



Council Minutes

The 3rd Meeting of City Council
February 2, 2021, 4:00 PM

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

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

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

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

1. Disclosures of Pecuniary Interest

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

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

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

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

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

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

2. Recognitions

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

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

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

3. Review of Confidential Matters to be Considered in Public

None.

Motion made by: E. Pelozo

Seconded by: S. Hillier

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

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

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

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

Motion Passed (15 to 0)

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

5.1 2nd Meeting held on January 12, 2021

Motion made by: S. Hillier

Seconded by: A. Hopkins

That Minutes of the 2nd Meeting held on January 12, 202, BE APPROVED.

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

Motion Passed (15 to 0)

6. Communications and Petitions

Motion made by: P. Van Meerbergen

Seconded by: M. van Holst

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

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

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

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

1. M. Carroll
2. J. Elizabeth

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

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

Recuse: (1): M. Cassidy

Motion Passed (14 to 0)

7. Motions of Which Notice is Given

None.

8. Reports

8.1 3rd Report of the Community and Protective Services Committee

Motion made by: J. Helmer

That the 3rd Report of the Community and Protective Services Committee BE APPROVED.

Yeas: (15): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. 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. (2.1) Homeless Prevention Head Lease Program (Single Source 20-34)

Motion made by: J. Helmer

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

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

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

Motion Passed

3. (4.1) Development on Elm Street

Motion made by: J. Helmer

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

Motion Passed

4. (4.2) Housing First Emergency Youth Shelter

Motion made by: J. Helmer

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

Motion Passed

5. (5.1) Deferred Matters List

Motion made by: J. Helmer

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

Motion Passed

8.2 2nd Report of the Corporate Services Committee

Motion made by: M. Cassidy

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

Yeas: (15): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. 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) Argyle Business Improvement Area 2021 Proposed Budget - Municipal Special Levy (Relates to Bill No. 37)

Motion made by: M. Cassidy

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

- a) the Argyle Business Improvement Area proposed 2021 budget submission in the amount of \$262,000 BE APPROVED as outlined in Schedule "A", as appended to the staff report dated January 18, 2021;
- b) the amount to be raised by The Corporation of the City of London for the 2021 fiscal year for the purposes of the Argyle Business Improvement Area and pursuant to subsection 208(1) of the *Municipal Act, 2001* BE FIXED at \$215,000;
- c) a special charge BE ESTABLISHED for the amount referred to in part b), above, by a levy in accordance with By-law A.-6873-292, as amended; it being noted that the special charge shall have priority lien status and shall be added to the tax roll pursuant to subsection 208(7) of the *Municipal Act, 2001*; and,
- d) the proposed by-law appended to the staff report dated January 18, 2021 as Schedule "C" with respect to Municipal Special Levy for the Argyle Business Improvement Area BE INTRODUCED at the Municipal Council meeting to be held on February 2, 2021.

Motion Passed

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

Motion made by: M. Cassidy

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

- a) the Hamilton Road Business Improvement Area proposed 2021 budget submission in the amount of \$135,231 BE APPROVED as outlined in Schedule "A" as appended to the staff report dated January 18, 2021;
- b) the amount to be raised by The Corporation of the City of London for the 2021 fiscal year for the purposes of the Hamilton Road Business Improvement Area and pursuant to subsection 208(1) of the *Municipal Act, 2001* BE FIXED at \$70,000;
- c) a special charge BE ESTABLISHED for the amount referred to in part b), above, by a levy in accordance with By-law C.P.-1528-486, as amended; it being noted that the special charge shall have priority lien status and shall be added to the tax roll pursuant to subsection 208(7) of the *Municipal Act, 2001*; and,
- d) the proposed by-law as appended to the staff report dated January 18, 2021 as Schedule "C" with respect to Municipal Special Levy for the Hamilton Road Business Improvement Area BE INTRODUCED at the Municipal Council meeting to be held on February 2, 2021.

Motion Passed

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

Motion made by: M. Cassidy

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

- a) the Hyde Park Business Improvement Area proposed 2021 budget submission in the amount of \$442,000 BE APPROVED as outlined in Schedule "A" as appended to the staff report dated January 18, 2021;
- b) the amount to be raised by The Corporation of the City of London for the 2021 fiscal year for the purposes of the Hyde Park Business Improvement Area and pursuant to subsection 208(1) of the *Municipal Act, 2001* BE FIXED at \$434,000;
- c) a special charge BE ESTABLISHED for the amount referred to in part b), above, by a levy in accordance with By-law CP-1519-490, as amended; it being noted that the special charge shall have priority lien status and shall be added to the tax roll pursuant to subsection 208(7) of the *Municipal Act, 2001*; and,
- d) the proposed by-law as appended to the staff report dated January 18, 2021 as Schedule "C" with respect to Municipal Special Levy for the Hyde Park Business Improvement Area BE INTRODUCED at the Municipal Council meeting to be held on February 2, 2021.

Motion Passed

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

Motion made by: M. Cassidy

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

- a) the Old East Village Business Improvement Area proposed 2021 budget submission in the amount of \$234,350 BE APPROVED as outlined in Schedule "A" as appended to the staff report dated January 18, 2021;
- b) the amount to be raised by The Corporation of the City of London for the 2021 fiscal year for the purposes of the Old East Village Business Improvement Area and pursuant to subsection 208(1) of the *Municipal Act, 2001* BE FIXED at \$42,000;
- c) a special charge BE ESTABLISHED for the amount referred to in part b), above, by a levy in accordance with By-law CP-1, as amended; it being noted that the special charge shall have priority lien status and shall be added to the tax roll pursuant to subsection 208(7) of the *Municipal Act, 2001*; and,
- d) the proposed by-law as appended to the staff report dated January 18, 2021 as Schedule "C" with respect to Municipal Special

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

Motion Passed

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

Motion made by: M. Cassidy

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

Motion Passed

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

Motion made by: M. Cassidy

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

Motion Passed

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

Motion made by: M. Cassidy

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

Motion Passed

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

Motion made by: M. Cassidy

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

Motion Passed

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

Motion made by: M. Cassidy

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

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

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

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

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

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

Recuse: (1): S. Lehman

Motion Passed (14 to 0)

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

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

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

Motion made by: M. Cassidy

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

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

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

Motion Passed (9 to 6)

8.3 1st Report of the Civic Works Committee

Motion made by: E. Pelosa

That the 1st Report of the Civic Works Committee BE APPROVED, excluding Items 12 (4.1) to 13 (5.1).

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

Motion Passed (15 to 0)

1. (1.1) Disclosures of Pecuniary Interest

Motion made by: E. Pelosa

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

Motion Passed

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

Motion made by: E. Pelosa

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

Motion Passed

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

Motion made by: E. Pelosa

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

- a) the bid submitted by Kenwave Solutions Inc., 7080 Derrycrest Drive, Mississauga, Ontario, L5W 0G5, in the amount of \$1,041,546.00 (excluding H.S.T.) BE AWARDED in accordance with Section 15.2.e of the City of London's Procurement of Goods and Services Policy;
- b) the financing for this project BE APPROVED as set out in the Sources of Financing Report appended to the above-noted staff report;
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project; and,
- d) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2021-E08)

Motion Passed

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

Motion made by: E. Pelosa

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

- a) Oakridge Environmental BE APPOINTED to carry out additional project coordination services as part of the Individual Environmental Assessment (EA) process for the proposed expansion of the W12A Landfill and provide advice/assistance on the Environmental Protection Act (EPA), Ontario Water Resource Act (OWRA) and Planning approvals for the Expansion of the W12A Landfill, in the total amount of \$61,000 (excluding HST), in accordance with Section 15.2 (g) of the City of London's Procurement of Goods and Services Policy;
- b) the financing for this project BE APPROVED in accordance with the Sources of Financing report appended to the above-noted staff report:
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project; and,
- d) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2021-E07)

Motion Passed

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

Motion made by: E. Pelosa

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

Motion Passed

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

Motion made by: E. Pelosa

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

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

- a) R.V. Anderson Associates Limited BE APPOINTED as a Consulting Engineer to complete the Schedule 'B' Municipal Class Environmental Assessment for the Oxford Street West and Gideon Drive Intersection Improvements at an upset amount of \$174,471 (excluding HST) in accordance with RFP20-56 and Section 15.2 (e) of the Procurement of Goods and Services Policy;
- b) the financing for this assignment BE APPROVED as set out in the Sources of Financing Report appended to the above-noted staff report;
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this assignment;
- d) the approvals given, herein, BE CONDITIONAL upon the Corporation entering into a formal contract with the consultant for the work; and,
- e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents including agreements, if required, to give effect to these recommendations. (2021-T05/E05)

Motion Passed

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

Motion made by: E. Pelosa

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

- a) Stantec Consulting Ltd. BE APPOINTED Consulting Engineers to complete the pre-design and detailed design of the 2021 Springbank Dam Decommissioning, as per the recommendations outlined in the One River Environmental Assessment, in the total amount of \$328,318.28, including contingency, (excluding HST);
- b) the financing for this project BE APPROVED as set out in the Sources of Financing Report appended to the above-noted staff report;
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this work;
- d) the approvals given, herein, BE CONDITIONAL upon the Corporation entering into a formal contract with the consultant for the project; and,
- e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2021-E21)

Motion Passed

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

Motion made by: E. Pelosa

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the proposed by-law, as appended to the staff report dated January 19, 2021, BE INTRODUCED at the Municipal Council meeting to be held on February 2, 2021 to amend By-law PS-113, entitled, "A by-law to regulate traffic and the parking of motor vehicles in the City of London". (2021-T02/T08)

Motion Passed

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

Motion made by: E. Pelosa

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

Motion Passed

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

Motion made by: E. Pelosa

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

- a) the submission from Carrier Centers, 90 Enterprise Drive, London, Ontario, N6N 1A8, BE ACCEPTED for the supply and delivery of four (4) medium duty crew cab trucks at a total purchase price of \$578,955 (excluding HST), in accordance with Section 12.2 b) of the Goods and Services Policy which states "Awards under the Request for Approval (RFP) process require the following approval: Committee and City Council must approve an RFP award for purchases greater than \$100,000";
- b) Fleet Services BE AUTHORIZED to award a contract term of one (1) year for the replacement of (4) four units in 2021, with three (3) option years to replace nine (9) units in 2022, and ten (10) units in 2023, as per the replacement schedule approved in the 2020-2023 capital budget, funded by ME202201 and ME202301 capital projects;
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with these purchases;

- d) approval, hereby given, BE CONDITIONAL upon the Corporation entering into a formal contract or having a purchase order, or contract record relating to the subject matter of this approval, in accordance with Section 12.2 b) of the Goods and Services Policy which states “Awards under the RFP process require the following approval: Committee and City Council must approve an RFP award for purchases greater than \$100,000”; and,
- e) the funding for this purchase BE APPROVED as set out in the Source of Financing Report appended to the above-noted staff report. (2021-V01)

Motion Passed

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

Motion made by: E. Pelosa

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

Motion Passed

- 12. (4.1) Implementing Speed Bumps on Aldersbrook Gate

Motion made by: E. Pelosa

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

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

Motion Passed (15 to 0)

- 13. (5.1) Deferred Matters List

Motion made by: E. Pelosa

That the Civic Works Committee Deferred Matters List, as at January 7, 2021, BE RECEIVED.

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

Recuse: (1): Mayor E. Holder

Motion Passed (14 to 0)

8.4 2nd Report of the Planning and Environment Committee

Motion made by: P. Squire

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

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

Motion Passed (15 to 0)

1. Disclosures of Pecuniary Interest

Motion made by: P. Squire

That it BE NOTED that no pecuniary interests were disclosed.

Motion Passed

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

Motion made by: P. Squire

That, on the recommendation of the Director, Development Services, based on the application by Foxhollow North Kent Developments Inc., relating to the property located at 2700 Buroak Drive, the proposed by-law appended to the staff report dated January 18, 2021 BE INTRODUCED at the Municipal Council meeting to be held on February 2, 2021 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a Holding Residential R6 (h*h-54*h-71*h-95*h-100*R6-5) Zone TO a Residential R6 (R6-5) Zone and FROM a Holding Residential R6/R7/R8 (h*h-54*h-71*h-95*h-100*R6-5/R7*H15* D75/R8*H15*D75) Zone TO a Residential R6/R7/R8 (R6-5/R7*H15*D75/ R8*H15*D75) Zone to remove the "h, h-54, h-71, h-95 and h-100" holding provisions.

Motion Passed

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

Motion made by: P. Squire

That, on the recommendation of the Director, Development Services, based on the application by Rembrandt Developments (Fanshawe) Inc., relating to lands located at 2261 Linkway Boulevard, legally described as Block 90 Plan 33M-768, the proposed by-law appended to the staff report dated January 18, 2021 BE INTRODUCED at the Municipal Council meeting to be held on February 2, 2021 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a Holding Residential R6 (h-54•h-71•R6-5) Zone TO a Residential R6 (R6-5) Zone to remove the h-54 and h-71 holding provisions.

Motion Passed

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

Motion made by: P. Squire

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

- a) the Terms of Reference for the Inclusionary Zoning Review, appended to the staff report dated January 18, 2021, BE RECEIVED for information; and,
- b) the Civic Administration BE DIRECTED to complete steps necessary to prepare the Draft Assessment Report, consistent with Provincial requirements; it being noted that a draft Assessment Report will be brought before a future meeting of the Planning and Environment Committee for Council's consideration.

Motion Passed

5. (2.1) 2019 State of the Downtown Report

Motion made by: P. Squire

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

Motion Passed

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

Motion made by: P. Squire

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

Motion Passed

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

Motion made by: P. Squire

That, on the recommendation of the Director, Development Services, based on the application by 1423197 Ontario Inc. (Royal Premier Homes), relating to the property located at 307 Fanshawe Park Road East, the proposed by-law appended to the staff report dated January 18, 2021 BE INTRODUCED at the Municipal Council meeting to be held on February 2, 2021 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a holding Residential R5 Special Provision (h-5*h-54*h-89*R5-7(10)) Zone TO Residential R5 Special Provision (R5-7(10)) Zone to remove the "h-5, h-54 and h-89" holding provisions.

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

Recuse: (1): M. Cassidy

Motion Passed (14 to 0)

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

Motion made by: P. Squire

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

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

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

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

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

iii) Provision of Affordable Housing

the provision of affordable housing shall consist of:

A) a total of thirteen (13) residential dwelling units provided as

nine (9) one bedroom units, and four (4) two-bedroom units;

B) two of the residential dwelling units shall be provided as accessible units, which may be the one or two bedroom units, or a combination thereof;

C) rents not exceeding 80% of the Average Market Rent (AMR) for the London Census Metropolitan Area as determined by the CMHC at the time of building occupancy;

D) the duration of affordability shall be set at 30 years from the point of initial occupancy;

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

i) the proposed number of affordable housing units should be increased;

ii) thirty rent geared to income units should be provided for a period of one hundred years instead of the proposed thirteen affordable housing units at eighty percent market rate for thirty years;

iii) the rationale for the bonus zoning needs to be further clarified;

iv) lack of greenspace proposed to be provided for the residents;

v) lack of trees being provided for on the proposed development;

vi) the negative impact of the shadows from the proposed building will have on neighbouring properties;

vii) the proposed density is too high;

viii) the proposed height of the building is too high;

ix) concerns with location of garbage bins;

x) concerns about the proposed reduced side yard setback;

x) concerns with the current maintenance of the interior and exterior of the existing building owned by the same Corporation; and,

xi) the walkway that was to be built between the building owned by the same Corporation and Dundas Street should be provided for;

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

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

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

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

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

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

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

Motion made by: S. Turner

Seconded by: A. Hopkins

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

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

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

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

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

i) Exceptional Building Design

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

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

iii) Provision of Affordable Housing

the provision of affordable housing shall consist of:

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

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

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

Motion Passed (12 to 3)

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

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

Motion made by: P. Squire

Seconded by: S. Lewis

That the main motion, as amended BE APPROVED:

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

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

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

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

i) Exceptional Building Design

A) an active commercial ground floor design that divides the floor space along Dundas Street into multiple bays with separate and direct entrances to the sidewalk;

B) a minimum floor to ceiling height of 4.5m (15 ft) for the ground floor that is greater than the height of all other individual storeys, to activate the street and create a vibrant pedestrian realm;

C) the provision of a portion of the fifth floor roof as a landscaped outdoor amenity areas for residents;

D) a minimum step-back of 25m (82 ft) of the tower portion of the building from Dundas Street above the sixth storey;

E) a slim tower floor plate of less than 1,075m² (11,571sq ft) for floors 7-24 to minimize the overall mass, visual impact and sunlight disruption of the tower;

F) utilize changes in colour and material to visually break up the massing of the tower; and,

G) utilize building step-backs above the 22nd storey to define the building cap and completely conceal the mechanical and elevator penthouse within the overall architectural design;

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

iii) Provision of Affordable Housing

the provision of affordable housing shall consist of:

A) a total of thirteen (13) residential dwelling units provided as nine (9) one bedroom units, and four (4) two-bedroom units;

B) two of the residential dwelling units shall be provided as accessible units, which may be the one or two bedroom units, or a combination thereof;

C) rents not exceeding 80% of the Average Market Rent (AMR) for the London Census Metropolitan Area as determined by the CMHC at the time of building occupancy;

D) the duration of affordability shall be set at 30 years from the point of initial occupancy;

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

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

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

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

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

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

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

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

segments of the Main Street Commercial Corridor;

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

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

Motion Passed (15 to 0)

8.5 4th Report of the Strategic Priorities and Policy Committee

Motion made by: J. Morgan

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

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

Motion Passed (15 to 0)

1. Disclosures of Pecuniary Interest

Motion made by: J. Morgan

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

Motion Passed

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

Motion made by: J. Morgan

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

Motion Passed

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

Motion made by: J. Morgan

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

- a) the following actions be taken with respect to the Advisory Committee Review:
 - i) the report dated January 11, 2021 entitled "Advisory Committee Review - Interim Report IV", BE RECEIVED;
 - ii) the Civic Administration BE DIRECTED to proceed with drafting revised Terms of References for Advisory Committees based on the proposed changes set out in staff report dated November 10, 2020 entitled "Advisory Committee Review - Interim Report III", incorporating additional direction from the Municipal Council and the Governance Working Group; and,
 - iii) the Civic Administration BE DIRECTED to circulate the draft revised Terms of References noted in b) above, to the Advisory Committees for input and to report back to the Governance Working Group with the draft revised Terms of Reference and comments received from the Advisory Committees;
- b) the Civic Administration BE DIRECTED to prepare a draft revised Code of Conduct for Advisory Committees that would be similar in nature to the Code of Conduct for Council Members, including processes for both adjudication and enforcement of the revised Code of Conduct, and report back to the Governance Working Group with the draft revised Code of Conduct;
- c) clause 1.1 BE RECEIVED for information;
- d) the Additional Feedback from Current Advisory Committee Members BE RECEIVED; and
- e) the communications dated March 15, 2019 and January 4, 2021 from the Transportation Advisory Committee BE RECEIVED.

Motion Passed

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

Motion made by: J. Morgan

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

- a) the proposed by-law as appended to the staff report dated January 26, 2021 as Appendix "A" BE INTRODUCED at the Municipal Council Meeting to be held on February 2, 2021, to repeal and replace By-law No. CPOL.-390-124, entitled London Community Grants Policy;
- b) that the staff report BE RECEIVED for information; and,
- c) the Civic Administration BE DIRECTED to bring back recommendations for the potential introduction of an anonymized application process for the London Community Grants Program that could be implemented for 2022 funding allocations and be used going forward.

Motion made by: J. Morgan

That parts a) and b), BE APPROVED:

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

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

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

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

Motion Passed (15 to 0)

Motion made by: J. Morgan

That part c), BE APPROVED:

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

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

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

Motion Passed (13 to 2)

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

Motion made by: J. Morgan

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

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

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

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

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

undertaken with respect to London Hydro Inc. restructuring;

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

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

Nays: (1): M. van Holst

Motion Passed (14 to 1)

5. (4.2) Confirmation of Appointments to Downtown London

Motion made by: J. Morgan

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

Jerry Pribil - Marienbad Restaurant

Scott Collyer - Empyrean Communication Resources.

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

Recuse: (1): S. Lehman

Motion Passed (14 to 0)

10. Deferred Matters

None.

11. Enquiries

None.

12. Emergent Motions

None.

13. By-laws

Motion made by: M. van Holst

Seconded by: S. Turner

That Introduction and First Reading of Bill No's 37 to 54, excluding Bill No. 40, and the revised Bill No. 56, BE APPROVED.

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

Motion Passed (15 to 0)

Motion made by: E. Pelozo

Seconded by: A. Hopkins

That Second Reading of Bill No's 37 to 54, excluding Bill No. 40, and the revised Bill No. 56, BE APPROVED.

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

Motion Passed (15 to 0)

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

That Third Reading and Enactment of Bill No's 37 to 54, excluding Bill No. 40, and the revised Bill No. 56, BE APPROVED.

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

Motion Passed (15 to 0)

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

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

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

Recuse: (1): S. Lehman

Motion Passed (14 to 0)

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

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

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

Recuse: (1): S. Lehman

Motion Passed (14 to 0)

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

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

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

Recuse: (1): S. Lehman

Motion Passed (14 to 0)

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

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

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

Recuse: (1): M. Cassidy

Motion Passed (14 to 0)

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

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

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

Recuse: (1): M. Cassidy

Motion Passed (14 to 0)

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

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

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

Recuse: (1): M. Cassidy

Motion Passed (14 to 0)

4. Council, In Closed Session

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

4.7 Solicitor-Client Privileged Advice

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

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

Motion Passed (15 to 0)

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

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

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

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

9. Added Reports

9.1 3rd Report of Council in Closed Session

Motion made by: S. Lewis

Seconded by: P. Squire

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Motion Passed (15 to 0)

Motion made by: S. Lewis

Seconded by: E. Pelozza

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

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

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

Recuse: (1): A. Hopkins

Motion Passed (14 to 0)

Motion made by: S. Lehman

Seconded by: J. Helmer

That Introduction and First Reading of Bill No. 36 and Added Bill No.’s 57 to 59, 61 and 62, BE APPROVED.

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

Motion Passed (15 to 0)

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

That Second Reading of Bill No. 36 and Added Bill No.'s 57 to 59, 61 and 62, BE APPROVED.

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

Motion Passed (15 to 0)

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

That Third Reading and Enactment of Bill No. 36 and Added Bill No.'s 57 to 59, 61 and 62, BE APPROVED.

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

Motion Passed (15 to 0)

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

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

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

Recuse: (1): A. Hopkins

Motion Passed (14 to 0)

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

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

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

Recuse: (1): A. Hopkins

Motion Passed (14 to 0)

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

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

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

Recuse: (1): A. Hopkins

Motion Passed (14 to 0)

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

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

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

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

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

14. Adjournment

Motion made by: S. Turner

Seconded by: P. Van Meerbergen

That the meeting BE ADJOURNED.

Motion Passed

The meeting adjourns at 6:28 PM.

Ed Holder, Mayor

Catharine Saunders, City Clerk

Appendix B Location Map

3095 Bostwick Road



Fee Simple Requirement
Temporary Working Easement



Appendix C Agreement of Purchase and Sale

AGREEMENT OF PURCHASE AND SALE

PURCHASER: THE CORPORATION OF THE CITY OF LONDON

VENDOR: GLEN ARRAND TOPPING and ESTATE OF RONALD WILLIAM TOPPING

REAL PROPERTY:

Address Part of 3095 Bostwick Road, London, ON

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

Measurements 0.8863 acres (0.35865 ha)

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

1. **OFFER TO PURCHASE:** The Purchaser agrees to purchase the Property from the Vendor in accordance with the terms and conditions as set out in this Agreement.
2. **SALE PRICE:** The purchase price, including injurious affection, shall be TWO HUNDRED AND THIRTEEN THOUSAND DOLLARS CDN (\$213,000.00) payable as follows:
 - a) a deposit of Two Dollars (\$2.00) cash or cheque on the date hereof as a deposit; and
 - b) the balance of the sale price, subject to adjustments, in cash or by cheque on completion of this Agreement.
3. **ADJUSTMENTS:** Any unearned fire insurance premiums, rents, mortgage interest, realty taxes including local improvements rates and unmetered public or private utility charges and unmetered cost of fuel, as applicable, shall be apportioned and allowed to the day of completion, the day of completion itself to be apportioned to the Purchaser.
4. **SCHEDULE(S):** The following Schedule(s) form(s) part of this Agreement:

Schedule "A" Additional Terms and Conditions
5. **IRREVOCABILITY:** This Offer shall be irrevocable by the Vendor until considered by the Council of the Corporation of the City of London at a meeting to be held no later than February 4th, 2020, after which date, if not accepted, this Offer shall be null and void and the deposit shall be returned to the Purchaser in full without interest or deduction. *Y.A.T.*
6. **TITLE SEARCH:** The Purchaser shall be allowed until 4:30 p.m. on **February 19, 2021** (Requisition Date) to examine the title to the Property and at its own expense and to satisfy itself that there are no outstanding work orders or deficiency notices affecting the Property, that its present use may be lawfully continued and that the principal building may be insured against risk of fire.
7. **COMPLETION DATE:** This Agreement shall be completed by no later than 4:30 p.m. **March 12, 2021**. Upon completion, vacant possession of the Property shall be given to the Purchaser unless otherwise provided for in this Agreement.
8. **NOTICES:** Any notice relating to or provided for in this Agreement shall be in writing.
9. **HST:** If this transaction is subject to Harmonized Sales Tax (HST) then such HST shall be in addition to and not included in the sale price, and HST shall be collected and remitted in accordance with applicable legislation. If this transaction is not subject to HST, the Vendor agrees to provide, on or before completion, to the Purchaser's solicitor, a certificate in a form satisfactory to the Purchaser's solicitor certifying that the transaction is not subject to HST.
10. **FUTURE USE:** Vendor and the Purchaser agree that there is no representation or warranty of any kind that the future intended use of the Property by the Purchaser is or will be lawful except as may be specifically provided for in this Agreement.
11. **TITLE:** Provided that the title to the Property is good and free from all encumbrances. If within the specified times referred to in paragraph 6 any valid objection to title or to any outstanding work order or deficiency notice, or to the fact the said present use may not lawfully be continued, or that the principal building may not be insured against risk of fire is made in writing to the Vendor and which Vendor is unable or unwilling to remove, remedy or satisfy and which the Purchaser will not waive, this Agreement notwithstanding any intermediate acts or negotiations in respect of such objections, shall be at an end and any deposit paid shall be returned without interest or deduction and Vendor shall not be liable for any costs or damages. Save as to any valid objection so made by such day and except for any objection going to the root of the title, the Purchaser shall be conclusively deemed to have accepted Vendor's title to the Property.

12. **DOCUMENTS AND DISCHARGE:** The Purchaser shall not call for the production of any title deed, abstract, survey or other evidence of title to the Property except such as are in the possession or control of Vendor. If requested by the Purchaser, Vendor will deliver any sketch or survey of the Property within Vendor's control to the Purchaser as soon as possible and prior to the Requisition Date. If a discharge of any Charge/Mortgage held by a corporation incorporated pursuant to the Loan Companies Act (Canada), Chartered Bank, Trust Company, Credit Union, Caisse Populaire or Insurance Company and which is not to be assumed by the Purchaser on completion, is not available in registerable form on completion, the Purchaser agrees to accept Vendor's lawyer's personal undertaking to obtain, out of the closing funds, a discharge in registerable form and to register same on title within a reasonable period of time after completion, provided that on or before completion Vendor shall provide to the Purchaser a mortgage statement prepared by the mortgagee setting out the balance required to obtain the discharge, together with a direction executed by Vendor directing payment to the mortgagee of the amount required to obtain the discharge out of the balance due on completion.
13. **DOCUMENT PREPARATION:** The Transfer/Deed shall, save for the Land Transfer Tax Affidavit, be prepared in registerable form at the expense of the Vendor.
14. **RESIDENCY:** The Purchaser shall be credited towards the Purchase Price with the amount, if any, necessary for the Purchaser to pay to the Minister of National Revenue to satisfy the Purchaser's liability in respect of tax payable by Vendor under the non-resident provisions of the Income Tax Act by reason of this sale. The Purchaser shall not claim such credit if Vendor delivers on completion the prescribed certificate or a statutory declaration that Vendor is not a non-resident of Canada.
15. **TIME LIMITS:** Time shall in all respects be of the essence hereof provided that the time for doing or completing of any matter provided for herein may be extended or abridged by an agreement in writing signed by Vendor and the Purchaser or their respective lawyers who are hereby specifically authorized in that regard.
16. **TENDER:** Any tender of documents or money hereunder may be made upon Vendor or the Purchaser or their respective solicitors on the day set for completion. Money may be tendered by bank draft or cheque by a Chartered Bank, Trust Company, Province of Ontario Savings Office, Credit Union or Caisse Populaire.
17. **FAMILY LAW ACT:** Vendor warrants that spousal consent is not necessary to this transaction under the provisions of the *Family Law Act*, R.S.O. 1990 unless Vendor's spouse has executed the consent provided.
18. **PLANNING ACT:** This Agreement shall be effective to create an interest in the property only if the subdivision control provisions of the Planning Act are complied with.
19. **CLOSING ARRANGEMENTS:** Where each of the Vendor and Purchaser retain a lawyer to complete the Agreement of Purchase and Sale of the property, and where the transaction will be completed by electronic registration pursuant to Part III of the Land Registration Reform Act, R.S.O. , Chapter L4, and any amendments thereto, the Vendor and Purchaser acknowledge and agree that the delivery of documents and the release thereof to the Vendor and Purchaser may, at the lawyer's discretion: (a) not occur contemporaneously with the registration of the Transfer/Deed (and other registerable documentation) and (b) be subject to conditions whereby the lawyer receiving documents and/or money will be required to hold them in trust and not release them except in accordance with the terms of a written agreement between the lawyers.
20. **AGREEMENT IN WRITING:** This Agreement, including any Schedule attached, shall constitute the entire Agreement between the Purchaser and Vendor. There is no representation, warranty, collateral agreement or condition, which affects this Agreement other than as expressed herein. This Agreement shall be read with all changes of gender or number required by the context.
21. **SECTION 25 PAYMENT:** The Parties acknowledge and agree that this Agreement represents an offer of compensation, that when executed by the Vendor and accepted by the Council of the Corporation of the City of London will constitute full payment of the market value of the land and as such shall be deemed to have satisfied all Section 25 requirements of the *Expropriations Act*.
22. **SUCCESSORS AND ASSIGNS:** The heirs, executors, administrators, successors and assigns of the undersigned are bound by the terms herein.
23. **ADDITIONAL AGREEMENT:** This Agreement is in addition to a Grant of Temporary Easement and Consent to Enter of even date wherein additional compensation and additional terms have been agreed to between the Parties, being the "Related Transaction".
24. **PERMISSION TO CONSTRUCT UPON ACCEPTANCE OF THE AGREEMENT:** Upon acceptance of this Agreement the Purchaser and/or Agents of the Purchaser shall have the right to enter upon the above lands for the purposes of London Hydro, Bell Canada, Union Gas and other utility relocations and/or construction purposes.

WE the undersigned Vendors agree to the above offer.

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

John S. Leikowski
Witness

[Signature]
Witness

Glen Arrand Topping
Glen Arrand Topping

Lynn Topping
Lynn Topping,
Ronald William Topping Estate

Dec 23, 2020
Date

Dec 23, 2020
Date

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

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

THE CORPORATION OF THE CITY OF LONDON

Ed Holder, Mayor

Catharine Saunders, City Clerk

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

VENDOR'S LAWYER: Tom Bata 519-471-0330

SCHEDULE "A"

1. **LEGAL COSTS:** As set out in Section 32 of the *Expropriations Act* the Purchaser agrees to pay the Vendors reasonable legal, including fees, disbursements and applicable taxes, to complete this transaction, subject to assessment.
2. **APPRAISAL COSTS:** The City agrees to pay up to a maximum amount of **\$10,000.00** including disbursements and applicable taxes for the appraisal costs incurred by the owner in assisting them in determining fair compensation.
3. **DISTURBANCE COSTS:** The Purchaser agrees to pay on completion, a further sum of **\$15,000.00** as full and final payment for the loss of any and all trees, shrubs, fencing and landscaping located within the Property.
4. **ACCESS:** The Purchaser agrees to allow the Vendor to reserve over the Property a right of way for ingress and egress until such time as the Property is dedicated by by-law as a public highway.
5. **GEOTECHNICAL, ARCHEOLOGICAL, AND ENVIRONMENTAL TESTS:** The Purchaser shall have a period of 45 days from the date of acceptance of this Agreement to satisfy itself in its sole and absolute discretion as to the soil, geotechnical, archeological and environmental condition of the Property. The Purchaser may enter on the Property and have soil, geotechnical, archeological and environmental tests conducted using qualified agents or servants. The Purchaser agrees that all such tests shall be conducted using reasonable care and that the Property shall be restored to a condition as close as reasonably possible to its condition prior to entry. The Purchaser agrees to indemnify and save harmless the Vendor from and against all claims, demands, costs, including reasonable legal costs, damages, expenses and liabilities whatsoever arising out of its entry on the Property and the conducting of such test.

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

GRANT OF TEMPORARY EASEMENT AND CONSENT TO ENTER

BETWEEN:

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

AND:

GLEN ARRAND TOPPING, and
RONALD WILLAIM TOPPING

(the "Owners")

LEGAL DESCRIPTION:

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

(the "Property")

ADDRESS:

3095 Bostwick Road, City of London

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

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

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

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

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

Schedule "A" – Additional Terms and Conditions

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

The City agrees:


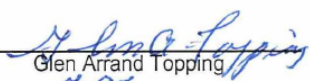
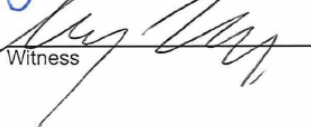
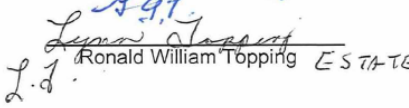
1. To restore the property to a condition as near as possible to its original condition.
2. That the Property will not be used for the storage of any construction vehicles, or construction materials, or the placement of any work trailers, at any time during the term of this Consent.
3. To indemnify, defend with counsel and save harmless the Owners from and against any and all claims, liabilities, demands, and cause of action of every kind and character, including claims of creditors of the City, liability on account of injury to, or death of, persons or damage of property and all costs and expenses of investigation and defence and all fines, fees, penalties, interest, judgements, compromises, settlements, other costs and legal fees incurred by in defence of same, on the count of or in any way incident to the use of the said property by the City's employees, agents and contractors, pursuant to this Consent.
4. Upon acceptance of this Consent, the City shall have the right to enter upon the lands for the period and purposes set out herein.
5. The proposed use of the Consent has been discussed with me/us and the sum set out as the consideration in this Consent is intended to include the payment for any reduction in market value suffered to my/our lands, if any, as a result of the City's use thereof, but excludes any physical damage to any portion of my/our lands which may occur during the construction period.

ADDITIONAL TERMS AND CONDITIONS:

1. **SUCCESSORS AND ASSIGNS:** The heirs, executors, administrators, successors and assigns of the undersigned are bound by the terms herein.
2. **ADDITIONAL/SUPPLEMENTAL AGREEMENT:** This Agreement is in addition to and Supplemental to an Agreement of Purchase and Sale of even date wherein additional compensation and additional terms have been agreed to between the Parties, being the "Related Transaction".

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

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

 Witness	 Glen Arrand Topping	<u>Dec 23, 2020</u> Date
 Witness	 L.J. Ronald William Topping ESTATE	<u>Dec 23, 2020</u> Date

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

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

THE CORPORATION OF THE CITY OF LONDON

Ed Holder, Mayor

Catharine Saunders, City Clerk

SCHEDULE "A"

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

Appendix A – Source of Financing Report

Appendix "A" Confidential

#21008

January 18, 2021
(Property Acquisition)

Chair and Members
Corporate Services Committee

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

Finance & Corporate Services Report on the Sources of Financing:

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

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

Financial Note:

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

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

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


Jason Davies
Manager of Financial Planning & Policy

Appendix B – Location Map

4551 Wellington Road South (Parent Parcel)



 Subject Property

Appendix A – Source of Financing Report

Appendix "A" Confidential

#21003
January 18, 2021
(Property Acquisition)

Chair and Members
Corporate Services Committee

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

Finance and Corporate Services Report on the Sources of Financing:

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

Estimated Expenditures	Approved Budget	Committed To Date	This Submission	Balance for Future Work
Engineering	1,291,950	112,284	0	1,179,666
Land Acquisition	200,000	43,571	144,050	12,379
Construction	8,641,300	0	0	8,641,300
Relocated Utilities	783,000	0	0	783,000
City Related Expenses	50,000	0	0	50,000
Total Expenditures	\$10,966,250	\$155,855	\$144,050	\$10,666,345

Sources of Financing

Capital Levy	9,215	9,215	0	0
Debenture Quota (Note 2)	879,051	3,409	11,668	863,974
Drawdown from City Services - Roads Reserve Fund (Development Services) (Note 1)	2,136,629	143,231	132,382	1,861,016
Debenture Quota - Serviced through City Services - Roads Reserve Fund (Development Charges) (Notes 1 and 2)	7,941,355	0	0	7,941,355
Total Financing	\$10,966,250	\$155,855	\$144,050	\$10,666,345

Financial Note:

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

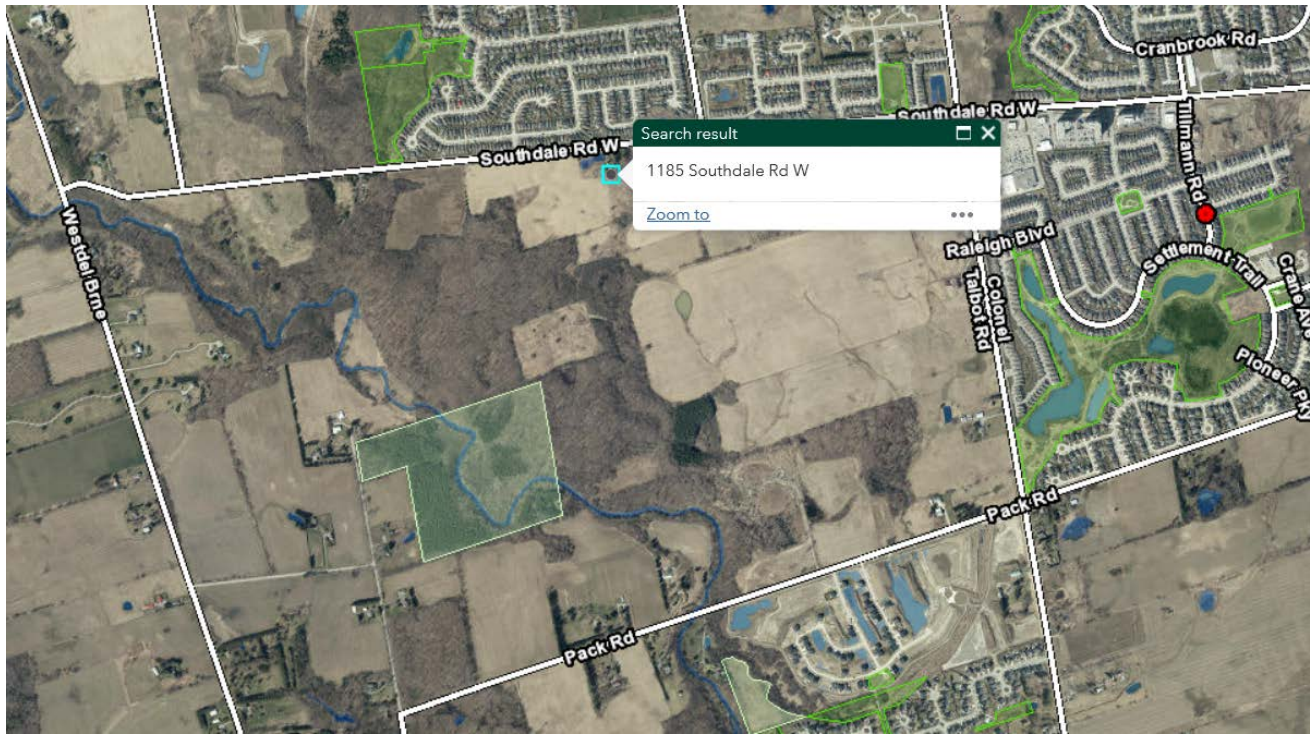
Note 1: Development charges have been utilized in accordance with the underlying legislation and the approved 2019 Development Charges Background Study and the 2021 Development Charges Background Study Update.

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

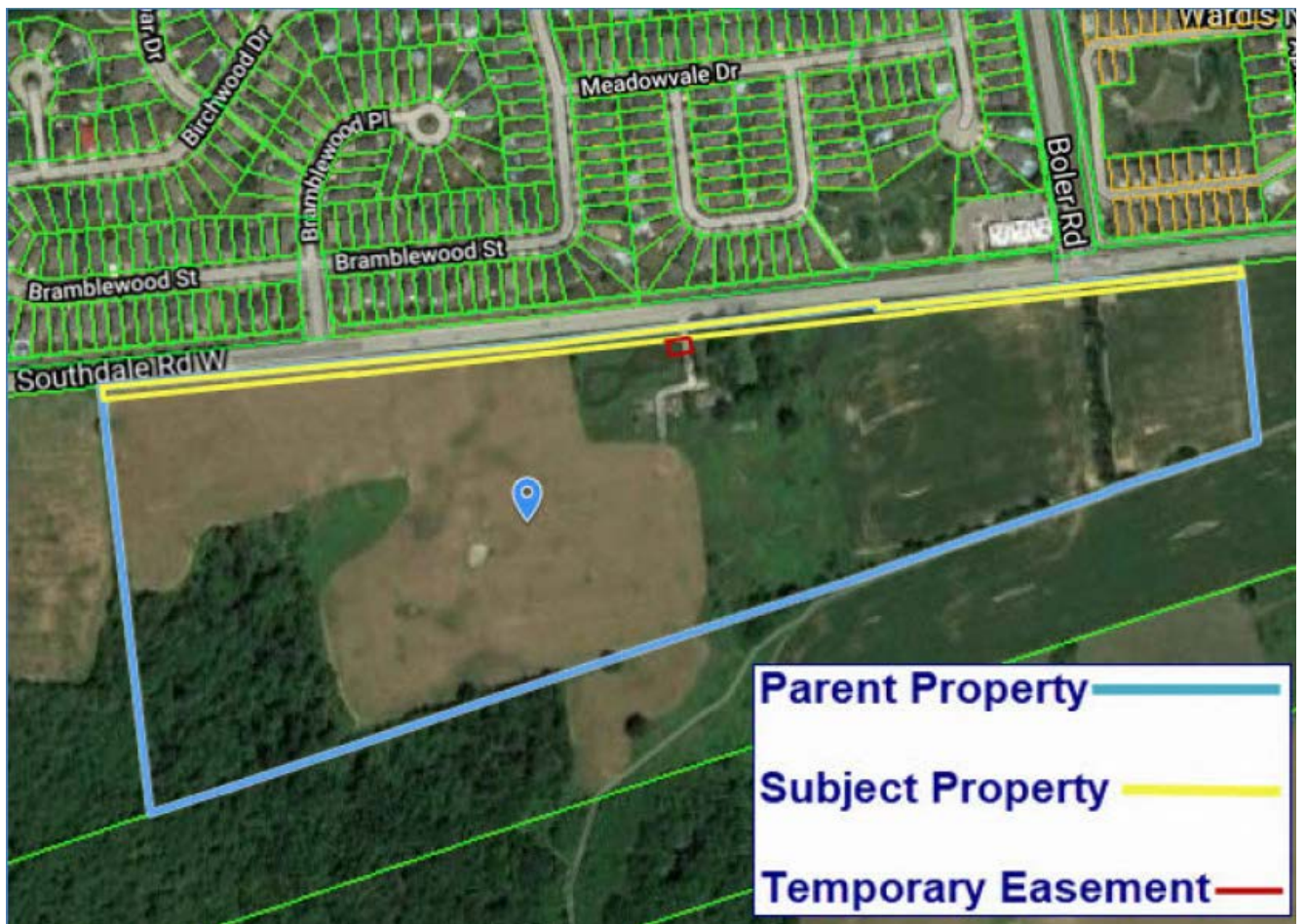
An authorizing by-law should be drafted to secure debenture financing for project TS1746 - Dingman Dr. - HWY 401 Bridge to Wellington Road for the net amount to be debentured of \$8,820,406.


Jason Davies
Manager of Financial Planning & Policy

Appendix B – Location Map



1185 Southdale Road West (Parent Parcel)



Appendix A – Source of Financing Report

Appendix "A" Confidential

#21002

January 18, 2021
(Property Acquisition)

Chair and Members
Corporate Services Committee

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

Finance and Corporate Services Report on the Sources of Financing:

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

Estimated Expenditures	Approved Budget	Committed To Date	This Submission	Balance for Future Work
Engineering	1,311,948	1,301,844	0	10,104
Land Acquisition	663,400	0	178,894	484,506
External Contractor	4,500,000	2,378	0	4,497,622
Relocated Utilities	917,152	0	0	917,152
City Related Expenses	100,000	4,996	0	95,004
Total Expenditures	\$7,492,500	\$1,309,218	\$178,894	\$6,004,388

Sources of Financing

Debenture By-law No. W.-5607-237 (Note 2)	879,830	153,739	21,007	705,084
Drawdown from City Services - Roads Reserve Fund (Development Charges) (Note 1)	6,612,670	1,155,479	157,887	5,299,304
Total Financing	\$7,492,500	\$1,309,218	\$178,894	\$6,004,388

Financial Note:

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

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

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


Jason Davies
Manager of Financial Planning & Policy

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