATION OF THE CITY OF LONDON

VENDOR: CF / REALTY HOLDINGS INC.

REAL PROPERTY:

Address: 1680 Richmond Street, London, Ontario, N6G 3Y9

Location: Southeast corner Richmond Street and Fanshawe Park Road East

Measurements: 6,180.77 square feet (total area of partial acquisition)

Legal Description: Parts of Plan M103 BLK 1 PLAN M206
BLKS 1 TO 4 CON 4
PT LOT 16 AND RP 43R364 PT PART 1
in the City of London, County of Middlesex (parent parcel),
designated as Parts 1, 2, 3, 4, 7 and 8, on Plan 33R-20496,
being PARTS of PINs: 08083-2235; 08083-2233; and 08083-0003 (LT)

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 of **TWO-HUNDRED AND FORTY-EIGHT THOUSAND DOLLARS CDN (\$248,000.00)** is 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 **October 28, 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 **November 25, 2020**, (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. on **December 10, 2020**. 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. **SUCCESSORS AND ASSIGNS:** The heirs, executors, administrators, successors and assigns of the undersigned are bound by the terms herein.

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

GIVEN UNDER MY/OUR HAND AND SEAL, (OR, IN WITNESS WHEREOF THE VENDOR HERETO HAS HEREUNTO CAUSED TO BE AFFIXED ITS CORPORATE SEAL ATTESTED BY THE HANDS OF ITS PROPER SIGNING OFFICERS, as the case may be) this _____ day of _____, 2020.

CF / REALTY HOLDINGS INC.

Per:  _____

Name: Wayne Barwise

Title: Authorized Signatory

Per: _____

Name: _____

Title: _____

I/We Have the Authority to Bind the Corporation

VENDOR'S LAWYER: Shane Rayman, Rayman Beitchman LLP, 250 Yonge Street, Suite 2200, PO Box 4, Toronto, ON, M5B 2L7, Phone: 416-597-5406, Fax: 437-222-9001, Email: shane@rbllp.com

PURCHASER'S LAWYER: Sachit Tatavarti, Solicitor, 519-661-2489 (CITY) Ext. 5018 Fax: 519-661-5530

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.
2. **SECTION 30 OF THE EXPROPRIATIONS ACT:** Pursuant to the provisions of Section 30 of the *Expropriations Act*, the Vendor hereby consents to the acquisition of the herein described lands by the Purchaser.

The parties hereby consent to an application by the Vendor or the Purchaser to the Local Planning Appeal Tribunal ("LPAT") for the determination by LPAT of the compensation which the Vendor would be entitled to by the *Expropriations Act* if the land were expropriated. If no such application has been made to LPAT on or before two (2) years following the completion of the road widening and reconstruction and all related works for which the lands are being acquired under this Agreement, then the Vendor and the Purchaser shall be deemed to have accepted the amount of compensation stated in this Agreement, together with any services and materials to be provided by the Purchaser in this Agreement, as payment in full of any and all compensation due to the Vendor for the lands and all entitlements stated in the *Expropriations Act*.

The Purchaser hereby agrees to pay to the Vendor any compensation determined by LPAT or in the event of an appeal, as determined by the Court on appeal, in excess of the amount of compensation paid pursuant to this Agreement.

If the amount of compensation stated in this Agreement exceeds the compensation awarded by LPAT or Court, the Vendor agrees to refund this difference to the Purchaser within 30 days of the decision of LPAT or the Court.

The date of valuation of this Agreement is the date of its signing by the Vendor.

The above clauses do not limit the Purchaser or the Vendor from obtaining a final settlement of compensation prior to an application by the Vendor or the Purchaser to LPAT.

This Agreement, made pursuant to Section 30 of the *Expropriations Act*, does not dispense with a hearing before the Board of Negotiation. The parties agree not to proceed to arbitration before LPAT for the determination of the compensation unless the Purchaser and the Vendor have agreed to dispense with negotiations before the Board of Negotiation or negotiations before same do not result in a settlement of the compensation.

3. **SECTION 20 OF THE EXPROPRIATIONS ACT:** With respect to any prepayment of mortgage, the Purchaser agrees to pay compensation for any bonus legally payable and for any loss incurred by reason of a difference in interest rates as set out in section 20 of the *Expropriations Act*.
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. **CLAUSES DEEMED TO SURVIVE CLOSING:** The parties hereby agree that the covenants in clauses 2 and 4 shall survive and shall not merge upon the completion of this transaction.

APPENDIX "A"
CONFIDENTIAL

Chair and Members
Corporate Services Committee

#20149
October 19, 2020
(Property Acquisition)

RE: Property Acquisition - Fanshawe Park Road / Richmond Street Intersection
Improvement Project - 1680 Richmond Street
(Subledger LD190130)
Capital Project TS1134 - Intersection - Richmond St & Fanshawe Park Rd
CF / Realty Holdings Inc.

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 Works Budget, and that, subject to the adoption of the recommendations 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, the detailed source of financing for this purchase is:

<u>ESTIMATED EXPENDITURES</u>	<u>Approved Budget</u>	<u>Committed To Date</u>	<u>This Submission</u>	<u>Balance for Future Work</u>
Engineering	\$1,200,000	\$823,665		\$376,335
Land Purchase	4,500,000	68,993	320,714	4,110,293
Construction	941	941		0
City Related Expenses	49,059	5,624		43,435
Utilities	100,000			100,000
NET ESTIMATED EXPENDITURES	\$5,850,000	\$899,224	\$320,714 1)	\$4,630,062
SOURCE OF FINANCING				
Debenture By-law No. W.-5581-134	3) \$632,500	\$97,224	\$34,675	\$500,601
Drawdown from City Services - Roads Reserve Fund (Development Charges)	2) 5,217,500	802,000	286,039	4,129,462
TOTAL FINANCING	\$5,850,000	\$899,224	\$320,714	\$4,630,062

1) Financial Note:

Purchase Cost	\$248,000
Add: Legal Fees/ Additional Compensation	65,000
Add: Land Transfer Tax	2,205
Add: HST @13%	40,690
Less: HST Rebate	(35,181)
Total Purchase Cost	\$320,714

2) Development charges have been utilized in accordance with the underlying legislation and the Development Charges Background Studies completed in 2019.

NOTE TO CITY CLERK

3) The City Clerk be authorized to increase Debenture By-law No. W.-5581-134 as amended by By-law No. W.-5581(a)-137 by \$237,500 from \$395,000 to \$632,500.

kw


Jason Davies
Manager of Financial Planning & Policy