



## Council Minutes

The 5th Meeting of City Council  
March 23, 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, J. Adema, A. Anderson, A. Barbon, G. Barrett, B. Card, K. Dickins, C. Dooling, M. Goldrup, O. Katolyk, G. Kotsifas, T. Macbeth, J. Mackay, D. O'Brien, Venetia R., J. Raycroft, K. Scherr, M. Schulthess, C. Smith, S. Stafford, B. Warner, R. Wilcox, P. Yeoman.

The meeting was called to order at 4:03 PM, with Mayor E. Holder in the Chair and all Members participating; it being noted that the following Members attended the meeting remotely: M. van Holst, M. Salih, J. Helmer, M. Cassidy, A. Hopkins, P. Van Meerbergen, S. Turner, A. Kayabaga, and S. Hillier.

### 1. Disclosures of Pecuniary Interest

Mayor E. Holder discloses a pecuniary interest in Item 17 (5.1) of the 3rd Report of the Civic Works Committee 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.

Councillor S. Turner discloses a pecuniary interest in the following matters:

Item 14 (2.11) of the 3rd Report of the Civic Works Committee, having to do with the 2020 External Audit of the London's Drinking Water Quality Management System and 2020 Management Review, by indicating that he is an employee of the Middlesex London Health Unit.

Item 3 of the 5th Report of the Council In Closed Session and related Added Bill No. 132, having to do with the property acquisition of 88 Wellington Road South with respect to the Wellington Gateway Project, by indicating that he owns property in close vicinity to the Project area.

### 2. Recognitions

None.

### 3. Review of Confidential Matters to be Considered in Public

None.

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

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. 89, being a by-law to confirm the proceedings of the Council Meeting held on the 23rd day of March, which will be considered, prior to Stage 14 – Adjournment; and
- b) Stage 9 – Added Reports –Item 9.1 – 5th Report of Council, In Closed Session be considered after Stage 4 – Council, In Closed Session.

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

**Motion Passed (15 to 0)**

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

5.1 4th Meeting held on February 23, 2021

Motion made by: S. Lehman

Seconded by: A. Kayabaga

That the Minutes of the 4th Meeting held on February 23, 2021 BE APPROVED.

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

**Motion Passed (15 to 0)**

**6. Communications and Petitions**

6.1 Expropriation of Lands - Fanshawe Park Road and Richmond Street Intersection Improvements Project (as the "Approving Authority")

Motion made by: S. Lewis

Seconded by: J. Morgan

That Council convene as the Approving Authority pursuant to the provisions of the *Expropriations Act*, R.S.O. 1990, c.E.26, as amended, for the purpose of considering Communication No. 1 from the Managing Director, Environmental and Engineering Services and City Engineer, with respect to the expropriation of the lands as may be required for the Project known as the Fanshawe Park Road and Richmond Street Intersection Improvements Project.

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: J. Morgan

Seconded by: P. Van Meerbergen

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

a) the Council of The Corporation of the City of London as Approving Authority pursuant to the *Expropriations Act*, R.S.O. 1990, c. E.26, as amended, HEREBY APPROVES the proposed expropriation of land, as described in Schedule "A", as appended to the staff report dated March 23, 2021, in the City of London, County of Middlesex; it being noted that the reasons for making this decision are as follows:

- i) the subject lands are required by The Corporation of the City of London for the Fanshawe Park Road and Richmond Street Intersection Improvements Project;
  - ii) the design of the project will address the current and future transportation demands along the corridor; and,
  - iii) the design is in accordance with the Municipal Class Environmental Assessment Study Recommendations for the Fanshawe Park Road and Richmond Street Intersection Improvements Project approved by Municipal Council at the meeting held on September 25, 2018; and,
- b) subject to the approval of a) above, a certificate of approval BE ISSUED by the City Clerk on behalf of the Approving Authority in the prescribed form.

It being noted that no requests for Hearings of Necessity were received. (2021-L07/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. Pelozza, A. Kayabaga, and S. Hillier

**Motion Passed (15 to 0)**

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

That the meeting of the Approving Authority BE ADJOURNED and that the Municipal Council reconvene in regular session.

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

**Motion Passed (15 to 0)**

6.2 Expropriation of Lands - Fanshawe Park Road and Richmond Street Intersection Improvements Project (as the "Expropriation Authority") (Relates to Bill No. 111)

Motion made by: J. Morgan  
 Seconded by: J. Helmer

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, with the concurrence of the Director, Roads and Transportation and on the advice of the Manager of Realty Services, the following actions be taken with respect to the expropriation of land as may be required for the project known as the Fanshawe Park Road / Richmond Street Intersection Improvements Project:

- a) the proposed by-law appended to the staff report dated March 23, 2021 as Appendix "A" being "A by-law to expropriate lands in the City of London, in the County of Middlesex, the Fanshawe Park Road / Richmond Street Intersection Improvements Project: BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021;
- b) the Civic Administration BE DIRECTED to take all necessary steps to prepare a plan or plans showing the Expropriated Lands and to register such plan or plans in the appropriate registry or land titles office, pursuant to the *Expropriations Act*, R.S.O. 1990, c. E.26, within three (3) months of the Approving Authority granting approval of the said expropriation;

- c) the Mayor and City Clerk BE AUTHORIZED to sign on behalf of the Expropriating Authority, the plan or plans as signed by an Ontario Land Surveyor showing the Expropriated Lands; and,
  - d) the City Clerk BE AUTHORIZED AND DIRECTED to execute and serve the notices of expropriation required by the *Expropriations Act*, R.S.O. 1990, c. E.26 and such notices of possession that may be required to obtain possession of the Expropriated Lands. (2021-L07/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. Pelozza, A. Kayabaga, and S. Hillier

**Motion Passed (15 to 0)**

6.3 Wharncliffe Road South Improvements: 100 Stanley Street Update

Motion made by: A. Hopkins  
 Seconded by: P. Van Meerbergen

That the following communications related to the matters listed below BE RECEIVED and BE REFERRED, as noted on the Added Agenda:

6.3 Wharncliffe Road South Improvements: 100 Stanley Street Update (Refer to Civic Works Committee Stage for Consideration with Item 11 (2.3) of the 3rd Report of the Civic Works Committee).

6.4 Dundas Place - Temporary Bicycle Lanes and Revised Parking Limits (Refer to the Civic Works Committee Stage for Consideration with Item 12 (2.8) of the 3rd Report of Civic Works Committee).

6.5 Blue Community Program (Refer to the Civic Works Committee Stage for Consideration with Item 15 (3.1) of the 3rd Report of the Civic Works Committee)

6.6 New Sidewalks in 2021 Infrastructure Reconstruction Projects (Refer to the Civic Works Committee Stage for Consideration with Item 2 (3.1) of the 4th Report of the Civic Works Committee).

6.7 Application 100 Fullarton Street (Refer to the Civic Works Committee Stage for Consideration with Item 10 (3.4) of the 4th Report of the Planning and Environment Committee).

6.8 Demolition Request for Heritage Designated Property at 93-95 Dufferin Avenue by Old Oak Properties (Refer to the Planning and Environment Committee Stage for Consideration with Item 11 (3.5) of the 4th Report of Planning and Environment Committee)

6.9 Application - 403 Thompson Road - File OZ-9290 (Refer to the Planning and Environment Committee Stage for Consideration with Item 13 (3.7) of the 4th Report of the Planning and Environment Committee)

6.10 Application - 345 Sylvan Street - File OZ-9290 (Refer to the Planning and Environment Committee Stage for Consideration with Item 14 (3.8) of the 4th Report of the Planning and Environment Committee)

6.11 Core Area Community Improvement Plan (O-9257) - Core Area Community Improvement Plan Financial Incentive Program Guidelines (Refer to Planning and Environment Committee Stage for Consideration with Item 14 (3.8) of the 4th Report of Planning and Environment Committee)

6.12 Vacant Buildings By-law Review (Refer to the Community and Protective Services Committee Stage for Consideration with Item 15 (3.9) of the 5th Report of the Community and Protective Services Committee)

6.13 Property Standards By-law Review (Refer to the Community and Protective Services Committee Stage for Consideration with Item 14 (3.3) of the 5th Report of the Community and Protective Services Committee)

6.14 Tow Truck Business and Impound Yard Storage Business Licence By-law Amendment (Refer to the Community and Protective Services Committee Stage for Consideration with Item 15 (3.4) of the 5th Report of the Community and Protective Services Committee)

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

**Motion Passed (15 to 0)**

## **7. Motions of Which Notice is Given**

None.

## **8. Reports**

### **8.1 3rd Report of the Civic Works Committee**

Motion made by: E. Pelozza

That the 3rd Report of the Civic Works Committee BE APPROVED, excluding Items 11 (2.3), 12 (2.8), 14 (2.11), 15 (3.1) and 17 (5.1).

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

**Motion Passed (15 to 0)**

### **1. Disclosures of Pecuniary Interest**

Motion made by: E. Pelozza

Mayor E. Holder discloses a pecuniary interest in Item 5.1 of the 3rd Report of the Civic Works Committee, 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.

Councillor S. Turner discloses a pecuniary interest in Item 2.11 of the 3rd Report of the Civic Works Committee, having to do with the 2020 External Audit of London's Drinking Water Quality Management System and 2020 Management Review, by indicating that he is an employee of the Middlesex London Health Unit.

**Motion Passed**

### **2. (2.1) 1st Report of the Cycling Advisory Committee**

Motion made by: E. Pelozza

That the 1st Report of the Cycling Advisory Committee, from its meeting held on February 17, 2021, BE RECEIVED.

**Motion Passed**

3. (2.2) Dingman Drive Improvements - Appointment of Consulting Engineer - Detailed Design and Tendering

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 March 2, 2021, related to the Appointment of a Consulting Engineer for the Dingman Drive Improvements Project:

- a) AECOM Canada Ltd. BE APPOINTED Consulting Engineers to complete the detailed design and tendering services of the Dingman Drive Improvements Project, in the total amount of \$490,426.00, including contingency (excluding HST), in accordance with Section 15.2 (g) of the Procurement of Goods and Services Policy;
- b) the financing for this project BE APPROVED as set out in the Sources of Financing Report, as appended to the above-noted staff report;
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project;
- d) the approvals given, herein, BE CONDITIONAL upon the Corporation entering into a formal contract with the consultant for the work; and,
- e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2021-T05)

**Motion Passed**

4. (2.4) Highway 401 / Dingman Drive Bridge Replacement - Agreement with Ministry of Transportation (Relates to Bill No. 90)

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 March 2, 2021, BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021, to:

- a) authorize and approve a cost-sharing Agreement, as appended to the above-noted by-law, between Her Majesty the Queen in Right of Ontario, represented by the Minister of Transportation, and The Corporation of the City of London for the construction of the Dingman Drive bridge; and,
- b) authorize the Mayor and the City Clerk to execute the above-noted Agreement. (2021-T05)

**Motion Passed**

5. (2.5) Greenway and Adelaide Wastewater Treatment Plants Climate Change Resiliency Class Environmental Assessment Consultant Award

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 March 2, 2021, related to the Greenway and Adelaide Wastewater Treatment Plants Climate Change Resiliency Class Environmental Assessment Contract Award:

- a) Matrix Solutions Inc. BE APPOINTED Consulting Engineers in the amount of \$304,543.00, including 10% contingency (excluding HST), in accordance with Section 15.2 (e) of the City of London's Procurement of Goods and Services Policy;
- b) the financing for the project BE APPROVED in accordance with the Sources of Financing Report, as appended to the above-noted staff report;
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project;
- d) the approvals given, herein, BE CONDITIONAL upon the Corporation entering into a formal contract; and,
- e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2021-E05)

**Motion Passed**

- 6. (2.6) Contract Award: 2021 Watermain Cleaning and Relining Program, RFP 20-23

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 March 2, 2021, related to the Contract Award for the 2021 Watermain Cleaning and Relining Program, RFT 20-23:

- a) the bid submitted by Fer-Pal Construction Ltd., 171 Fenmar Drive, Toronto, Ontario M9L 1M7, at its tendered price of \$6,000,869.51 (excluding H.S.T.), for the 2021 Watermain Cleaning and Structural Lining program, BE ACCEPTED; it being noted that this is the second year of a three year contract submitted by Fer-Pal Construction Ltd. and where unit prices were carried over from the original tendered contract plus a two percent increase plus an increase for CPI as stipulated in the original contract; it being further noted that the original bid submitted by Fer-Pal Construction Ltd. in 2020 was the lower of two bids received and the City has the sole discretion to renew the contract based on price and performance;
- b) the financing for this project BE APPROVED as set out in the Sources of Financing Report, as appended to the above-noted staff report;
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project;
- d) the approval given, herein, BE CONDITIONAL upon the Corporation entering into a formal contract or issuing a purchase order for the material to be supplied and the work to be done relating to this project (RFT 20-23); 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-E08/L04)

**Motion Passed**

7. (2.7) Amendments to the Traffic and Parking By-law (Relates to Bill No. 112)

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 March 2, 2021, BE INTRODUCED at the Municipal Council meeting to be held on March 23, 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-P08/T01)

**Motion Passed**

8. (2.9) Award of Consulting Services for Detailed Design and Tendering for a New Landfill Gas Flaring Station

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 March 2, 2021, related to the Award of Consulting Engineering Services for the Detailed Design and Tendering for a New Landfill Gas Flaring Station:

- a) Comcor Environmental Ltd. BE APPOINTED to carry out the Environmental Protection Act approval, detailed design and tendering for a new landfill gas flaring station, in the total amount of \$221,029, including contingency of \$28,830 (excluding HST), in accordance with Section 15.2 (g) of the City of London's Procurement of Goods and Services Policy;
- b) the flaring station BE DESIGNED, based on the assumption that the landfill expansion is approved to proceed;
- c) design and tendering for the new flaring station BE INITIATED prior to receiving Environmental Protection Act approval for the project; it being noted that the tender will include clauses that the award is subject to Environmental Protection Act approval;
- d) the financing for this project BE APPROVED in accordance with the Sources of Financing Report, as appended to the above-noted staff report;
- e) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with these purchases; and,
- f) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations.(2021-E07)

**Motion Passed**



9. (2.12) Public Transit Infrastructure Fund (PTIF): Approval of Amending Agreement (Relates to Bill No. 91)

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 March 2, 2021, BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021, to:

- a) authorize and approve Amending Agreement No. 2, as appended to the above-noted by-law, to the Public Transit Infrastructure Fund (PTIF) Phase One (Ontario) Transfer Payment Agreement between Her Majesty the Queen in right of Ontario, as represented by the Minister of Transportation for the Province of Ontario and The Corporation of the City of London;
- b) authorize the Mayor and the City Clerk to execute the above-noted Agreement No. 2;
- c) authorize the Managing Director Environmental and Engineering Services and City Engineer to approve future Amending Agreements to the Public Transit Infrastructure Fund (PTIF) Phase One (Ontario) Transfer Payment Agreement between Her Majesty the Queen in right of the Province of Ontario, as represented by the Minister of Transportation for the Province of Ontario and The Corporation of the City of London, provided it does not increase the indebtedness or liabilities of The Corporation of the City of London;
- d) authorize the Mayor and the City Clerk to execute any Amending Agreement to the Public Transit Infrastructure Fund (PTIF) Phase One (Ontario) Transfer Payment Agreement between Her Majesty the Queen in right of the Province of Ontario, as represented by the Minister of Transportation for the Province of Ontario and The Corporation of the City of London approved by the Managing Director Environmental and Engineering Services and City Engineer under section 3 of the above-noted by-law; and,
- e) authorize the Managing Director, Corporate Services and City Treasurer and Chief Financial Officer and the City Manager (or delegate) to execute any financial reports required as a condition under the above-noted Amending Agreement No. 2 and such further Amending Agreements as may be approved under section 3 of the above-noted by-law. (2021-T03)

**Motion Passed**

10. (2.13) Street Renaming Portion of Darlington Place (Plan 33M-773) (Relates to Bill No. 114)

Motion made by: E. Pelosa

That, on the recommendation of the of the Director, Development Services, the proposed by-law, as appended to the staff report dated March 2, 2021, BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021, to approve the renaming of a portion of Darlington Place lying south of Kettering Place to Lot 9, Concession 1, Part 2 of Reference Plan 33R-19902 within Registered Plan 33M-773, to Barn Swallow Place. (2021-T00)

**Motion Passed**

13. (2.10) Community Employment Benefits

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 March 2, 2021, related to a summary of Community Employment Benefits requirements under the Investing in Canada Infrastructure Program (ICIP):

- a) the above-noted staff report BE RECEIVED; and,
- b) the communication dated March 1, 2021, from S. Middleton, United Way Elgin-Middlesex, the communication dated March 1, 2021, from M. Courey, Inclusive Economy London and Region, BE RECEIVED; it being noted that delegations from S. Middleton and M. Courey, with respect to this matter, were received. (2021-S04)

**Motion Passed**

16. (3.2) New Sidewalks in 2021 Infrastructure Reconstruction Projects

Motion made by: E. Pelosa

That the following actions be taken with respect to the New Sidewalks in 2021 Infrastructure Reconstruction Projects:

- a) the requests for delegation by the following individuals, with respect to this matter, BE APPROVED for the Special Civic Works Committee meeting to be held on March 15, 2021:

- E. Craven;
- J. McColl;
- A. Harris-Schulz;
- M. Mannering;
- S. Connolly;

- b) the communications from the following individuals, as appended to the Agenda and the Added Agenda with respect to this matter, BE RECEIVED:

- J. Lucente;
- F. Lucente;
- A. and H. Spriet;
- K. McCabe;
- J. and S. Miller;
- E. Craven;
- D. McCagherty;
- J. Stewart;
- J. Miller and J. Lucente;
- M. and D. Kernohan;
- B. Derksen;
- W. Yovetich and R. Tribe;
- H. Lightbody;
- M. Judson;
- E. Soares;
- L. and B. McCauley;
- L. Andrusiak;
- S. Skaith;
- M. and D. McKeown;
- J. and G. Kafka;
- E. Haddad;
- L. Kari and S. Watt;
- T. McLeod;

- G. Cervoni;
- B. and M. Kelman;
- G. and C. Alexander;
- J. Stock;
- G. O'Neill and H. Maxwell;
- S. and W. Handler;
- J. Brown;
- R. Tribe;
- L. Dang;
- J. and S. Mitchell;
- P. Cobrin;
- D. Cuthbert;
- C. Cartman and A. Lim;
- M. Mannering;
- J., C. and J. Mount;
- L. McColl;
- G. Reid;
- P. Houghton;
- E. and J. Hoffman;
- R. and G. Stoddart;
- L. Seguin;
- J. Madill;
- J. Potter;
- R. Frise;
- M. Cole;
- C. Boydell;
- G. Morrow;
- I.A. Connidis;
- L. Brooke;
- B. and V. Bradley;
- B. and L. McGarvey;
- A.J.;
- S. Connolly;
- P. and J. Gonser; and,
- K. Haine.

### **Motion Passed**

11. (2.3) Wharnccliffe Road South Improvements: 100 Stanley Street Update

At 4:51 PM, Mayor E. Holder places Deputy Mayor J. Morgan in the Chair and takes a seat at the Council Board.

At 4:53 PM, Mayor E. Holder resumes the Chair and Deputy Mayor J. Morgan takes a seat at a the Council Board.

Motion made by: E. Pelozza

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the staff report dated March 2, 2021, with respect to the Wharnccliffe Road South Improvements project and the heritage dwelling located at 100 Stanley Street BE RECEIVED; it being noted that the communication dated February 28, 2021, from K. McKeating, ACO London Region, with respect to this matter, was received. (2021-R01)

**Amendment:**

Motion made by: P. Van Meerbergen

Seconded by: S. Hillier

That clause 2.3 BE AMENDED by adding the following new part to the clause:

b) the Civic Administration BE DIRECTED to take the necessary actions to submit an amendment to the Environmental Assessment for the Wharnccliffe Road South Improvements Project to permit the demolition of the residence at 100 Stanley Street and any other necessary administrative steps to advance the Project in as timely a manner as possible;

Yeas: (8): Mayor E. Holder, M. van Holst, S. Lewis, P. Squire, J. Morgan, S. Lehman, P. Van Meerbergen, and S. Hillier

Nays: (7): M. Salih, J. Helmer, M. Cassidy, A. Hopkins, S. Turner, E. Pelozo, and A. Kayabaga

**Motion Passed (8 to 7)**

Motion made by: P. Van Meerbergen

Seconded by: S. Lewis

That Item 11 (2.3), BE APPROVED, as amended.

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

Nays: (6): M. Salih, J. Helmer, A. Hopkins, S. Turner, E. Pelozo, and A. Kayabaga

**Motion Passed (9 to 6)**

Item 11 (2.3), as amended, reads as follows:

That the following actions be taken with respect to the Wharnccliffe Road South Improvements Project:

a) the staff report dated March 2, 2021 with respect to the Wharnccliffe Road South Improvements Project and the heritage dwelling located at 100 Stanley Street BE RECEIVED; and,

b) the Civic Administration BE DIRECTED to take the necessary actions to submit an amendment to the Environmental Assessment for the Wharnccliffe Road South Improvements Project to permit the demolition of the residence at 100 Stanley Street and any other necessary administrative steps to advance the Project in as timely a manner as possible;

it being noted that the communication dated February 28, 2021, from K. McKeating, ACO London Region, with respect to this matter was received.

12. (2.8) Dundas Place - Temporary Bicycle Lanes and Revised Parking Limits (Relates to Bill No. 113)

At 5:13 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 take his seat at the Council Board.

Motion made by: E. Pelozo

That the following actions be taken with respect to the staff report dated March 2, 2021, related to the Dundas Place and Temporary Bicycle Lanes and Revised Parking Limits:

- a) the above-noted staff report BE RECEIVED;
- b) the proposed by-law, as appended to the above-noted staff report, BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021, for the purpose of amending By-law PS-113, entitled, “A by-law to regulate traffic and the parking of motor vehicles in the City of London” to replace the two-hour paid parking with one-hour free parking;
- c) the communications from the following individuals, as appended to the Added Agenda, with respect to this matter BE RECEIVED:
  - A. Hunniford;
  - D. Isaac;
  - D. Pihlainen;
  - M. Battista;
  - S. Wright;
  - B. Cowie; and,
  - D. Vanden Boomen; and,
- d) the Civic Administration BE DIRECTED to bring forward a report to the March 30, 2021 Civic Works Committee meeting to amend the Traffic and Parking By-law to create a temporary bicycle lane pilot project on Dundas Place during the 2021 construction season. (2021-T02/T05)

Motion made by: E. Pelosa

The motion to approve parts a) and c) is put.

That the following actions be taken with respect to the staff report dated March 2, 2021, related to the Dundas Place and Temporary Bicycle Lanes and Revised Parking Limits:

- a) the above-noted staff report BE RECEIVED;
- c) the communications from the following individuals, as appended to the Added Agenda, with respect to this matter BE RECEIVED:
  - A. Hunniford;
  - D. Isaac;
  - D. Pihlainen;
  - M. Battista;
  - S. Wright;
  - B. Cowie; and,
  - D. Vanden Boomen; 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. Pelosa, A. Kayabaga, and S. Hillier

**Motion Passed (15 to 0)**

Motion made by: E. Pelosa

The motion to approve part b) is put.

- b) the proposed by-law, as appended to the above-noted staff report, BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021, for the purpose of amending By-law PS-113, entitled, “A by-law to regulate traffic and the parking of motor

vehicles in the City of London” to replace the two-hour paid parking with one-hour free parking;

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

Nays: (1): S. Turner

**Motion Passed (14 to 1)**

Motion made by: E. Pelozo

The motion to approve part d) is put.

d) the Civic Administration BE DIRECTED to bring forward a report to the March 30, 2021 Civic Works Committee meeting to amend the Traffic and Parking By-law to create a temporary bicycle lane pilot project on Dundas Place during the 2021 construction season. (2021-T02/T05)

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

Nays: (1): P. Van Meerbergen

**Motion Passed (14 to 1)**

14. (2.11) 2020 External Audit of London’s Drinking Water Quality Management System and 2020 Management Review

Motion made by: E. Pelozo

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the staff report dated March 2, 2021, with respect to the 2020 External Audit of London’s Drinking Water Quality Management System and the subsequent 2020 Management Review, BE RECEIVED. (2021-E13)

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

Absent: (1): S. Turner

**Motion Passed (14 to 0)**

15. (3.1) Blue Community Program

Motion made by: E. Pelozo

That the following actions be taken with respect to the Blue Community Program:

a) the staff report dated, March 2, 2021 entitled “Blue Community Program”, BE RECEIVED;

b) the Civic Administration BE DIRECTED to undertake the necessary actions for the City of London to become a “Blue Community”; and,

c) the Municipal Council CONFIRMS its commitment to the following matters:

- i) the provision of water is a Human Right and water will be provided to all residents despite their ability to pay for the service;
- ii) the sale of bottled water will continue to be restricted in City of London facilities;
- iii) the water and wastewater systems that provide services to residents will continue to be publicly owned and operated;

it being noted that a delegation from L. Brown, Blue Community Committee, with respect to this matter, was received.

Motion made by: E. Pelosa

The motion to approve parts a) and b) is put.

That the following actions be taken with respect to the Blue Community Program:

a) the staff report dated, March 2, 2021 entitled "Blue Community Program", BE RECEIVED;

b) the Civic Administration BE DIRECTED to undertake the necessary actions for the City of London to become a "Blue Community"; and,

it being noted that a delegation from L. Brown, Blue Community Committee, with respect to this matter, was received.

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

**Motion Passed (15 to 0)**

Motion made by: E. Pelosa

The motion to approve parts c) i) and ii) is put.

c) the Municipal Council CONFIRMS its commitment to the following matters:

- i) the provision of water is a Human Right and water will be provided to all residents despite their ability to pay for the service;
- ii) the sale of bottled water will continue to be restricted in City of London facilities;

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. Pelosa, A. Kayabaga, and S. Hillier

Nays: (1): M. van Holst

**Motion Passed (14 to 1)**

Motion made by: E. Pelosa

The motion to approve part c) iii) is put.

c) the Municipal Council CONFIRMS its commitment to the following matters:

- iii) the water and wastewater systems that provide services to residents will continue to be publicly owned and operated;

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)**

17. (5.1) Deferred Matters List

Motion made by: E. Pelozo

That the Civic Works Committee Deferred Matters List, as at February 22, 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. Pelozo, A. Kayabaga, and S. Hillier

Recuse: (1): Mayor E. Holder

**Motion Passed (14 to 0)**

8.2 4th Report of the Civic Works Committee

Motion made by: E. Pelozo

That the 4th Report of the Civic Works Committee BE APPROVED, excluding Item 2 (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. Pelozo, A. Kayabaga, and S. Hillier

**Motion Passed (15 to 0)**

1. Disclosures of Pecuniary Interest

Motion made by: E. Pelozo

That it BE NOTED that no pecuniary interests were disclosed.

**Motion Passed**

3. (5.1) Safe Restart Agreement - Phase 2 Municipal Transit Funding - Transfer Payment Agreement (Relates to Bill No. 92)

Motion made by: E. Pelozo

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the proposed by-law appended as Appendix "A" to the staff report dated March 15, 2021 being "A by-law to approve and authorize the execution of the Transfer Payment Agreement between Her Majesty the Queen in right of the Province of Ontario, as represented by the Minister of Transportation and the City of London for the reimbursement of funds under the Safe Restart Agreement - Phase 2 Municipal Transit Funding", BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021. (2021-S08/T03/F11)

**Motion Passed**



2. (3.1) New Sidewalks in 2021 Infrastructure Reconstruction Projects

At 5:39 PM, Mayor E. Holder places Deputy J. Morgan in the Chair and takes a seat at the Council Board.

At 5:40 PM, Mayor E. Holder resumes the Chair and Deputy J. Morgan takes his seat at the Council Board.

Motion made by: E. Pelosa

That the following actions be taken with respect to new sidewalks in 2021 infrastructure reconstruction projects:

a) the Civic Administration BE DIRECTED to consider the following:

- i) narrowing pavement widths to 6.5 metres (or as narrow as 6.0 metres, if necessary) in order to reduce the risk of destabilizing existing trees, as well as curb-facing sidewalks;
- ii) removal of on-street parking on one side of the street;
- iii) sidewalk widths of 1.5 metres; and.
- iv) implementation of construction techniques that may be more labour-intensive, but could increase the likelihood of retaining more of the existing trees, while adding sidewalks; and,

b) Civic Administration BE DIRECTED to move the proposed sidewalk on the West side of Imperial Road to the East side of Imperial Road;

it being noted that the delegations from the following individuals, with respect to this matter, were received:

- R. Standish
- S. Nazarian
- L. Dang
- P. Cobrin
- T. Hutchinson
- G. Pavlov
- L. Kari
- J. Menard
- J. Preston
- D. Cuthbert
- J. Cuthbert
- H. Post
- A.M. Grantham
- S. Skelton
- P. Traylen
- D. Gibbs
- B. Gibbs
- D. McCagherty
- J. P. New
- R. Rudell
- F. Lucente
- J. Lucente
- P. Hubert
- R. Tribe
- W. Handler
- J. McColl
- A. Harris-Schulz
- M. Mannering
- S. Connolly;

it being noted that the communications from the following individuals, with respect to this matter, were received:

- M. Box
- L. Savage

- N. Fulford
- C. Pawlowski
- P. and D. Hayman
- J. Klassen
- S. Franke
- P. and B. Traylen
- A. Kenzie
- J. and W. McGregor
- J. Kingsley
- G. Glinavs
- D. Waithe
- P. MacLennan
- V. Garfat
- S. Mahipaul
- C. Golder and K. Yano;

it being further noted that the resubmitted staff report dated February 9, 2021, with respect to this matter, was received (2021-T04).

Motion made by: E. Pelosa

The motion to approve part a), is put.

That the following actions be taken with respect to new sidewalks in 2021 infrastructure reconstruction projects:

a) the Civic Administration BE DIRECTED to consider the following:

- i) narrowing pavement widths to 6.5 metres (or as narrow as 6.0 metres, if necessary) in order to reduce the risk of destabilizing existing trees, as well as curb-facing sidewalks;
- ii) removal of on-street parking on one side of the street;
- iii) sidewalk widths of 1.5 metres; and.
- iv) implementation of construction techniques that may be more labour-intensive, but could increase the likelihood of retaining more of the existing trees, while adding sidewalks; and,

Yeas: (9): S. Lewis, M. Salih, J. Helmer, M. Cassidy, J. Morgan, A. Hopkins, S. Turner, E. Pelosa, and A. Kayabaga

Nays: (6): Mayor E. Holder, M. van Holst, P. Squire, S. Lehman, P. Van Meerbergen, and S. Hillier

**Motion Passed (9 to 6)**

Motion made by: S. Hillier

Seconded by: P. Van Meerbergen

That a twenty minute recess BE APPROVED.

**Motion Passed**

The Council recesses at 6:39 PM and resumes at 7:00 PM.

Motion made by: E. Pelosa

The motion to approve part b), is put.

b) the Civic Administration BE DIRECTED to move the proposed sidewalk on the West side of Imperial Road to the East side of Imperial Road;

it being noted that the delegations from the following individuals, with respect to this matter, were received:

- R. Standish
- S. Nazarian
- L. Dang
- P. Cobrin
- T. Hutchinson
- G. Pavlov
- L. Kari
- J. Menard
- J. Preston
- D. Cuthbert
- J. Cuthbert
- H. Post
- A.M. Grantham
- S. Skelton
- P. Traylen
- D. Gibbs
- B. Gibbs
- D. McCagherty
- J. P. New
- R. Rudell
- F. Lucente
- J. Lucente
- P. Hubert
- R. Tribe
- W. Handler
- J. McColl
- A. Harris-Schulz
- M. Mannering
- S. Connolly;

it being noted that the communications from the following individuals, with respect to this matter, were received:

- M. Box
- L. Savage
- N. Fulford
- C. Pawlowski
- P. and D. Hayman
- J. Klassen
- S. Franke
- P. and B. Traylen
- A. Kenzie
- J. and W. McGregor
- J. Kingsley
- G. Glinavs
- D. Waithe
- P. MacLennan
- V. Garfat
- S. Mahipaul
- C. Golder and K. Yano;

it being further noted that the resubmitted staff report dated February 9, 2021, with respect to this matter, was received (2021-T04).

Yeas: (11): S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, and E. Pelosa

Nays: (4): Mayor E. Holder, M. van Holst, A. Kayabaga, and S. Hillier

**Motion Passed (11 to 4)**

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

That Item 2 (3.1) BE AMENDED by adding the following new part c):

c) notwithstanding the requirements set out in the London Plan and the warranted sidewalk program with respect to the installation of sidewalk infrastructure, the proposed new sidewalk to be located on Abbey Rise (plus Scarlett connection to Wychwood) BE REMOVED from the approved road reconstruction project for the subject street;

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

Nays: (6): M. Salih, J. Helmer, M. Cassidy, A. Hopkins, S. Turner, and A. Kayabaga

**Motion Passed (9 to 6)**

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

That Item 2 (3.1) BE AMENDED by adding the following new part d):

d) notwithstanding the requirements set out in the London Plan and the warranted sidewalk program with respect to the installation of sidewalk infrastructure, the proposed new sidewalk to be located on Friars Way BE REMOVED from the approved road reconstruction project for the subject street;

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

Nays: (6): M. Salih, J. Helmer, M. Cassidy, A. Hopkins, S. Turner, and A. Kayabaga

**Motion Passed (9 to 6)**

Motion made by: P. Squire  
Seconded by: E. Pelozza

That Item 2 (3.1) BE AMENDED by adding the following new part e):

e) notwithstanding the requirements set out in the London Plan and the warranted sidewalk program with respect to the installation of sidewalk infrastructure, the proposed new sidewalk to be located on Doncaster Avenue and Doncaster Place BE REMOVED from the approved road reconstruction project for the subject street;

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

Nays: (6): M. Salih, J. Helmer, M. Cassidy, A. Hopkins, S. Turner, and A. Kayabaga

**Motion Passed (9 to 6)**

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

That Item 2 (3.1) BE AMENDED by adding the following new part f):

f) notwithstanding the requirements set out in the London Plan and the warranted sidewalk program with respect to the installation of sidewalk infrastructure, the proposed new sidewalk to be located on Bartlett Crescent BE REMOVED from the approved road reconstruction project for the subject street;

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

Nays: (6): M. Salih, J. Helmer, M. Cassidy, A. Hopkins, S. Turner, and A. Kayabaga

**Motion Passed (9 to 6)**

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

That Item 2 (3.1) BE AMENDED by adding the following new part g):

g) notwithstanding the requirements set out in the London Plan and the warranted sidewalk program with respect to the installation of sidewalk infrastructure, the proposed new sidewalk to be located on St. Anthony Road BE REMOVED from the approved road reconstruction project for the subject street;

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

Nays: (6): M. Salih, J. Helmer, M. Cassidy, A. Hopkins, S. Turner, and A. Kayabaga

**Motion Passed (9 to 6)**

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

That Item 2 (3.1) BE AMENDED by adding the following new part h):

h) notwithstanding the requirements set out in the London Plan and the warranted sidewalk program with respect to the installation of sidewalk infrastructure, the proposed new sidewalk to be located on Tarbart Terrace BE REMOVED from the approved road reconstruction project for the subject street;

Yeas: (8): Mayor E. Holder, M. van Holst, S. Lewis, P. Squire, J. Morgan, S. Lehman, P. Van Meerbergen, and S. Hillier

Nays: (7): M. Salih, J. Helmer, M. Cassidy, A. Hopkins, S. Turner, E. Pelozo, and A. Kayabaga

**Motion Passed (8 to 7)**

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

That Item 2 (3.1) BE AMENDED by adding the following new part i):

i) notwithstanding the requirements set out in the London Plan and the warranted sidewalk program with respect to the installation of sidewalk infrastructure, the proposed new sidewalk to be located on East Afton Place BE REMOVED from the approved road reconstruction project for the subject street;

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

Nays: (6): M. Salih, J. Helmer, M. Cassidy, A. Hopkins, S. Turner, and A. Kayabaga

**Motion Passed (9 to 6)**

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

That Item 2 (3.1), as amended, BE APPROVED.

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

Nays: (3): M. Salih, J. Helmer, and S. Turner

**Motion Passed (12 to 3)**

Item 2 (3.1) as amended, reads as follows:

That the following actions be taken with respect to new sidewalks in 2021 infrastructure reconstruction projects:

- a) the Civic Administration BE DIRECTED to consider the following:
- i) narrowing pavement widths to 6.5 metres (or as narrow as 6.0 metres, if necessary) in order to reduce the risk of destabilizing existing trees, as well as curb-facing sidewalks;
  - ii) removal of on-street parking on one side of the street;
  - iii) sidewalk widths of 1.5 metres; and.
  - iv) implementation of construction techniques that may be more labour-intensive, but could increase the likelihood of retaining more of the existing trees, while adding sidewalks; and,
- b) Civic Administration BE DIRECTED to move the proposed sidewalk on the West side of Imperial Road to the East side of Imperial Road;

it being noted that the delegations from the following individuals, with respect to this matter, were received:

- R. Standish
- S. Nazarian
- L. Dang
- P. Cobrin
- T. Hutchinson
- G. Pavlov
- L. Kari
- J. Menard
- J. Preston

- D. Cuthbert
- J. Cuthbert
- H. Post
- A.M. Grantham
- S. Skelton
- P. Traylen
- D. Gibbs
- B. Gibbs
- D. McCagherty
- J. P. New
- R. Rudell
- F. Lucente
- J. Lucente
- P. Hubert
- R. Tribe
- W. Handler
- J. McColl
- A. Harris-Schulz
- M. Mannering
- S. Connolly;

it being noted that the communications from the following individuals, with respect to this matter, were received:

- M. Box
- L. Savage
- N. Fulford
- C. Pawlowski
- P. and D. Hayman
- J. Klassen
- S. Franke
- P. and B. Traylen
- A. Kenzie
- J. and W. McGregor
- J. Kingsley
- G. Glinavs
- D. Waithe
- P. MacLennan
- V. Garfat
- S. Mahipaul
- C. Golder and K. Yano;

c) notwithstanding the requirements set out in the London Plan and the warranted sidewalk program with respect to the installation of sidewalk infrastructure, the proposed new sidewalk to be located on Abbey Rise (plus Scarlett connection to Wychwood) BE REMOVED from the approved road reconstruction project for the subject street;

d) notwithstanding the requirements set out in the London Plan and the warranted sidewalk program with respect to the installation of sidewalk infrastructure, the proposed new sidewalk to be located on Friars Way BE REMOVED from the approved road reconstruction project for the subject street;

e) notwithstanding the requirements set out in the London Plan and the warranted sidewalk program with respect to the installation of sidewalk infrastructure, the proposed new sidewalk to be located on Doncaster Avenue and Doncaster Place BE REMOVED from the approved road reconstruction project for the subject street;

f) notwithstanding the requirements set out in the London Plan and the warranted sidewalk program with respect to the installation of sidewalk infrastructure, the proposed new sidewalk to be located

on Bartlett Crescent BE REMOVED from the approved road reconstruction project for the subject street;

g) notwithstanding the requirements set out in the London Plan and the warranted sidewalk program with respect to the installation of sidewalk infrastructure, the proposed new sidewalk to be located on St. Anthony Road BE REMOVED from the approved road reconstruction project for the subject street;

h) notwithstanding the requirements set out in the London Plan and the warranted sidewalk program with respect to the installation of sidewalk infrastructure, the proposed new sidewalk to be located on Tarbart Terrace BE REMOVED from the approved road reconstruction project for the subject street;

i) notwithstanding the requirements set out in the London Plan and the warranted sidewalk program with respect to the installation of sidewalk infrastructure, the proposed new sidewalk to be located on East Afton Place BE REMOVED from the approved road reconstruction project for the subject street;

it being further noted that the resubmitted staff report dated February 9, 2021, with respect to this matter, was received (2021-T04).

Motion made by: P. Squire  
Seconded by: J. Morgan

That a five minute recess BE APPROVED.

**Motion Passed**

### 8.3 4th Report of the Planning and Environment Committee

Motion made by: P. Squire

That the 4th Report of the Planning and Environment Committee BE APPROVED, excluding Item 13 (3.7).

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: P. Squire

That it BE NOTED that no pecuniary interests were disclosed.

**Motion Passed**

#### 2. (2.1) 1st Report of the Advisory Committee on the Environment

Motion made by: P. Squire

That the 1st Report of the Advisory Committee on the Environment, from its meeting held on February 3, 2021, BE RECEIVED.

**Motion Passed**



3. (2.2) Draft Masonville Secondary Plan

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 draft Masonville Secondary Plan:

- a) the draft Masonville Secondary Plan, appended as Appendix “A” to the staff report dated March 1, 2021, BE RECEIVED; and,
- b) the Civic Administration BE DIRECTED to circulate the draft Masonville Secondary Plan noted in a) above, to receive public input from the community and stakeholders;

it being noted that a public participation meeting will be held on March 29, 2021 before the Planning and Environment Committee to gather public feedback on the draft Masonville Secondary Plan; and,

it being further noted that that the input received through the above-noted public consultation processes, and the outcome of supporting studies, will be used to undertake informed revisions to the draft Masonville Secondary Plan and implementing Official Plan Amendment that will be prepared for the consideration at a future meeting of the Planning and Environment Committee. (2021-D09)

**Motion Passed**

4. (2.3) Z-1 Zoning By-law - Holding Provision Review

Motion made by: P. Squire

That on the recommendation of the Director, Development Services, the report dated March 1, 2021, entitled “Z-1 Zoning By-law – Holding Provision Review”, BE RECEIVED for information. (2021-D14)

**Motion Passed**

5. (2.4) Application - 973 Gainsborough Road - Removal of Holding Provision h-17 (Relates to Bill No. 124)

Motion made by: P. Squire

That, on the recommendation of the Director, Development Services, based on the application of Betsy Mathew relating to the property located at 973 Gainsborough Road, the proposed by-law appended as Appendix “A” to the staff report dated March 1, 2021 BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM a Holding Business District Commercial (h-17\*BDC) Zone TO a Business District Commercial (BDC) Zone to remove the h-17 holding provision;

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

- the removal of the holding provision will allow for development in conformity with the Zoning By-law; and,
- Development Services Engineering has confirmed services are available for this site. The Development Agreement and accepted engineering plans will include provisions to ensure the site is

connected to the existing municipal water and sanitary sewer systems and therefore the h-17 provision is no longer required. (2021-D09)

**Motion Passed**

6. (2.5) Proposed Amendment to the Hamilton Road Business Improvement Area By-law (Relates to Bill No. 105)

Motion made by: P. Squire

That, on the recommendation of the City Clerk, the proposed by-law appended as Appendix "A" to the staff report dated March 1, 2021, being "A by-law to amend By-law C.P.-1528-486, as amended, being "A by-law to designate an area as an improvement area and to establish the board of management for the purpose of managing the Hamilton Road Business Improvement Area" by amending the Board of Management composition to provide for a Board comprised of six (6) to twelve (12) directors", BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021. (2021-C05)

**Motion Passed**

7. (3.1) 1st Report of the Environmental and Ecological Planning Advisory Committee

Motion made by: P. Squire

That the following actions be taken with respect to the 1st Report of the Environmental and Ecological Planning Advisory Committee (EEPAC), from its meeting held on February 18, 2021:

- a) the above-noted report BE RECEIVED; it being noted that the Planning and Environment Committee received a delegation from S. Levin, Chair of EEPAC, regarding this matter; and,
- b) the Civic Administration BE REQUESTED to report back on the lessons learned from the relocation of the Wetland at 905 Sarnia Road; it being noted that the Planning and Environment Committee received the document entitled "Compensation Wetland Monitoring - 905 Sarnia Road".

**Motion Passed**

8. (3.2) Application - 6019 Hamlyn Street (Relates to Bill No. 125)

Motion made by: P. Squire

That, on the recommendation of the Director, Development Services the following actions be taken with respect to the application of Sifton Properties Limited relating to the property located at 6019 Hamlyn Street:

- a) the proposed by-law appended as Appendix "A" to the staff report dated March 1, 2021 BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM an Urban Reserve (UR4) Zone, a Holding Urban Reserve (h-2\*UR4) Zone, and an Environmental Review (ER) Zone, TO:

- i) a Holding Residential R1 Special Provision (h\*h-100\*R1-3(\_)) Zone;
- ii) a Holding Residential R1/R4 Special Provision (h\*h-100\*R1-3(\_)/R4-3(\_)) Zone;
- iii) a Holding Residential R4/R5/R6/R7/R8 Special Provision (h\*h-100\*h-155\*R4-3(\_)/R5-7(\_)/R6-5(42)/R7(\_)\*D75\*H20/R8-4(\_)) Zone;
- iv) an Open Space Special Provision (OS1(3)) Zone; and
- v) an Open Space (OS5) Zone;

b) the Approval Authority BE ADVISED that no issues were raised at the public meeting held with respect to the application for draft plan of subdivision of Sifton Properties Limited relating to a property located at 6019 Hamlyn Street; and

c) the Approval Authority BE ADVISED that the Municipal Council supports the Approval Authority issuing draft approval of the proposed plan of residential subdivision, submitted by Sifton Properties Limited (File No. 39T-18504), prepared by Monteith Brown Planning Consultants, and certified by Jason Wilband OLS, (Project No. 12-812, dated February 10, 2021), which shows ninety-three (93) single detached lots, two (2) medium density residential blocks, three (3) parkland blocks, three (3) open space blocks, one (1) SWM facility block, two (2) road widening blocks and six (6) 0.3 m reserve blocks, all served by three (3) local/neighbourhood streets (Street A, B, C) SUBJECT TO the conditions appended as Appendix "B" to the staff report dated March 1, 2021;

it being noted that the Municipal Council approves these applications for the following reasons:

- the proposed and recommended amendments are consistent with the Provincial Policy Statement, 2020 which promotes a compact form of development in strategic locations to minimize land consumption and servicing costs, provide for and accommodate an appropriate affordable and market-based range and mix of housing type and densities to meet the projected requirements of current and future residents;
- the proposed and recommended amendments conform to the in-force policies of The London Plan, including but not limited to Our Strategy, Our City and the Key Directions, as well as conforming to the policies of the Neighbourhoods and Environmental Review Place Type;
- the proposed and recommended amendments conform to the in-force policies of the 1989 Official Plan, including but not limited to the Low Density Residential designation, the Multi-Family Medium Density Residential designation, and the Environmental Review designation;
- the proposed and recommended amendments conform to the policies of the Southwest Area Secondary Plan;
- the proposed and recommended zoning amendments will facilitate an appropriate form of low and medium density residential development that conforms to The London Plan, the 1989 Official Plan, and the Southwest Area Secondary Plan; and,
- the recommended draft plan supports a broad range of low and medium density residential development opportunities within the site including more intensive, mid-rise apartments along the Wonderland Road corridor. The Draft Plan has been designed to support these uses and to achieve an aesthetically-pleasing development that is pedestrian friendly, transit supportive and accessible to the surrounding community;

it being pointed out that at the public participation meeting associated with these matters, the individuals indicated on the ~~attached~~ public participating meeting record made oral submissions regarding these matters. (2021-D09)

### Motion Passed

9. (3.3) 1389 Commissioners Road East - Summerside Subdivision (Relates to Bill No. 126)

Motion made by: P. Squire

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of Drewlo Holding Inc. relating to the lands located at 1389 Commissioners Road East within the Summerside Subdivision:

a) the proposed by-law appended as Appendix "A" to the staff report dated March 1, 2021, BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a Residential R1 Special Provision (R1-3(7)) Zone, a Residential R1 (R1-4) Zone, and a Residential R1 Special Provision (R1-4(10)) Zone TO a Residential R1 (R1-2) Zone and a Residential R1 (R1-3) Zone; FROM a Residential R1 Special Provision (R1-3(7)) Zone TO a Holding Residential R6 Special Provision (h-1•R6-5( )) Zone; and FROM a Holding Residential R6 (h-1•R6-5) Zone TO a Holding Residential R6 Special Provision (h-1•R6-5( )) Zone;

b) the Approval Authority BE ADVISED that there were no issues raised at the public meeting held with respect to the application for red-line revisions to Draft Plans of Subdivision by Drewlo Holding Inc. relating to the lands located at 1389 Commissioners Road East within the Summerside Subdivision; and,

c) the Approval Authority BE ADVISED that Municipal Council supports issuing draft approval of the proposed red-line revisions to the residential Draft Plans of Subdivision, SUBJECT TO the conditions contained in Appendix "B" #39T-92020 / 39T-92020-D appended to the staff report dated March 1, 2021;

it being noted that the Municipal Council approves these applications for the following reasons:

- the proposed red-line revisions and zoning amendment is consistent with the Provincial Policy Statement (PPS), 2020, as it achieves objectives for efficient and resilient development and land use patterns. It represents development of low and medium density forms of housing, including single detached dwelling lots, townhouse and cluster forms of housing taking place within the City's urban growth area and within previously draft-approved plans of subdivision. It also achieves objectives for promoting compact form, contributes to the neighbourhood mix of housing and densities that allows for the efficient use of land, infrastructure and public service facilities, supports the use of public transit, and increases community connectivity by eliminating cul-de-sacs;
- the proposed draft plan revisions and zoning conforms to the in-force policies of The London Plan, including but not limited to the Neighbourhoods Place Type, Our Strategy, City Building and Design, Our Tools, and all other applicable London Plan policies;

- the proposed draft plan revisions and zoning conforms to the policies of the (1989) Official Plan, including but not limited to the Multi-Family, Medium Density Residential designation; and,
- the recommended zoning amendment is considered appropriate to facilitate the proposed lot adjustments, permits an appropriate increase in density to the medium density blocks, and maintains compatibility with the form and character of existing residential development in the surrounding neighbourhood;

it being pointed out that at the public participation meeting associated with these matters, the individuals indicated on the ~~attached~~ public participating meeting record made oral submissions regarding these matters. (2021-D12)

**Motion Passed**

10. (3.4) Application - 100 Fullarton Street

Motion made by: P. Squire

That the staff report dated March 1, 2021 entitled “100 Fullarton Street – Old Oak Properties Inc.”, BE RECEIVED; it being noted that the ~~attached~~ letter dated March 1, 2021 from Zelinka Priamo Ltd., agent for the Applicant, indicating the Applicant’s wish to withdraw the related Zoning By-law amendment request, was received and considered by the Planning and Environment Committee;

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

- H. Guizzetti
- J. Graydon
- S. Kopp
- B. McQuaid
- M. and B. Evans
- J. Manness
- S. Lunau
- J. Wombwell
- C. Jennings
- S. Miller
- B. Benedict
- M. Rooks
- G. Nicodemo
- M. van Diepen
- G. Priamo, Zelinka Priamo Ltd.
- W. and D. Cherwaty
- North Talbot Neighbourhood Association
- P. Davis (2021-P10/R01).

**Motion Passed**

11. (3.5) Demolition Request for Heritage Designated Property at 93-95 Dufferin Avenue by Old Oak Properties

Motion made by: P. Squire

That the following actions be taken with respect to the application by Old Oak Properties relating to the property located at 93-95 Dufferin Avenue:

a) the staff report dated March 1, 2021 entitled “Demolition Request for Heritage Designated Property at 93-95 Dufferin Avenue by Old Oak Properties”, BE RECEIVED; it being noted that the ~~attached~~ letter dated March 1, 2021 from Zelinka Priamo Ltd., agent for the Applicant, indicating the Applicant’s wish to withdraw the related request for demolition was received and considered by the Planning and Environment Committee; and

b) the request to demolish the buildings on the heritage designated property at 93-95 Dufferin Avenue, BE REFUSED for the following reasons:

i) the proposed demolition is contrary to the Provincial Policy Statement 2020 and is inconsistent with policies of The London Plan;

ii) the subject property continues to demonstrate significant cultural heritage value;

iii) the condition of the subject building does not sufficiently warrant the demolition of this heritage designated property;

iv) the demolition of the subject building will contribute to the continual loss of significant heritage buildings designed by Samuel Peters; and,

v) the proposed demolition of the building does not support previous commitments and confirm public expectations through an approved Bonus Zone that conserved the properties at 93-95 Dufferin Avenue;

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

- S. Woodward
- J. Grainger
- M. Rooks
- J. Fooks
- J. Boose
- T. Colbridge
- S. Bentley
- D. Lindsay
- R. McDowell
- J. McDowell
- N. Stevens
- G. Hodder
- M. Coles
- J. Jacobson
- T. Smith (2021-P10D/R01).

**Motion Passed**

12. (3.6) Application - 3924 Colonel Talbot Road (Relates to Bill No. 127)

Motion made by: P. Squire

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of Auburn Developments Ltd. pertaining to portions of the lands located at 3924 Colonel Talbot Road:

a) the proposed by-law appended as Appendix “A” to the staff report dated March 1, 2021, BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a Holding Open Space Special

Provision (h\*OS5(9)) Zone TO an Open Space Special Provision (OS5(\_)) Zone; FROM a Holding Residential R1 (h\*R1-3) Zone TO a Holding Open Space (h\*OS1) Zone; FROM a Holding Residential R1 (h\*R1-3) Zone TO an Open Space (OS1/OS3) Zone; FROM a Holding Residential R1 (h\*R1-13) Zone TO a Holding Residential R1(h\*R1-3) Zone; FROM a Holding Residential R5/R6/R7 (h\*R5-3/R6-5/R7\*H15\*D30) Zone TO a Holding Residential R4/R5/R6/R7 Special Provision (h\*R4-6(\_)/R5-3(\_)/R6-5(\_)/R7\*H15\*D30) Zone; FROM a Holding Residential R5/R6/R7 (h\*R5-3/R6-5/R7\*H15\*D30) Zone TO a Holding Residential R4/R5/R6/R7 Special Provision (h\*R4-6(\_)/R5-3/R6-5/R7\*H18\*D30) Zone; FROM a Residential R1/R6 Special Provision (R1-3(7)/R6-5) Zone TO a Residential R1 Special Provision (R1-3(7) Zone; FROM a Holding Residential R5/R6/R7 (h\*R5-3/R6-5/R7\*H15\*D30) Zone TO a Holding Residential R4/R5/R6 Special Provision (h\*R4-6(\_)/R5-3/R6-5) Zone; FROM a Holding Residential R1 (h\*R1-3) Zone TO a Holding Residential R1/R4 Special Provision (h\*R1-1/R4-6(\_)) Zone; FROM a Holding Residential R1/R6 (h\*R1-3/R6-5) Zone TO a Holding Residential R1/R4/R6 Special Provision (h\*R1-3/R4-6(\_)/R6-5) Zone; FROM a Holding Residential R1/R6 (h\*R1-3/R6-5) Zone TO a Holding Residential R1/R4 Special Provision (h\*R1-1/R4-6(\_)) Zone; FROM a Holding Residential R5/R6/R7 (h\*R5-3/R6-5/R7\*H15\*D30) Zone TO Holding Residential R1/R4 Special Provision (h\*R1-1/R4-6(\_)) Zone; FROM a Holding Residential R1/R4 (h\*R1-13/R4-6) Zone TO a Holding Residential R1/R4 Special Provision (h\*R1-1/R4-6(\_)) Zone; FROM a Holding Residential R5/R6/R7/Office (h\*h-54\*R5-3/R6-5/7\*H15\*D30\*OF) Zone TO a Holding Residential R4/R5/R6 Special Provision (R4-6(\_)/R5-3/R6-5) Zone; FROM a Holding Residential R5/R6/R7/Office (h\*h-54\*R5-3/R6-5/R7\*H15\*D30\*OF) Zone TO a Holding Residential R4/R5/R6/R7 Special Provision/Office (h\*h-54\*R4-6(\_)/R5-3/R6-5/7\*H24\*D100\*OF8(\_)) Zone; FROM a Holding Residential R5/R6/R7/Office (h\*h-54\*R5-3/R6-5/R7\*H15\*D30\*OF) Zone TO a Holding Open Space (OS1) Zone; FROM a Residential R1 (R1-16) Zone TO a Holding Residential R4/R5/R6/R7 Special Provision/Office (h\*h-54\*R4-6(\_)/R5-3/R6-5/7\*H24\*D100\*OF8(\_)) Zone; FROM a Holding Residential R1/R6 (h\*h-54\*R1-3/R6-5) Zone TO a Holding Residential R1/R4/R6 Special Provision (h\*h-54\*R1-3/R4-6(\_)/R6-5) Zone; FROM a Holding Residential R1 (h\*R1-3) Zone TO a Holding Residential R1/R4 Special Provision (h\*R1-3/R4-6(\_)) Zone; FROM a Residential R1 (R1-5) Zone TO a Residential R1 (R1-4) Zone; Special provisions for the proposed R4-6(\_) zone would include an exterior side yard setback to a collector road of 4.5m where rear lots abut and 3.5m front and exterior side yard adjacent to a roundabout;

b) the Approval Authority BE ADVISED that the Municipal Council supports the proposed red-line revisions to the draft-approved plan of subdivision as submitted by Auburn Developments Ltd., prepared by Archibald, Gray and McKay Engineering Ltd. (Project No: 161403241 dated May 15, 2020), which shows property realignment of single family residential Blocks 3, 4, 10, 11, 12, 13, 16, 17, 18, 19, 20, 22, 23, 28, 31 and 32, Medium Density Residential Blocks 38-41 and Block 43, Medium Density Residential Block 44, Park Blocks 46, 48 and 49 SUBJECT TO the conditions contained in Appendix "A-2" appended to the staff report dated March 1, 2021; and,

c) the Approval Authority BE ADVISED that the following issues were raised at the public meeting held with respect to the proposed red-line revisions to the draft plan of subdivision for Heathwoods Subdivision, as submitted by Auburn Developments Ltd.:

- traffic control on Colonel Talbot Road, Hayward Drive, Kilbourne Road; and,
- street naming of Kilbourne Road to Hayward Drive;

it being noted that the Municipal Council approves these applications for the following reasons:

- the recommended zoning amendments and revisions to draft plan of subdivision are considered appropriate and consistent with the Provincial Policy Statement 2020;
- the proposed and recommended amendments conform to the in-force policies of The London Plan, including but not limited the policies of the Neighbourhoods Place Type;
- the proposed and recommended amendments conform to the policies of the (1989) Official Plan, specifically Low Density Residential and Multi-Family, Medium Density Residential; and,
- the zoning and red-line revisions as proposed are compatible and in keeping with the character of the existing neighbourhood;

it being pointed out that at the public participation meeting associated with these matters, the individuals indicated on the attached public participating meeting record made oral submissions regarding this matter. (2021-D09)

#### **Motion Passed**

14. (3.8) Application - 345 Sylvan Street - File OZ-9297 (Relates to Bill No's. 103 and 129)

Motion made by: P. Squire

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application Housing Development Corporation, London (HDC) relating to the property located at 345 Sylvan Street:

- a) the proposed by-law appended as Appendix "A" to the staff report dated March 1, 2021, BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021 to amend The London Plan to create a specific policy area that permits low-rise apartment building up to 3-storeys within the Neighbourhoods Place Type on the subject lands located at 345 Sylvan Street;
- b) the attached revised by-law appended BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan as amended in part a) above), to change the zoning of the subject property FROM Community Facility (CF5) Zone TO a Residential R8 Special Provision (R8-4(\_)) Zone;

it being noted that the revised by-law will contain an h-5 provision; and,

- c) the Site Plan Approval Authority BE REQUESTED to consider the following design issue through the site plan process:
  - i) Screening to be achieved through the maintenance of existing perimeter trees throughout the development process, and with replacement, as needed;
  - ii) Provision of secured bicycle parking;
  - iii) Provision of fencing for privacy; and,
  - iv) Maintenance of existing trees;

it being noted that the Municipal Council approves these applications for the following reasons:



- the proposed amendments are consistent with the Provincial Policy Statement 2020, which provides affordable housing through an infill development;
- the proposed amendments conform to the policies of The London Plan and implements the Key Directions of the Plan; and,
- the proposed Zoning By-law amendment conforms to the policies of The London Plan upon approval of the recommended amendment;

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

it being further noted that the Planning and Environment reviewed and received the following communications with respect to these matters:

- K. Wood and B. Turcotte, Housing Development Corporation (2021-D09/S11).

### **Motion Passed**

15. (3.9) Core Area Community Improvement Plan (O-9257) - Core Area Community Improvement Plan Financial Incentive Program Guidelines (Relates to Bill No's. 101, 104, 106, 107, and 108)

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 application by The Corporation of the City of London relating to the Core Area Community Improvement Plan:

- a) the proposed by-law appended as Appendix "A" to the staff report dated March 1, 2021, being "A by-law to designate the Core Area Community Improvement Project Area", BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021;
- b) subject to the approval of a) above, the proposed by-law appended as Appendix "B" to the staff report dated March 1, 2021, being "A by-law to amend The London Plan for the City of London, 2016, relating to Map 8 in Appendix 1 (Maps) and the Core Area Community Improvement Project Area", BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021;
- c) subject to the approval of a) above, the proposed by-law appended as Appendix "C" to the staff report dated March 1, 2021, being "A by-law to adopt the Core Area Community Improvement Plan", BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021;
- d) subject to the approval of a) above, the proposed by-law appended as Appendix "D" to the staff report dated March 1, 2021, being "A by-law to establish financial incentives for the Core Area Community Improvement Area", BE INTRODUCED at the Municipal Council meeting to held on March 23, 2021; and,
- e) the proposed by-law appended as Appendix "E" to the staff report dated March 1, 2021, being "A by-law to amend C.P.-1467-175, as amended, being "A By-law to establish financial incentives for the Downtown Community Improvement Project Areas", by deleting in its entirety, Schedule 3 – The Boulevard Café Grant Guidelines", BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021;

it being noted that funding has been approved through the 2020-2023 Multi-Year Budget for the proposed Core Area Safety Audit Grant Program and Core Area Boulevard Café Grant Program, and that funding is available in the Community Improvement Plan Grant Reserve Fund to implement the proposed Core Area Sign Grant Program;

The Municipal Council supports these applications as the Core Area CIP meets the test for community improvement, as defined in the *Planning Act*. Furthermore, the adoption of the Core Area CIP and the amendment to *The London Plan* is consistent with the *Provincial Policy Statement, 2020* and is supported by policies of *The London Plan*;

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

it being further noted that the Planning and Environment reviewed and received the following communications with respect to these matters:

- G. A. Tucker
- C. Butler (2021-F11A/D19).

#### **Motion Passed**

#### 16. (3.10) Application - 122 Base Line Road West - File SPA21-005

Motion made by: P. Squire

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of Housing Development Corporation, London (HDC) relating to the property located at 122 Base Line Road West:

- a) the Approval Authority BE ADVISED that there were no issues raised at the public meeting with respect to the application for Site Plan Approval to permit the construction of a 61-unit apartment building; and
- b) the Approval Authority BE ADVISED that the Municipal Council supports the Site Plan Application;

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

- the proposed Site Plan is consistent with the Provincial Policy Statement, which directs development to designated growth areas and that development be adjacent to existing development;
- the proposed Site Plan conforms to the policies of the Neighbourhoods Place Type and all other applicable policies of The London Plan.
- the proposed Site Plan is in conformity with the policies of the Multi-Family Medium Density Residential designation of the Official Plan (1989) and will implement an appropriate form of residential intensification for the site;
- the proposed Site Plan conforms to the regulations of the Z.-1 Zoning By-law; and,
- the proposed Site Plan meets the requirements of the Site Plan Control By-law;

it being pointed out that at the public participation meeting associated with this matter, the individuals indicated on the

~~attached~~ public participating meeting record made oral submissions regarding this matter. (2021-D09/S11)

### Motion Passed

17. (4.1) 2nd Report of the London Advisory Committee on Heritage

Motion made by: P. Squire

That the following action be taken with respect to the 2nd Report of the London Advisory Committee on Heritage for its meeting held on February 10, 2021:

a) the London Advisory Committee on Heritage recommends that the Planning and Environment Committee support the recommendation of the Director, Development Services, that the following actions be taken with respect to the application by Old Oak Properties relating to the property located at 93-95 Dufferin Avenue that the request to demolish the buildings on the heritage designated property at 93-95 Dufferin Avenue, BE REFUSED for the following reasons:

- i) the demolition runs contrary to the PPS-2020 and is inconsistent with policies of The London Plan;
- ii) the property continues to demonstrate significant cultural heritage value;
- iii) the condition of the building does not sufficiently warrant the demolition of this heritage designated property;
- iv) the demolition will contribute to the continual loss of significant heritage buildings designed by Samuel Peters;
- v) the demolition does not support previous commitments and confirm public expectations through an approved bonus zone that conserved the properties at 93-95 Dufferin Avenue; and,
- vi) the Chief Building Official BE ADVISED of Municipal Council's intention in this matter;

it being noted that a communication, dated November 4, 2020, from K. McKeating, Architectural Conservancy Ontario – London Region, and a verbal delegation from G. Priamo and H. Garrett, Zelinka Priamo Ltd., with respect to this matter, were received.

b) the London Advisory Committee on Heritage recommends that the Planning and Environment Committee support the recommendation of the Director, City Planning and City Planner, with the advice of the Heritage Planner, that the application under Section 42 of the Ontario Heritage Act, seeking retroactive approval for alterations completed to the heritage designated property located at 330 St James Street, in the Bishop Hellmuth Heritage Conservation District, BE REFUSED;

it being noted that the alterations completed without Heritage Alteration Permit approval are contrary to the policies and guidelines of the Bishop Hellmuth Heritage Conservation District Plan and fail to conserve the heritage attributes of this heritage designated property;

it being further noted that a verbal delegation from P. Brown, with respect to this matter, was received.

c) the London Advisory Committee on Heritage recommends that the Planning and Environment Committee support the recommendation of the Director, City Planning and City Planner, with the advice of the Heritage Planner, the application under Section 42 of the Ontario Heritage Act, seeking approval for alterations to the heritage designated property located at 179

Dundas Street, in the Downtown Heritage Conservation District, BE APPROVED with the following terms and conditions:

- the storefront, including sign band, be re clad with smooth fiber cement board with a painted finish, as shown in the drawings included as Appendix C, as appended to the agenda; and,
- the Heritage Alteration Permit be displayed in a location visible from the street until the work is completed.

d) Clauses 3.1 to 4.1, inclusive and 5.3 to 6.1, inclusive, BE RECEIVED.

### **Motion Passed**

13. (3.7) Application - 403 Thompson Road - File OZ-9290 (Relates to Bill No's. 102 and 128)

At 9:26 PM, Mayor E. Holder places Deputy Mayor J. Morgan in the Chair and takes a seat at the Council Board.

At 9:27 PM, Mayor E. Holder resumes the Chair and Deputy Mayor J. Morgan takes his seat at the Council Board.

Motion made by: P. Squire

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of Housing Development Corporation, London (HDC) relating to the property located at 403 Thompson Road:

- a) the proposed by-law appended as Appendix "A" to the staff report dated March 1, 2021, BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021 to amend The London Plan to create a specific policy area which permits low-rise apartment building up to 4-storeys within the Neighbourhoods Place Type on the subject lands located at 403 Thompson Road;
- b) the proposed by-law appended as Appendix "B" to the staff report dated March 1, 2021, BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan as amended in part a) above), to change the zoning of the subject property FROM a Neighbourhood Shopping Area (NSA1) Zone TO a Residential R9 Special Provision (R9-7(\_))H14) Zone; and,
- c) the Site Plan Approval Authority BE REQUESTED to consider the following design issues through the site plan process:
  - i) Provision of increased amenity space to support reduced unit sizing;
  - ii) Provision of perimeter trees along the south and southeast limits of the site to provide screening;
  - iii) If possible opportunities for additional parking can be explored with the applicant as the application moves forward;
  - iv) Provision of fencing; and,
  - v) Appropriate location of garbage storage to ensure consideration of adjacent neighbours;

it being noted that the Municipal Council approves these applications for the following reasons:

- the proposed amendments are consistent with the Provincial Policy Statement 2020, which provides affordable housing through an infill development;
- the proposed amendments conform to the policies of The London

Plan and implements the Key Directions of the Plan; and,  
• the proposed Zoning By-law amendment conforms to the policies of The London Plan upon approval of the recommended amendment;

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

it being further noted that the Planning and Environment reviewed and received the following communications with respect to these matters:

• K. Wood and B. Turcotte, Housing Development Corporation (2021-D09/S11).

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. Pelozza, A. Kayabaga, and S. Hillier

Nays: (1): M. van Holst

**Motion Passed (14 to 1)**

8.4 5th Report of the Community and Protective Services Committee

Motion made by: J. Helmer

That the 5th Report of the Community and Protective Services Committee BE APPROVED, excluding Items 14 (3.3) and 15 (3.4).

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) 1st Report of the Animal Welfare Advisory Committee

Motion made by: J. Helmer

That the 1st Report of the Animal Welfare Advisory Committee, from its meeting held on February 4, 2021, BE RECEIVED.

**Motion Passed**

3. (2.2) 1st Report of the London Housing Advisory Committee

Motion made by: J. Helmer

That the 1st Report of the London Housing Advisory Committee, from its meeting held on February 10, 2021, BE RECEIVED.

**Motion Passed**

4. (2.3) 1st Report of the Diversity, Inclusion and Anti-Oppression Advisory Committee

Motion made by: J. Helmer

That the 1st Report of the Diversity, Inclusion and Anti-Oppression Advisory Committee, from its meeting held on February 18, 2021, BE RECEIVED.

**Motion Passed**

5. (2.4) Upgrade the Computer Aided Dispatch (CAD) System 9.3 to 9.4 and Migrate to OnCall Analytics

Motion made by: J. Helmer

That, on the recommendation of the Managing Director, Neighbourhood, Children and Fire Services, subject to the advice of the Fire Chief and the Deputy Fire Chief, the following actions be taken with respect to the staff report dated March 2, 2021, related to an Upgrade to the Computer Aided Dispatch (CAD) System 9.3 to 9.4 and the Migration to OnCall Analytics:

- a) the "Fixed Price Statement of Work" submitted by Intergraph Canada Ltd., doing business as Hexagon Safety & Infrastructure division, 10921-14 Street NE, Calgary, Alberta, T3K 2L5, BE ACCEPTED for the upgrade of software for the Computer Aided Dispatch from version 9.3 to 9.4 and the migration from the existing Intergraph Business Intelligence to Hexagon OnCall Analytics – Dispatch Advantage at a total purchase price of \$282,014 (excluding HST) in accordance with section 14.4(d) of the Procurement of Goods and Services Policy;
- b) the financing for this purchase BE APPROVED in accordance with the Sources of Financing Report, as appended to the above-noted staff report;
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with the purchase;
- d) the approvals given, herein, BE CONDITIONAL upon the Corporation entering into a formal contract, agreement or having a Purchase Order relating to the subject matter of this approval; and,
- e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required. (2021-A03)

**Motion Passed**

6. (2.5) Sole Source Award for the Implementation of the Giwetashkad Indigenous Homelessness Strategic Plan

Motion made by: J. Helmer

That, on the recommendation of the Acting Managing Director, Housing, Social Services and Dearness Home, the following actions be taken with respect to the staff report dated March 2, 2021, related to the Sole Source Award for the Implementation of the Giwetashkad Indigenous Homelessness Strategic Plan:

- a) a contract BE AWARDED to Atlohsa Family Healing Services for the period of April 1, 2021 to March 31, 2022, at a maximum annual allocation of \$990,000, to implement the actions in The

Giwetashkad Indigenous Homelessness Strategic Plan with an option to renew for up to five additional one-year terms at the City's sole discretion, based on satisfactory services, performance, and funding/budget availability through the City of London, and/or other funding sources;

b) the Civic Administration BE AUTHORIZED to undertake all administrative acts which are necessary in relation to this project; and,

c) the approval hereby given BE CONDITIONAL upon the Corporation entering into a Purchase of Service Agreement with Atlohsa Family Healing Services. (2021-S14)

**Motion Passed**

7. (2.6) 2021-2022 Homeless Prevention Program Funding Allocations - Single Source Procurement (#SS21-09)

Motion made by: J. Helmer

That, on the recommendation of the Acting Managing Director, Housing, Social Services and Dearness Home, the following actions be taken with respect to the revised staff report dated March 2, 2021, as appended to the Added Agenda, related to the 2021-2022 Homeless Prevention Program Funding Allocations for the Single Source Procurement (#SS21-09):

a) the Single Source Purchase of Service Agreements BE APPROVED, as set out in the Homeless Prevention 2021-2022 Program Proposed Ontario Community Homeless Prevention Initiative Allocations, as appended to the above-noted staff report;

b) the Civic Administration BE AUTHORIZED to undertake all administrative acts which are necessary in relation to this matter; and,

c) the approval given, herein, BE CONDITIONAL upon The Corporation of the City of London entering into Purchase of Service Agreements with the above-noted Agencies. (2021-S14)

**Motion Passed**

8. (2.7) A New Provincial-Municipal Vision for Social Assistance

Motion made by: J. Helmer

That, on the recommendation of the Acting Managing Director, Housing, Social Services and Dearness Home, the staff report dated March 2, 2021, with respect to A New Provincial-Municipal Vision for Social Assistance, BE RECEIVED. (2021-S04)

**Motion Passed**

9. (2.8) Suppressing Crime - Theft of Gasoline and Scrap Metal

Motion made by: J. Helmer

That, on the recommendation of the Managing Director, Development and Compliance Services and Chief Building Official, the staff report dated March 2, 2021, with respect to Suppressing

Crime and the Theft of Gasoline and Scrap Metal, BE RECEIVED.  
(2021-P01)

**Motion Passed**

10. (2.9) Property Standards Related Demolitions (Relates to Bill No. 94)

Motion made by: J. Helmer

That, on the recommendation of the Managing Director, Development and Compliance Services and Chief Building Official, the proposed by-law, as appended to the staff report dated March 2, 2021, BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021, to approve the demolition of abandoned buildings located at the municipal addresses of 152 Adelaide Street North, 10 Centre Street and 1420 Hyde Park Road, in the City of London, and the property shall be cleared of all buildings, structures, debris or refuse and left in a graded and levelled condition, in accordance with the City of London Property Standards By-law and Building Code Act. (2021-P01/P10D)

**Motion Passed**

11. (2.10) Back to Business By-law Extension

Motion made by: J. Helmer

That, on the recommendation of the Managing Director, Development and Compliance Services and Chief Building Official, and the Managing Director, Environmental and Engineering Services and City Engineer, the Managing Directors and designates BE DELEGATED authority in regulations related to business reopening supportive actions, including business application and permit processing procedures, until December 31, 2021 in the following By-laws: Business Licence By-law, Streets By-law, Traffic and Parking By-law, Sign By-law, Parks and Recreation By-law, Sound By-law, Building By-law and Council Policy By-law; it being noted that the staff report dated March 2, 2021, with respect to this matter, was received (2021-S12/S08)

**Motion Passed**

12. (3.1) Update on the United Nations Safe Cities and Safe Public Spaces Initiative (Safe Cities London)

Motion made by: J. Helmer

That, on the recommendation of the Director, Service, Innovation and Performance, with the concurrence of the City Manager, the following items with respect to an Update on the United Nations Safe Cities and Safe Public Spaces Initiative (Safe Cities London), BE RECEIVED:

- the staff report dated March 2, 2021, as appended to the Agenda;
  - the Safe Cities London Scoping Study, dated March 2020, from Anova, as appended to the Agenda;
  - the revised Safe Cities London Action Plan 2021-2024, from Anova and the City of London, as appended to the Added Agenda;
- and,



- the presentation, dated March 2, 2021, as appended to the Agenda;

it being noted that a presentation from R. Wilcox, Director, Service, Innovation and Performance and Dr. A. Trudell, Anova, was received with respect to this matter. (2021-S12)

**Motion Passed**

13. (3.2) Vacant Buildings By-law Review (Relates to Bill No's. 96 and 97)

Motion made by: J. Helmer

That, on the recommendation of the Managing Director, Development and Compliance Services and Chief Building Official, the following actions be taken with respect to the staff report dated March 2, 2021, related to the Vacant Buildings By-law Review:

a) the proposed by-law, as appended to the above-noted staff report, BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021 to amend By-law No. A-35, being "A by-law to regulate vacant buildings"; and,

b) the proposed by-law, as appended to the above-noted staff report, BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021 to amend By-law No. A-54, as amended, being "A by-law to implement an Administrative Monetary Penalty System in London" to designate By-law No. A-35, being "A by-law to regulate vacant buildings" and add a related penalty schedule;

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

it being noted that the communication from A. Miller, By E-mail, was received with respect to this matter. (2021-P01/R01)

**Motion Passed**

16. (5.1) Deferred Matters List

Motion made by: J. Helmer

That the Deferred Matters List for the Community and Protective Services Committee, as at February 22, 2021, BE RECEIVED.

**Motion Passed**

14. (3.3) Property Standards By-law Review (Relates to Bill No's. 95, 98, and 100)

At 9:31 PM, Mayor E. Holder places Deputy Mayor J. Morgan in the Chair and takes a seat at the Council Board.

At 9:32 PM, Mayor E. Holder resumes the Chair and Deputy Mayor J. Morgan takes his seat at the Council Board.

Motion made by: J. Helmer

That the following actions be taken with respect to the staff report dated March 2, 2021, related to the Property Standards By-law Review:

- a) the proposed by-law, as appended to the above-noted staff report, BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021 to repeal and replace By-law CP-16, being “A by-law prescribing standards for the maintenance and occupancy of property”;
- b) the proposed by-law, as appended to the above-noted staff report, BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021 to amend By-law No. A-6653-121, being “A by-law to establish the positions of Hearings Officer”; and,
- c) the revised ~~attached~~ proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021 to amend By-law No. A-54, as amended, being “A by-law to implement an Administrative Monetary Penalty System in London” to provide for an amended Penalty Schedule “A-6” for the Property Standards By-law.
- d) the Civic Administration BE DIRECTED to review the Residential Rental Units Licensing By-law CP-19, as amended, and report back at a future meeting of the Community and Protective Services Committee on the possibility of expanding the regulations to include rental units contained in apartment buildings, stacked townhouses and townhouses and to incorporate the following requirements for all rental units:
  - all new and existing rental units be licensed, regardless of the type of unit;
  - random inspections of rental units and building be undertaken to ensure compliance with the City’s Property Standards By-law and other regulations to prevent the deterioration and disrepair of rental units; and,
  - the establishment of a complaint reporting system that is accessible to tenants;
- e) the Civic Administration BE DIRECTED to report back at a future meeting of the Community and Protective Services Committee with a draft Terms of Reference for the establishment of a Tenant/Landlord Taskforce that would include representation from tenants, London Property Management Association, and other community stakeholders, including, but not limited to Lifespin, to develop an action plan to address enforcement of property standards by-law matters and health concerns within the City of London’s jurisdiction, including developing educational material to assist individuals with navigating the enforcement process and communicating with the Province of Ontario with respect to concerns identified with respect to potential legislative changes to address the concerns;

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

it being noted that communications from the following individuals were received with respect to this matter:

- Councillors A. Kayabaga and M. Salih – Resubmitted from the February 9, 2021 Agenda;
- Hagen, By E-mail;
- O’Brien, Drewlo Holdings Inc.; and,
- Hoffer, Cohen Highley Lawyers. (2021-P01)

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

That parts a), b) and c) BE AMENDED to read as follows and the remaining parts be renumbered accordingly:

a) the proposed by-law to prescribe standards for the maintenance and occupancy of property; the Hearing Officers By-law; and the Administrative Monetary Penalty System By-law as they relate to the Property Standards By-law review, BE REFERRED back to the Civic Administration to undertake further stakeholder consultation and report back to the May 11, 2021 Community and Protective Services Committee with the results of the additional consultation;

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

**Motion Passed (15 to 0)**

Motion made by: J. Helmer

The motion to approve parts d) and e) is put.

d) the Civic Administration BE DIRECTED to review the Residential Rental Units Licensing By-law CP-19, as amended, and report back at a future meeting of the Community and Protective Services Committee on the possibility of expanding the regulations to include rental units contained in apartment buildings, stacked townhouses and townhouses and to incorporate the following requirements for all rental units:

- all new and existing rental units be licensed, regardless of the type of unit;
- random inspections of rental units and building be undertaken to ensure compliance with the City's Property Standards By-law and other regulations to prevent the deterioration and disrepair of rental units; and,
- the establishment of a complaint reporting system that is accessible to tenants;

e) the Civic Administration BE DIRECTED to report back at a future meeting of the Community and Protective Services Committee with a draft Terms of Reference for the establishment of a Tenant/Landlord Taskforce that would include representation from tenants, London Property Management Association, and other community stakeholders, including, but not limited to Lifespin, to develop an action plan to address enforcement of property standards by-law matters and health concerns within the City of London's jurisdiction, including developing educational material to assist individuals with navigating the enforcement process and communicating with the Province of Ontario with respect to concerns identified with respect to potential legislative changes to address the concerns;

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

it being noted that communications from the following individuals were received with respect to this matter:

- Councillors A. Kayabaga and M. Salih – Resubmitted from the February 9, 2021 Agenda;
- Hagen, By E-mail;
- O'Brien, Drewlo Holdings Inc.; and,
- Hoffer, Cohen Highley Lawyers. (2021-P01)

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)**

Item 14 (3.3), as amended, reads as follows:

That the following actions be taken with respect to the Property Standards By-law Review:

- a) the proposed by-law to prescribe standards for the maintenance and occupancy of property; the Hearing Officers By-law; and the Administrative Monetary Penalty System By-law as they relate to the Property Standards By-law review, BE REFERRED back to the Civic Administration to undertake further stakeholder consultation and report back to the May 11, 2021 Community and Protective Services Committee with the results of the additional consultation;
- b) the Civic Administration BE DIRECTED to review the Residential Rental Units Licensing By-law CP-19, as amended, and report back at a future meeting of the Community and Protective Services Committee on the possibility of expanding the regulations to include rental units contained in apartment buildings, stacked townhouses and townhouses and to incorporate the following requirements for all rental units:
  - all new and existing rental units be licensed, regardless of the type of unit;
  - random inspections of rental units and building be undertaken to ensure compliance with the City's Property Standards By-law and other regulations to prevent the deterioration and disrepair of rental units; and,
  - the establishment of a complaint reporting system that is accessible to tenants;
- c) the Civic Administration BE DIRECTED to report back at a future meeting of the Community and Protective Services Committee with a draft Terms of Reference for the establishment of a Tenant/Landlord Taskforce that would include representation from tenants, London Property Management Association, and other community stakeholders, including, but not limited to Lifespin, to develop an action plan to address enforcement of property standards by-law matters and health concerns within the City of London's jurisdiction, including developing educational material to assist individuals with navigating the enforcement process and communicating with the Province of Ontario with respect to concerns identified with respect to potential legislative changes to address the concerns;

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

it being noted that communications from the following individuals were received with respect to this matter:

- Councillors A. Kayabaga and M. Salih – Resubmitted from the February 9, 2021 Agenda;
- Hagen, By E-mail;
- O'Brien, Drewlo Holdings Inc.; and,
- Hoffer, Cohen Highley Lawyers. (2021-P01)

15. (3.4) Tow Truck Business and Impound Yard Storage Business Licence By-law Amendment (Relates to Bill No's. 99 and 109)

Motion made by: J. Helmer

That, on the recommendation of the Managing Director, Development and Compliance Services and Chief Building Official, the following actions be taken with respect to the staff report dated March 2, 2021, related to the Tow Truck Business and Impound Yard Storage Business Licence By-law Amendment:

- a) the revised ~~attached~~ proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021 to amend By-law No. L.-131-16, being "A by-law to provide for the Licensing and Regulation of Various Businesses;
- b) the revised ~~attached~~ proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021 to amend By-law No. A-54, as amended, being "A by-law to implement an Administrative Monetary Penalty System in London" to provide for an amended Penalty Schedule "A-5" for the Business Licensing By-law for the categories of Tow Truck Business and Impound Yard Storage Business;

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

it being noted that the communications dated February 10, 2021 and February 26, 2021, from T. Wong, CAA, were received with respect to this matter. (2021-P09)

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 Corporate Services Committee

Motion made by: M. Cassidy

That the 4th Report of the Corporate Services Committee BE APPROVED, excluding Item 11 (2.9).

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) 2021 Debenture Issuance

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:

a) the Civic Administration BE AUTHORIZED to proceed with the issuance of debentures in the capital markets upon favourable market conditions to provide permanent financing for capital works in an amount not to exceed \$23,000,000; and,

b) the Civic Administration BE INSTRUCTED to schedule and convene an appropriately timed special Corporate Services Committee meeting upon successful placement of the City's debt in the capital markets to ensure adequate time for Council approval while adhering to the necessary financial settlement requirements.

**Motion Passed**

3. (2.4) Public Sector Salary Disclosure Act Report for Calendar Year 2020

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 March 1, 2021 with respect to the Public Sector Salary Disclosure Act Report for the calendar year 2020 BE RECEIVED for information.

**Motion Passed**

4. (2.5) 2020 Statement of Remuneration and Expenses for Elected and Appointed Officials

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 reporting of the 2020 statement of remuneration and expense for elected and appointed officials:

a) in accordance with Section 284 of the Municipal Act, 2001, the Statements of Remuneration and Expenses for Elected and Appointed Officials, Appendix "A" and "B", as appended to the staff report dated March 1, 2021, BE RECEIVED for information;

b) in accordance with the City Council resolution of March 2012, the annual report on the Mayor's Office's expenditures BE RECEIVED for information; and,

c) in accordance with the City Council Travel and Business

Expenses Policy, the Statement of Travel Expenses for Senior Administration Officials, Appendix “C” and “D”, as appended to the staff report dated March 1, 2021, BE RECEIVED for information.

**Motion Passed**

5. (2.7) Demolition – City-Owned Properties - 92 Wellington Road, 686 Adelaide Street North and 688 Adelaide Street North

Motion made by: M. Cassidy

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, with the concurrence of the Director, Major Projects and the Director, Roads and Transportation, on the advice of the Manager of Realty Services, the following actions be taken with respect to the City-owned properties at 92 Wellington Road, 686 Adelaide Street North and 688 Adelaide Street North, as outlined in the staff report dated March 1, 2021, with respect to this matter:

- a) the subject properties BE RECOMMENDED for demolition; and,
- b) the Civic Administration BE DIRECTED to take all necessary steps to demolish the subject buildings, including completing a request for quotation for work to be completed, obtaining a demolition permit and any other activities to facilitate demolition of the improvements on the sites detailed in the above-noted report;

it being noted that existing capital accounts and operating accounts will be drawn upon as a source of financing to carry out the subject demolitions.

**Motion Passed**

6. (2.8) Declare Surplus – Portion of City-Owned Property – 330 Thames Street

Motion made by: M. Cassidy

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, on the advice of the Manager of Realty Services, with respect to a portion of City-owned property, being Parts of Lot 24 and 25, South of West King Street, further described as Part 2, Plan 33R-7407, in the City of London, County of Middlesex, the following actions be taken:

- a) the subject property BE DECLARED SURPLUS; and,
- b) the subject property (“Surplus Lands”) BE OFFERED for sale to the abutting property owner at fair market value, in accordance with the City’s Sale and Other Disposition of Land Policy.

**Motion Passed**

7. (2.10) Report on Association of Municipalities of Ontario Board Advocacy

Motion made by: M. Cassidy

That the communication dated February 19, 2021 from Councillor A. Hopkins with respect to the report on Association of Municipalities of Ontario Board Advocacy BE RECEIVED.

**Motion Passed**

8. (2.2) Single Source Procurement SS21-08 Infrastructure Managed Services and Core Upgrade for Emergency Communications System

Motion made by: M. Cassidy

That, on the recommendation of the City Manager, the following actions be taken, with respect to the Infrastructure Managed Services and Lifecycle Maintenance for the Emergency Communications System;

- a) the proposal submitted by L3 Harris Technologies, 5-2895 Argentia Road, Mississauga, Ontario, L5N 8G6 for the provision of an Infrastructure Managed Service Agreement BE APPROVED for the term of seven (7) years with three (3) additional one year options to renew for the annual price of \$278,625.00 (HST excluded), in accordance with sections 14.4 d. and 14.4 e. of the Procurement of Goods and Services Policy, it being noted that this operational expense has been accommodated in the 2020-2023 Multi-Year Operating budget;
- b) the proposal submitted by L3 Harris Technologies for upgrade of the City's existing VIDA Premier Core Network Switching Centre BE APPROVED for the purchase price of \$741,000.00 (HST excluded), in accordance with sections 14.4 d. and 14.4 e. of the Procurement of Goods and Services Policy;
- c) the financing for the lifecycle maintenance portion of the proposal noted in b) above, BE APPROVED as set out in the Sources of Financing Report as appended to the staff report as Appendix "A";
- d) the approval given herein in a) and b) above, BE CONDITIONAL upon The Corporation of the City of London negotiating satisfactory terms and conditions with L3 Harris Technologies, to the satisfaction of the City Manager;
- e) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with parts a) and d) above; and,
- f) the approval hereby given BE CONDITIONAL upon The Corporation of the City of London entering into a formal contract, agreement or having a purchase order relating to the subject matter of the approval set out e) above.

**Motion Passed**

9. (2.3) 2020 Annual Update on Budweiser Gardens

Motion made by: M. Cassidy

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the 2020



Annual Report on Budweiser Gardens attached to the staff report dated March 1, 2021 as Appendix "B" BE RECEIVED for information.

**Motion Passed**

10. (2.6) 2021 Tax Policy Expectations

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 March 1, 2021 regarding the 2021 tax policy expectations BE RECEIVED for information.

**Motion Passed**

12. (4.1) Application - Issuance of Proclamation - Sikh Heritage Month

Motion made by: M. Cassidy

That based on the application dated February 3, 2021, from Guru Nanak Mission Society, the month of April, 2021 BE PROCLAIMED Sikh Heritage Month.

**Motion Passed**

11. (2.9) Review of Ward Boundaries

At 10:40 PM, Mayor E. Holder places Deputy Mayor J. Morgan in the Chair and take a seat at the Council Board.

At 10:44 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 the following actions be taken with respect to the Ward Boundaries Review:

a) the report dated March 1, 2021 entitled "Review of Ward Boundaries", BE RECEIVED;

b) the Civic Administration BE DIRECTED to report back on a governance model that contemplates Ten Wards to provide an opportunity for the Municipal Council to evaluate this model against the current Fourteen Ward system; and,

c) the Civic Administration BE DIRECTED to report back on potential changes to the existing Fourteen Ward system that would result in a more balanced population between the Wards;

it being noted that the reviews outlined in b) and c) above would be undertaken based on the guidelines set out in Council Policy 5(35) Review of Ward Boundaries.

Motion made by: J. Morgan

Seconded by: A. Hopkins

That pursuant to section 11.10 of the Council Procedure By-law, the Council Meeting BE PERMITTED to proceed beyond 11:00 PM.

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

**Motion Passed (15 to 0)**

Motion made by: M. Cassidy

The motion to approve part a) is put.

That the following actions be taken with respect to the Ward Boundaries Review:

a) the report dated March 1, 2021 entitled "Review of Ward Boundaries", BE RECEIVED;

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

**Motion Passed (15 to 0)**

Motion made by: M. Cassidy

The motion to approve part b) is put.

b) the Civic Administration BE DIRECTED to report back on a governance model that contemplates Ten Wards to provide an opportunity for the Municipal Council to evaluate this model against the current Fourteen Ward system; and,

Yeas: (5): M. van Holst, S. Lewis, J. Morgan, S. Lehman, and S. Hillier

Nays: (10): Mayor E. Holder, M. Salih, J. Helmer, M. Cassidy, P. Squire, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelozza, and A. Kayabaga

**Motion Failed (5 to 10)**

Motion made by: M. Cassidy

The motion to approve part c) is put.

c) the Civic Administration BE DIRECTED to report back on potential changes to the existing Fourteen Ward system that would result in a more balanced population between the Wards;

it being noted that the review would be undertaken based on the guidelines set out in Council Policy 5(35) Review of Ward Boundaries.

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

Nays: (4): J. Helmer, P. Squire, S. Turner, and E. Pelozza

**Motion Passed (11 to 4)**

Item 11(2.9), as amended, reads as follows:

That the following actions be taken with respect to the Ward Boundaries Review:

a) the report dated March 1, 2021 entitled “Review of Ward Boundaries”, BE RECEIVED; and,

b) the Civic Administration BE DIRECTED to report back on potential changes to the existing Fourteen Ward system that would result in a more balanced population between the Wards;

it being noted that the review outlined in b) above would be undertaken based on the guidelines set out in Council Policy 5(35) Review of Ward Boundaries.

8.6 6th Report of the Strategic Priorities and Policy Committee

Motion made by: J. Morgan

That the 6th Report of the Strategic Priorities and Policy 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. Morgan

That it BE NOTED that no pecuniary interests were disclosed.

**Motion Passed**

2. (2.1) Transition Plan Progress Report - Housing Development Corporation, London (HDC)

Motion made by: J. Morgan

That, on the recommendation of the Acting Managing Director, Housing, Social Services and Dearness Home, the Managing Director, Corporate Services and the City Treasurer, Chief Financial Officer, and concurrence of the Managing Director, Corporate Services and City Solicitor that the following actions be taken with respect to the proposed restructuring of the Housing Development Corporation, London (HDC), next steps and timelines:

a) the staff report dated March 9, 2021 titled “Transition Plan Progress Report – Housing Development Corporation, London (HDC)”, BE RECEIVED; and,

b) the Civic Administration BE DIRECTED to work and report back on the recommendations to winding up the Housing Development Corporation, (HDC) London when it has been confirmed that all commitments and functions of the HDC have been assumed by the City.

**Motion Passed**

3. (2.2) 2021 Assessment Growth Funding Allocation

Motion made by: J. Morgan

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the 2021 Assessment Growth Funding Allocation Report BE RECEIVED for information; it being noted that the Strategic Priorities and Policy Committee received a communication dated February 26, 2021 from C. Butler with respect to this matter.

**Motion Passed**

4. (5.1) Service Review: Audit and Accountability Fund Applications and Single Source 21-14 Procurement Process Assessment Review (Relates to Bill No. 93)

Motion made by: J. Morgan

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

a) the staff report dated March 9, 2021, entitled "Service Review: Audit and Accountability Fund Applications and Single Source 21-14 Procurement Process Assessment Review" BE RECEIVED for information; it being noted that the City of London is receiving funding through the Province of Ontario's Audit and Accountability Fund to undertake the following reviews:

- i) City of London Procurement Process Assessment Review, and;
- ii) City of London Parking Services Service Integration and Digital Modernization Review;

b) the proposed by-law as appended to the staff report dated March 9, 2021 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021 to:

- i) approve the Ontario Transfer Payment Agreement between The Corporation of the City of London and Her Majesty the Queen in Right of Ontario as represented by the Minister of Municipal Affairs and Housing for the provision of funding to retain an independent third-party reviewer to undertake a procurement process assessment review;
- ii) approve the Ontario Transfer Payment Agreement between The Corporation of the City of London and Her Majesty the Queen in Right of Ontario as represented by the Minister of Municipal Affairs and Housing for the provision of funding to retain an independent third-party reviewer to undertake a parking services integration and digital modernization review;
- iii) authorize the Mayor and Clerk to execute both Ontario Transfer Payment Agreements; and
- iv) authorize the City Treasurer to approve and sign any reports

required by the Province pursuant to the Ontario Transfer Payment Agreements;

c) a Single Source Procurement (SS 21-14) in accordance with section 14.4(e) of the Procurement of Goods and Services Policy BE AWARDED to Ernst & Young LLP (EY) to conduct the Procurement Process Assessment Review for the City of London at their proposed fee of \$170,000 (excluding HST); and,

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

**Motion Passed**

**10. Deferred Matters**

None.

**11. Enquiries**

None.

**12. Emergent Motions**

None.

**13. By-laws**

Motion made by: S. Hillier

Seconded by: E. Pelozza

That Introduction and First Reading of Bill No.'s Bill No. 90 to 129, excluding Bill No.'s 95, 98 and 100, 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: J. Helmer

Seconded by: A. Hopkins

That Second Reading of Bill No.'s 90 to 129, excluding Bill No.'s 95, 98 and 100, BE APPROVED.

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

**Motion Passed (15 to 0)**

Motion made by: M. Cassidy

Seconded by: S. Lewis

That Third Reading and Enactment of Bill No.'s 90 to 129, excluding Bill No.'s 95, 98 and 100, 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

**4. Council, In Closed Session**

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

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

**4.1 Solicitor-Client Privilege / Litigation or Potential Litigation**

A matter pertaining to advice that is subject to solicitor-client privilege, including communications necessary for that purpose from the solicitor and officers and employees of the Corporation; the subject matter pertains to litigation or potential litigation with respect to an appeal at the Local Planning Appeal Tribunal ("LPAT"), and for the purpose of providing instructions and directions to officers and employees of the Corporation. (6.1/4/PEC)

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

A matter pertaining to the proposed or pending acquisition of land by the municipality, including communications necessary for that purpose; advice that is subject to solicitor-client privilege; commercial and financial information, that belongs to the municipality and has monetary value or potential monetary value and a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality. (6.1/4/CSC)

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

A matter pertaining to the proposed or pending disposition of land by the municipality, including communications necessary for that purpose; advice that is subject to solicitor-client privilege; commercial and financial information, that belongs to the municipality and has monetary value or potential monetary value and a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality. (6.2/4/CSC)

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

A matter pertaining to the proposed or pending 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. (6.3/4/CSC)

**4.5 Personal Matters/Identifiable Individual**

A matter pertaining to personal matters about an identifiable individual with respect to employment-related matters and advice and recommendations of officers and employees of the Corporation including communications necessary for that purpose. (6.1/6/SPPC)

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

The Council convenes, In Closed Session, at 11:05 PM, with Mayor E. Holder in the Chair and all Members participating.

At 11:19 PM, Councillor M. Salih leaves the meeting.

At 11:25 PM, Council resumes into public session, with Mayor E. Holder in the Chair with all Members participating, except Councillor M. Salih.

## 9. Added Reports

### 9.1 5th Report of Council in Closed Session

Motion made by: J. Morgan

Seconded by: P. Squire

#### 1. Partial Property Acquisition – 952 Southdale Road West, Southdale Road West Road 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 952 Southdale Road West, further described as Part Lot 49, Concession 1, Part 1, Plan 33R-20893, in the City of London, County of Middlesex, being part of PIN 08432-0237, as shown on the location map attached, for the purpose of future road improvement to accommodate the Southdale Road West Improvements Project, the following actions be taken:

a) the offer submitted by 1739626 Ontario Limited. (the “Vendor”), to sell the subject property to the City, for the sum of \$148,500.00, BE ACCEPTED, subject to the City agreeing to pay the Vendor’s reasonable legal, including fees, disbursements and applicable taxes, as incurred to complete this transaction; and,

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

#### 2. Offer to Purchase Industrial Land, MH Holdings Inc. – Trafalgar Industrial Park, Phase III

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, on the advice of the Manager of Realty Services, with respect to the City-owned industrial land located in Trafalgar Industrial Park, Phase III, containing an area of approximately 3.5 acres and municipally known as 12 Swiftsure Court, legally described as Part of Lot 3, Plan 33M-239, designated as Parts 1, 2, and 4, Plan 33R-19904, in the City London, being all of PIN 08129-0192, as outlined on the sketch attached hereto as Appendix “A”, the Agreement of Purchase and Sale (the “Agreement”), attached as Appendix “B”, submitted by MH Holdings Inc. (the “Purchaser”) to purchase the subject property from the City, at a purchase price of \$227,500.00, reflecting a sale price of \$65,000.00 per acre, subject to the conditions as set out in the Agreement BE APPROVED.

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

Absent: (1): M. Salih

**Motion Passed (14 to 0)**

Motion made by: J. Morgan

Seconded by: S. Lehman

3. Property Acquisition – 88 Wellington Road South – Wellington Gateway Project

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, with the concurrence of the Director, Major Projects, on the advice of the Manager of Realty Services, with respect to the property located at 88 Wellington Road South, further described as Part Lot 25, Broken Front Concession, Geographic Township of Westminster, as in Inst. No. 611376, being all of PIN 08357-0084 (LT), containing an area of approximately 6,040 square feet, as shown on the location map attached as Appendix “B”, for the purpose of future road improvements to accommodate the Wellington Gateway Project, the following actions be taken:

- a) the offer submitted by Arlene Cochrane (the “Vendor”), to sell the subject property to the City, for the sum of \$455,500.00 BE ACCEPTED, subject to the terms and conditions set out in Schedule “A” of the Agreement attached as Appendix “C”; and,
- b) the financing for this acquisition BE APPROVED as set out in the Source of Financing Report attached hereto as Appendix “A”.

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

Nays: (1): P. Van Meerbergen

Recuse: (1): S. Turner

Absent: (1): M. Salih

**Motion Passed (12 to 1)**

Motion made by: S. Hillier

Seconded by: S. Lehman

That Introduction and First Reading of Added Bill No.’s 130 to 131, inclusive, BE APPROVED.

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

Absent: (1): M. Salih

**Motion Passed (13 to 0)**

Motion made by: S. Turner

Seconded by: A. Kayabaga

That Second Reading of Added Bill No.’s 130 to 131, inclusive, BE APPROVED.

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

Absent: (1): M. Salih

**Motion Passed (14 to 0)**



Motion made by: M. Cassidy  
Seconded by: P. Van Meerbergen

That Third Reading and Enactment of Added Bill No.'s 130 to 131, inclusive, BE APPROVED.

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

Absent: (1): M. Salih

**Motion Passed (14 to 0)**

Motion made by: A. Hopkins  
Seconded by: J. Helmer

That Introduction and First Reading of Bill No. 132, BE APPROVED.

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

Nays: (1): P. Van Meerbergen

Recuse: (1): S. Turner

Absent: (1): M. Salih

**Motion Passed (12 to 1)**

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

That Second Reading of Bill No. 132, BE APPROVED.

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

Nays: (1): P. Van Meerbergen

Recuse: (1): S. Turner

Absent: (1): M. Salih

**Motion Passed (12 to 1)**

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

That Third Reading and Enactment of Bill No. 132, BE APPROVED.

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

Nays: (1): P. Van Meerbergen

Recuse: (1): S. Turner

Absent: (1): M. Salih

**Motion Passed (12 to 1)**

Motion made by: P. Van Meerbergen  
Seconded by: M. Cassidy

That Introduction and First Reading of Bill No. 89, BE APPROVED.

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

Absent: (1): M. Salih

**Motion Passed (14 to 0)**

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

That Second Reading of Bill No. 89, BE APPROVED.

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

Absent: (1): M. Salih

**Motion Passed (14 to 0)**

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

That Third Reading and Enactment of Bill No. 89, BE APPROVED.

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

Absent: (1): M. Salih

**Motion Passed (14 to 0)**

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

Bill	By-law
Bill No. 89	By-law No. A.-8071-70 – A by-law to confirm the proceedings of the Council Meeting held on the 23rd day of March, 2021. (City Clerk)
Bill No. 90	By-law No. A.-8072-71 – A by-law to approve and authorize the Agreement between Her Majesty the Queen in right of the Province of Ontario represented by the Minister of Transportation for the Province of Ontario (the “Ministry”) and The Corporation of the City of London (the “City”) for the construction of the Dingman Drive bridge. (2.4/3/CWC)
Bill No. 91	By-law No. A.-8073-72 – A by-law to approve and authorize the execution of Amending Agreement No. 2 to the Public Transit Infrastructure Fund (PTIF) Phase One (Ontario) Transfer Payment Agreement between Her Majesty the Queen in Right of Ontario as represented by the Minister of Transportation for the Province of Ontario and The Corporation of the City of London. (2.12/3/CWC)
Bill No. 92	By-law No. A.-8074-73 – A by-law to approve and authorize the execution of the Transfer Payment Agreement between Her Majesty the Queen in right of the Province of Ontario, as represented by the Minister of Transportation for the Province of Ontario and the City of London for the reimbursement of funds under the Safe Restart Agreement – Phase 2 Municipal Transit Funding. (5.1/4/CWC)
Bill No. 93	By-law No. A.-8075-74 – A by-law to approve and authorize the execution of two Ontario Transfer Payment Agreements between Her Majesty the Queen in right of the Province of Ontario, as represented by the Minister of Municipal Affairs and Housing and the City of London for the provision of funding for two projects under this intake of the Audit and Accountability Fund. (5.1/6/SPPC)
Bill No. 94	By-law No. A.-8076-75 – A by-law to approve demolition of abandoned buildings with municipal addresses of 152 Adelaide Street North, 10 Centre Street, and 1420 Hyde Park Road. under the Property Standards provisions of the Building Code Act. (2.9/5/CPSC)
Bill No. 96	By-law No. A-35-21001 – A by-law to amend By-law No. A-35 being “A by-law to regulate vacant buildings” (3.2a/5/CPSC)

Bill No. 97	By-law No. A-54-21003 – A by-law to amend By-law No. A-54, as amended, being “A by-law to implement an Administrative Monetary Penalty System in London” to designate By-law No. A-35 being “A by-law to regulate vacant buildings” (3.2b/5/CPSC)
Bill No. 99	By-law No. A-54-21004 – A by-law to amend By-law No. A-54, as amended, being “A by-law to implement an Administrative Monetary Penalty System in London” to provide for an amended Penalty Schedule “A-5” for the Business Licensing By-law for the categories of Tow Truck Business and Impound Yard Storage Business. (3.4b/5/CPSC)
Bill No. 101	By-law No. C.P.-1467(j)-76 – A by-law to amend C.P.-1467-175, as amended, being “A By-law to establish financial incentives for the Downtown Community Improvement Project Areas” by deleting in its entirety, Schedule 3 – The Boulevard Café Grant Guidelines. (3.9e/4/PEC)
Bill No. 102	By-law No. C.P.-1512(af)-77 – A by-law to amend The London Plan for the City of London, 2016 relating to relating to 403 Thompson Road. (3.7a/4/PEC)
Bill No. 103	By-law No. C.P.-1512(ag)-78 – A by-law to amend The London Plan for the City of London, 2016 relating to relating to 345 Sylvan (3.8a/7/PEC)
Bill No. 104	By-law No. C.P.-1512(ah)-79 – A by-law to amend The London Plan for the City of London, 2016, relating to Map 8 in Appendix 1 (Maps) and the Core Area Community Improvement Project Area. (3.9b/4/PEC)
Bill No. 105	By-law No. C.P.-1528(b)-80 – A by-law to amend By-law C.P.-1528-486, as amended, being “A by-law to designate an area as an improvement area and to establish the board of management for the purpose of managing the Hamilton Road Business Improvement Area” by amending the Board of Management composition to provide for a Board comprised of six (6) to twelve (12) directors. (2.5/4/PEC)
Bill No. 106	By-law No. C.P.-1557-81 – A by-law to designate the Core Area Community Improvement Project Area. (3.9a/4/PEC)
Bill No. 107	By-law No. C.P.-1558-82 – A by-law to adopt the Core Area Community Improvement Plan. (3.9c/4/PEC)

Bill No. 108	By-law No. C.P.-1559-83 – A by-law to establish financial incentives for the Core Area Community Improvement Project Area. (3.9d/4/PEC)
Bill No. 109	By-law No. L.-131(d)-84 – A by-law to amend By-law No. L.-131-16 entitled “A by-law to provide for the Licensing and Regulation of Various Businesses”. (3.4a/5/CPSC)
Bill No. 110	By-law No. L.S.P.-3476(c)-85 – A by-law to amend By-law No. L.S.P.-3476-474, as amended, entitled, “A by-law to designate 660 Sunningdale Road East to be of cultural heritage value or interest” to correct the legal description of the subject property. (City Clerk)
Bill No. 111	By-law No. L.S.P.-3489-86 – A by-law to expropriate lands in the City of London, in the County of Middlesex, for the Fanshawe Park Road / Richmond Street Intersection Improvements Project. (City Engineer)
Bill No. 112	By-law No. PS-113-21060 – 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.” (2.7/3/CWC)
Bill No. 113	By-law No. PS-113-21061 – 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.” (2.8b/3/CWC)
Bill No. 114	By-law No. S.-6109-87 – A by-law to rename 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 to “Barn Swallow Place”. (2.13/3/CWC)
Bill No. 115	By-law No. S.-6110-88 – A by-law to permit 2745787 Ontario Inc. to maintain and use a boulevard parking area upon the road allowance for 316 Horton Street East, City of London. (City Clerk)
Bill No. 116	By-law No. S.-6111-89 – A by-law to assume certain works and services in the City of London. (Foxwood Crossing Subdivision Phase 3; Plan 33M-709) (City Engineer)
Bill No. 117	By-law No. S.-6112-90 – A by-law to assume certain works and services in the City of London. (Matthews Hall Subdivision; Plan 33M-595) (City Engineer)

Bill No. 118	By-law No. S.-6113-91 – A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Colonel Talbot Road south of Pack Road; and as widening to Pack Road west of Colonel Talbot Road) (Chief Surveyor - for road widening purposes on Colonel Talbot Road, pursuant to Site Plan SPA20-021 and in accordance with Zoning By-law Z.-1)
Bill No. 119	By-law No. S.-6114-92 – A by-law to lay out, constitute, establish and assume lands in the City of London as public highway (as widening to Westmount Hills Drive north of Tobin Court) (Chief Surveyor - for road widening purposes on Dundas Street registered as Instrument No. ER1340931 pursuant to Consent B.004/19 and in accordance with Zoning By-law Z.-1)
Bill No. 120	By-law No. S.-6115-93 – A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Wellington Road south of Bradley Avenue) (Chief Surveyor – for road widening purposes on Wellington Road registered as Inst. No. ER1264609, pursuant to SPA19-058 and in accordance with Zoning By-law Z.-1)
Bill No. 121	By-law No. S.-6116-94 – A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Oxford Street West, west of Wharncliffe Road North) (Chief Surveyor - dedication as public highway)
Bill No. 122	By-law No. S.-6117-95 – A by-law to lay out, constitute, establish and assume certain reserves in the City of London as public highway. (as part of Blackwell Boulevard) (Chief Surveyor - for unobstructed legal access throughout the Subdivision)
Bill No. 123	By-law No. W.-5654(a)-96 – A by-law to amend by-law No. W.-5654-291 entitled, “A by-law to authorize the 2019-2023 Active Transportation Project. (Project No. TS173919).” (2.8/2/CWC)
Bill No. 124	By-law No. Z.-1-212909 – A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at 973 Gainsborough Road. (2.4/4/PEC)
Bill No. 125	By-law No. Z.-1-212910 – A by-law to amend By-law No. Z.-1 to rezone an area of land located at 6019 Hamlyn Street. (3.2/4/PEC)

Bill No. 126	By-law No. Z.-1-212911 – A by-law to amend By-law No. Z.-1 to rezone an area of land located at 1389 Commissioners Road East. (3.3/4/PEC)
Bill No. 127	By-law No. Z.-1-212912 – A by-law to amend By-law No. Z.-1 to rezone an area of land located at 3924 Colonel Talbot Rd. (3.6/4/PEC)
Bill No. 128	By-law No. Z.-1-212913 – A by-law to amend By-law No. Z.-1 to rezone an area of land located at 403 Thompson Road. (3.7b/4/PEC)
Bill No. 129	By-law No. Z.-1-212914 – A by-law to amend By-law No. Z.-1 to rezone an area of land located at 345 Sylvan Street. (3.8b/4/PEC)
Bill No. 130	(ADDED) By-law No. A.-8077-97 – A by-law to authorize and approve an Agreement of Purchase and Sale between The Corporation of the City of London and MH Holdings Inc., for the sale of the City owned industrial land, municipally known as 12 Swiftsure Court, legally described as being Part of Lot 3, Plan 33M- 239, designated as Parts 1, 2, and 4, Plan 33R-19904; being all of PIN 08129-0192, containing approximately 3.5 acres, and to authorize the Mayor and the City Clerk to execute the Agreement. (6.2/4/CSC)
Bill No. 131	(ADDED) By-law No. A.-8078-98 – A by-law to authorize and approve an Agreement of Purchase and Sale between The Corporation of the City of London and 1739626 Ontario Limited, for the partial acquisition of a portion of the property located at 952 Southdale Road West, in the City of London, for the Southdale Road West Improvements Project, and to authorize the Mayor and the City Clerk to execute the Agreement. (6.1/4/CSC)
Bill No. 132	(ADDED) By-law No. A.8079-99 – A by-law to authorize and approve an Agreement of Purchase and Sale between The Corporation of the City of London and Arlene Cochrane for the full acquisition of the property located at 88 Wellington Road South, in the City of London, for the Wellington Gateway Project, and to authorize the Mayor and the City Clerk to execute the Agreement. (6.3/4/CSC)

**14. Adjournment**

Motion made by: P. Squire

Seconded by: S. Lewis

That the meeting BE ADJOURNED.

**Motion Passed**

The meeting adjourned at 11:46 PM.

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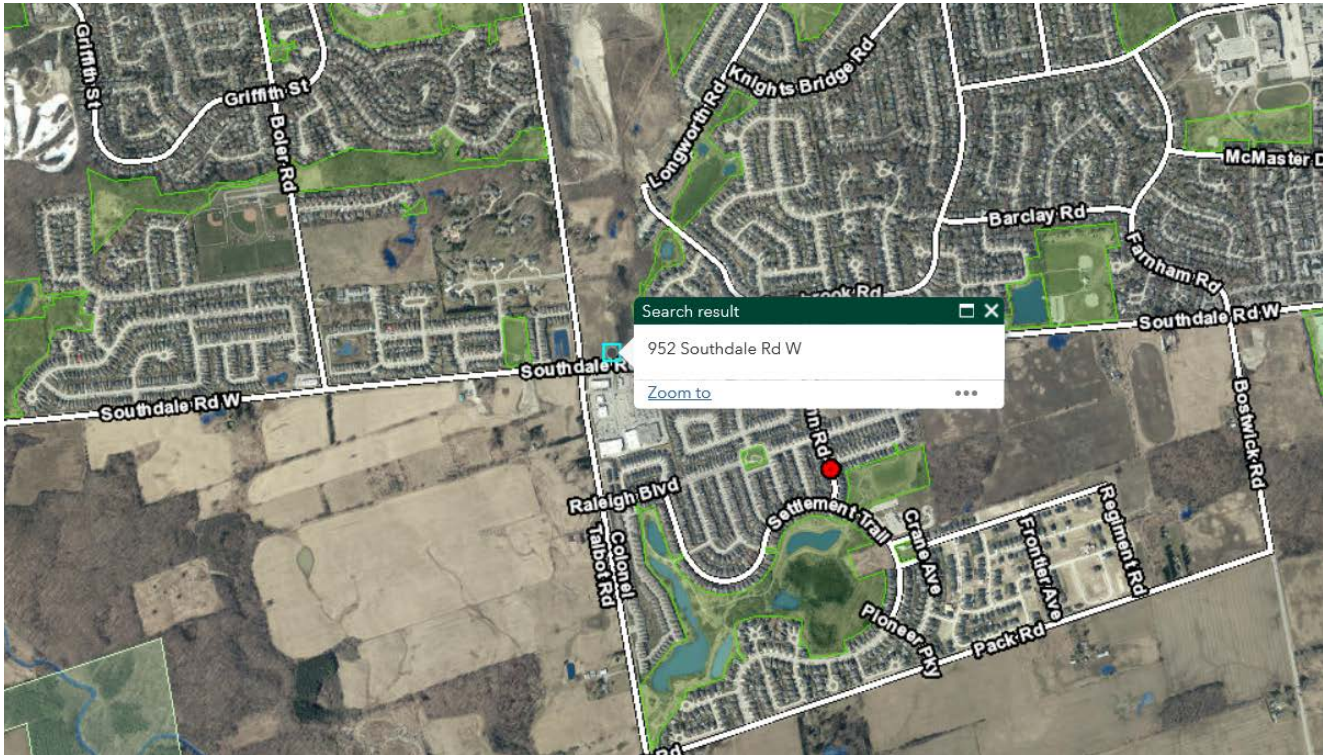
Ed Holder, Mayor

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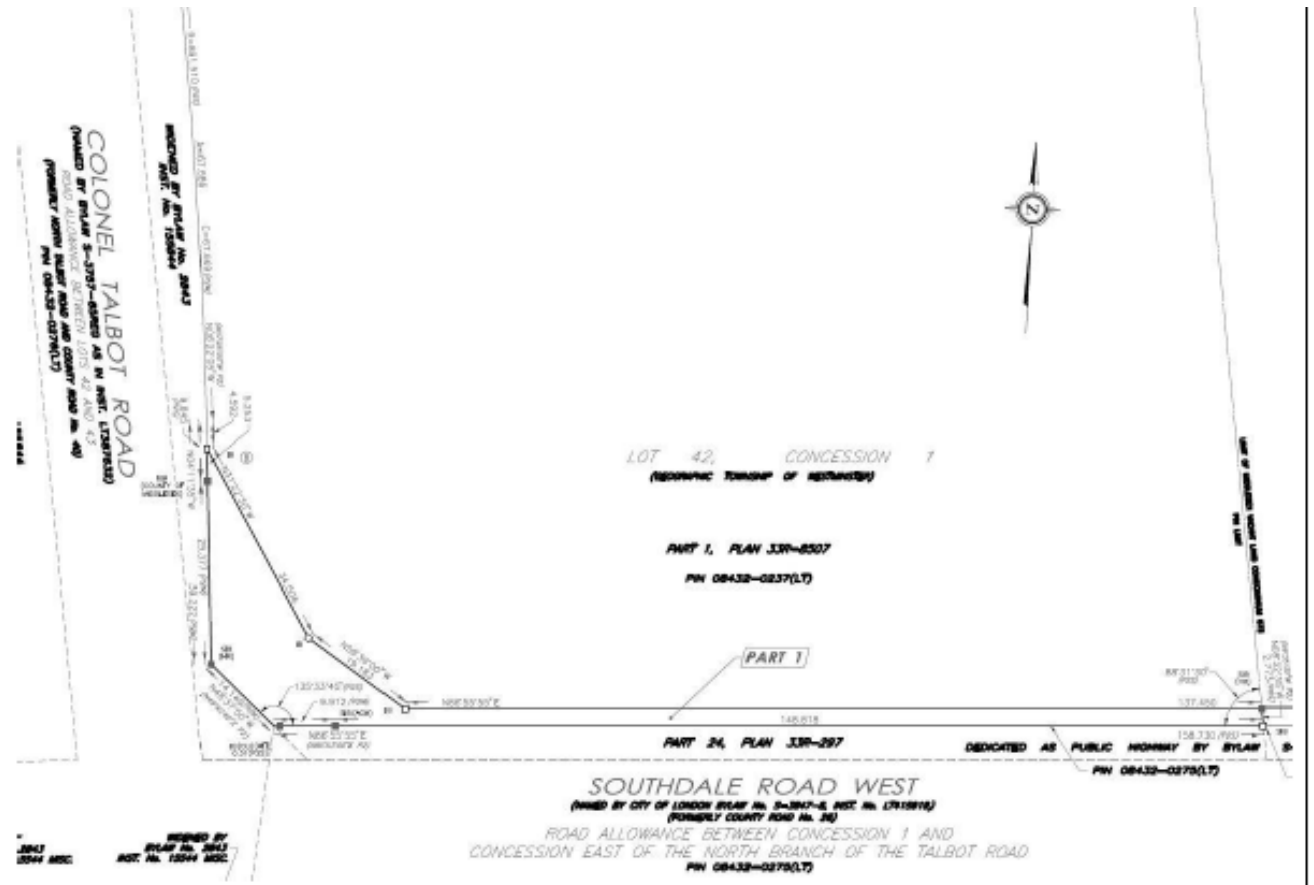
Catharine Saunders, City Clerk



Appendix B – Location Map



952 Southdale Road West (Parent Parcel)



## Appendix A – Source of Financing Report

### Appendix "A" Confidential

#21025

March 1, 2021  
(Property Acquisition)

Chair and Members  
Corporate Services Committee

RE: Partial Property Acquisition  
952 Southdale Road West - Southdale Road West Improvements Project  
(Subledger LD210031)  
Capital Project TS1629-1 - Southdale Road West - Bostwick to Pine Valley  
173962 Ontario Limited - \$148,500.00 (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 the 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	493,482	493,482	0	0
Land Acquisition	528,655	373,787	154,868	0
Construction	84,247	22,659	0	61,588
Utilities	0	0	0	0
City Related Expenses	14,015	14,010	0	5
<b>Total Expenditures</b>	<b>\$1,120,399</b>	<b>\$903,938</b>	<b>\$154,868</b>	<b>\$61,593</b>
<b>Sources of Financing</b>				
Debenture By-law No. W.-5618-64	97,067	78,314	13,417	5,336
Drawdown from City Services - Roads Reserve Fund (Development Charges) (Note 1)	1,023,332	825,624	141,451	56,257
<b>Total Financing</b>	<b>\$1,120,399</b>	<b>\$903,938</b>	<b>\$154,868</b>	<b>\$61,593</b>

#### Financial Note:

Purchase Cost	\$148,500
Add: Legal Fees etc.	2,500
Add: Land Transfer Tax	1,210
Add: HST @13%	19,630
Less: HST Rebate	-16,972
<b>Total Purchase Cost</b>	<b>\$154,868</b>

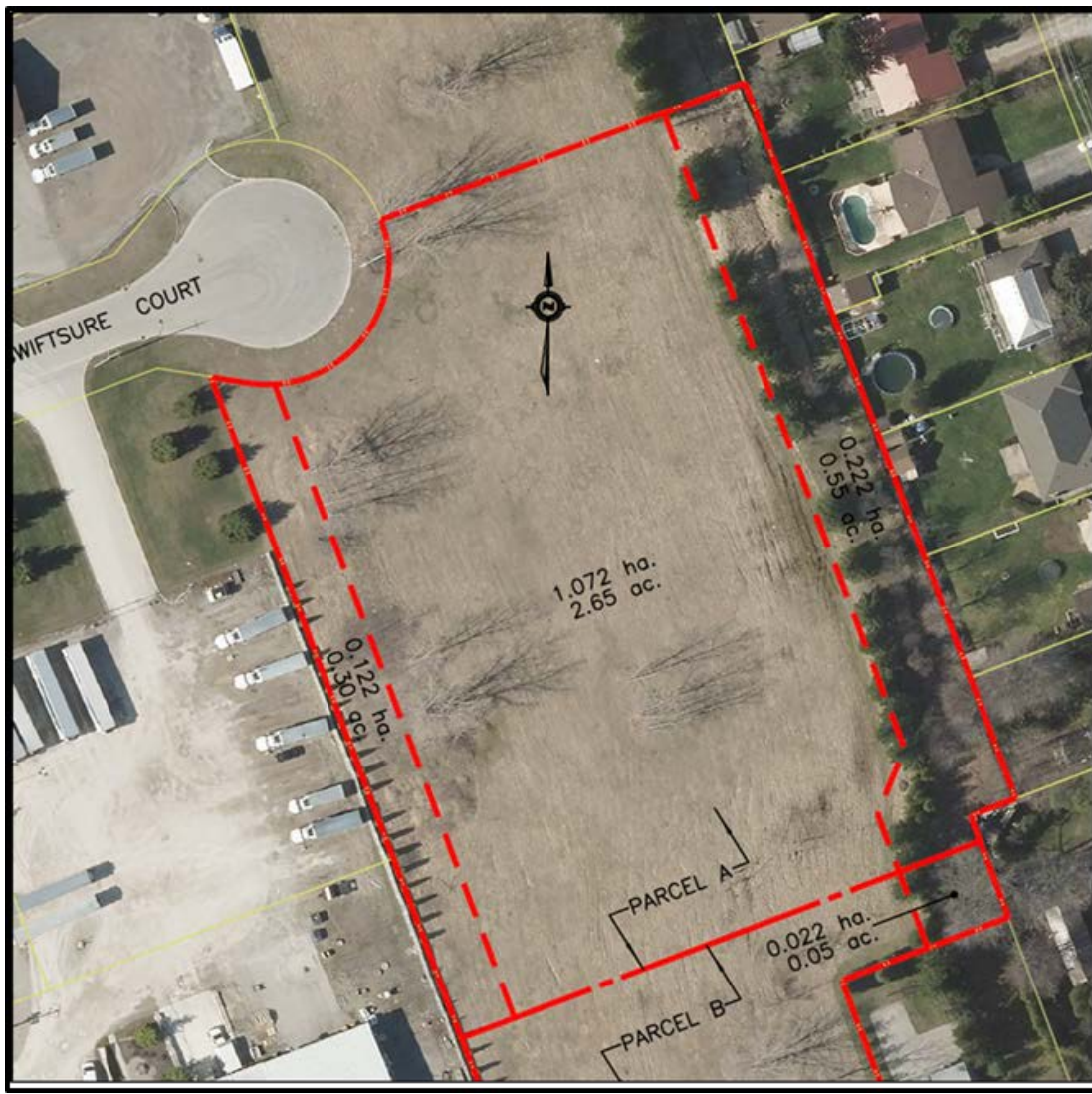
**Note 1:** Development charges have been utilized in accordance with the underlying legislation and the approved 2019 Development Charges Background Study and the 2021 Development Charges Background Study Update.

  
Jason Davies  
Manager of Financial Planning & Policy

km

**Appendix A – Location Map and Aerial Diagram**

**TRAFALGAR INDUSTRIAL PARK PHASE III**



## Appendix B – Agreement of Purchase and Sale

AGREEMENT OF PURCHASE AND SALE  
CORPORATION OF THE CITY OF LONDON

PAGE 1

**CLASS 1 SALE**

THIS INDENTURE dated the \_\_\_\_\_ day of \_\_\_\_\_, 2021.

**BETWEEN:**

**THE CORPORATION OF THE CITY OF LONDON**

hereinafter called the **VENDOR**

- and -

**MH HOLDINGS INC.**

Address: 6147 Duford Drive, Mississauga, Ontario, L5V 1A6

hereinafter called the **PURCHASER**

1. The Purchaser, having inspected the lands and premises hereinafter described, hereby offers to purchase from the Vendor the lands and premises situated in **Trafalgar Industrial Park Phase III**, in the City of London, in the County of Middlesex, containing **3.5 acres**, more or less subject to survey, Municipally known as 12 Swiftsure Court, and being composed of **Part of Lot 3 on Plan 33M- 239, Designated as Parts 1, 2, & 4 on Plan 33R-19904; London, being all of PIN 08129-0192** and shown outlined on the plan attached hereto as Schedule "C" to this Agreement, for the price of approximately

**Two Hundred and Twenty Seven Thousand Five Hundred Dollars (\$227,500.00)**  
of lawful money of Canada calculated at the rate of

**Sixty-Five Thousand Dollars (\$65,000.00)**  
per acre, with all normal municipal services available in the road allowance.

The Purchaser submits

**Twenty Two Thousand Seven Hundred and Fifty Dollars (\$22,750.00)**  
cash (or bank draft or certified cheque) payable to the City Treasurer, City of London, as deposit to be held by the Vendor pending completion or other termination of the agreement arising from the acceptance of this Agreement and to be credited towards the purchase price on completion, and the balance of the purchase price to be paid on the date of completion.

2. Provided the title to the property is good and free from all encumbrances, except as otherwise expressly provided herein, and except as to any registered easements, restrictions or covenants that run with the land, or municipal by-laws, or other governmental enactments, providing that such are complied with.

3. The Purchaser shall not call for the production of any title deed, abstract, survey or other evidence of title except as may be in the possession or control of the Vendor, unless otherwise provided herein.

4. The Purchaser is to be allowed 90 days from the date of acceptance of this Agreement to examine the title at his own expense. If within that time any valid objection to title is made in writing to the Vendor which the 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 objection shall be at an end, and all monies theretofore paid shall be returned to the Purchaser without interest or deduction, and the Vendor shall not be liable for any costs or damages. Except as to any valid objection so made within such time, and except for any objection going to the root of the title, the Purchaser shall be conclusively deemed to have accepted the Vendor's title to the property.

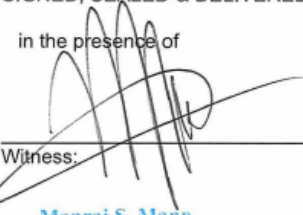
5. The Purchaser is to be allowed 90 days from the date of acceptance of this Agreement to carry out soil tests as it might reasonably require. Any such testing shall first be approved by the City Engineer and shall be at the sole risk and expense of the Purchaser. If such tests are carried out, the Purchaser agrees to restore the property to its original condition. If the property is not so restored, the vendor may carry out required restoration and without limiting the rights of the Vendor, the cost thereof may be recovered from the deposit. If, within that time, any valid objection to soil conditions is made in writing to the Vendor, which the 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 objection, shall be at an end and all monies theretofore paid shall be repaid or returned to the Purchaser without interest or deduction and the Vendor shall not be liable for any costs or damages. Except as to any valid objection so made within such time, the Purchaser shall be conclusively deemed to have accepted the soil conditions on the property.
6. The transaction of purchase and sale to be completed within 120 days from the acceptance of this Agreement. Vacant possession of the property shall be given to the Purchaser on the date of completion, unless otherwise provided herein.
7. This Agreement, when accepted, shall constitute a binding contract of purchase and sale between the Purchaser and Vendor and time shall, in all respects, be of the essence thereof, provided that the time for the doing or completing of any matter provided for herein may be extended or abridged by an agreement in writing, signed by the Vendor and the Purchaser or by their respective solicitors who are hereby expressly appointed in this regard. It is agreed that there is no condition, expressed or implied, representation, warranty, or collateral agreement affecting this Agreement or the property or supported hereby, except as expressed herein in writing.
8. The Deed or transfer shall be prepared in registerable form at the expense of the Vendor by its solicitor. Each party shall pay the cost of registration and taxes on his own documents.
9. 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.
10. 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.
11. Provided that, notwithstanding any terms or conditions outlined in the printed wording herein, any provisions written into the Agreement at the time of the signing of the Agreement by the Purchaser shall be the true terms and shall supersede the printed portion in respect of the parts affected thereby. This Agreement and its acceptance shall be read with all changes of gender or number required by the context and shall be binding upon the parties hereto, their respective heirs, executors, administrators, successors and assigns, as the case may be.
12. As a condition of this Agreement, the Purchaser hereby agrees to submit a declaration of intent which outlines the proposed uses of the property. This declaration is attached hereto as Schedule "A" and forms part of the Agreement.
13. As a condition of this Agreement, the Purchaser hereby agrees to be bound by the Policy of The Corporation of the City of London with respect to the sale and/or transfer of City-owned, serviced, industrial land, which Policy is attached hereto as Schedule "B" to this Agreement, it being the intent of the parties hereto that the provisions of the said "Policy" shall survive the closing of this transaction to such extent as may be required to give effect to the said Policy. As a further condition of this Agreement, the Purchaser agrees to accept a Deed with respect to the land herein described in a form sufficient to give effect to the said Policy.
14. Any tender of documents or money desired hereunder may be made upon the solicitor acting for the Vendor or Purchaser, and it shall be sufficient that a Bank Draft or Certified Cheque may be tendered instead of cash.
15. Schedules A, B, C, D, E, and F attached hereto form part of this Agreement.

16. This Agreement shall be irrevocable and open for acceptance until 11:59 p.m. (local time) on the 30th day of March, 2021, after which time, if not accepted, this Agreement shall be null and void and the deposit shall be repaid to the Purchaser without interest or deduction.

IN WITNESS WHEREOF the Purchaser, if a person, has hereunto set his hand and seal or, if a corporation, has hereunto affixed its Corporate Seal duly attested to by its proper signing Officers this 4 day of FEBRUARY, 2021.

SIGNED, SEALED & DELIVERED

in the presence of

  
Witness: \_\_\_\_\_

Manraj S. Mann  
Barrister, Solicitor & Notary Public  
218 Export Blvd - Suite 307  
Mississauga, Ontario  
T: 905-956-7700  
F: 647-557-8748

) MH HOLDINGS INC.

) Purchaser

)

)

)

)

)

) Signature of Signing Officer

) Awais Haleem

) I have authority to bind the Corporation



**ACCEPTANCE**

The Vendor accepts the above Agreement.

**THE CORPORATION OF THE CITY OF LONDON**

\_\_\_\_\_  
Ed Holder, Mayor

\_\_\_\_\_  
Catharine Saunders, City Clerk

**NOTE:** Schedule "A" attached - "Purchaser's Declaration of Intent"  
Schedule "B" attached - "City-owned Serviced Land Sale Policy"  
Schedule "C" attached - "Excerpt from Plan Outlining Property in Red" and "Site Map"  
Schedule "D" attached - "Additional Terms and Conditions"  
Schedule "E" attached - "Location Map Showing Buffer"  
Schedule "F" attached - "Municipal Services Easement"

**Realtor:** Mohamed Salim Unya, Broker  
Specialist, Commercial Real Estate  
HomeLife Maple Leaf Realty Ltd.  
80 Eastern Ave Unit # 3 Brampton ON L6W 1X9

SCHEDULE "A"PURCHASER'S DECLARATION OF INTENT TO DEVELOP AND PROPERLY UTILIZE THE PROPERTY, WHICH DECLARATION FORMS PART OF THE AGREEMENT OF PURCHASE AND SALE

The Purchaser hereby declares, and it is understood and agreed between both parties, that the property will be used for the following purposes; and the Purchaser undertakes to take all reasonable steps to fulfil these commitments; which undertaking shall survive and not merge in the closing of the transaction.

INFORMATION REQUIRED FROM PURCHASER BEFORE AGREEMENT SUBMITTED FOR APPROVAL

Industrial Park Name & Phase & Section:	Trafalgar Industrial Park, Phase III
Lot & Conc./Part No./Block, etc.; Acres:	Part Lot 3, Plan 33M-239; Parts 1,2, & 4 on Plan 33R-19904 (3.5 acres)
Name, Address, Postal Code of Purchaser:	MH Holdings Inc., 6147 Duford Drive Mississauga, Ontario, L5V 1A6
Local Company: Yes <b>No</b>	
Intended Use of Building - (Describe):	Manufacturing and Warehousing MH Insulated Panels
Major Industrial Classification of User:	Manufacturing / Warehousing of Finished Products
List of Products Manufactured/Handled:	MH Insulated Panels Specializing in Refrigeration Products
Number of Employees Anticipated:	25-50 (Full Time)
Number of Square Feet of Building Proposed:	25,000 sq. ft.
Number of Square Feet in Property Purchase:	152,460 sq. ft.
Proposed Building Coverage as % of Lot Area:	16.4 percent (16.4%)
Mandatory Building Coverage Starting 1st Year:	15 percent (15%)
Future Building(s) Proposed (if any) Details:	N/A
Proposed Building Material for this Project:	TBD
Development of the Lot will be subject to:	Site Plan & Architectural Control
Proposed Commencement Date of Construction:	One Year from Date of Deed
Mandatory Commencement Date of Construction:	One Year from Date of Deed
Purchaser's Lawyer - Name, and Address:	Manraj Mann, B.A. (Hons), LL. B Barrister and Solicitor <a href="mailto:info@manrajlaw.ca">info@manrajlaw.ca</a>
Telephone:	(905)-956-7700
Purchaser's Executive Completing this Form: Awais Haleem Director <u>MH Holdings Inc.</u>	 (signature) I have authority to bind the Corporation

---

 Ed Holder, Mayor

---

 Catharine Saunders, City Clerk

## SCHEDULE "B"

**Excerpt from By-law No. A.-6151-17, Schedule A. Attachment A entitled "Disposal of Industrial Land Procedures"**Disposal of Industrial Land Procedures

1. The purpose of this policy is to establish the terms upon which City-owned serviced industrial land is to be sold and transferred.
2. This policy is to be read and applied fairly and beneficially with such variations as circumstances or the nature of the subject matter require provided the general purpose, intent, meaning and spirit of the policy are maintained.
3. In this policy,
  - (a) Commencement of construction means the date upon which a building permit is issued by the City;
  - (b) Completion of construction is reached when the building or structure or a substantial part thereof is ready for use or is being used for the purpose intended, and;
  - (c) Coverage has the meaning ascribed to it under the applicable zoning by-law.

CLASS 1 SALE

4. A class 1 sale is a sale of a land for the purpose of the construction thereon of a building or structure for a detached industrial use.
5. A class 1 sale shall be subject to the following conditions:
  - (a) The purchaser shall commence construction within one year of the registration of the deed or transfer and shall diligently complete construction of the building or structure, in default of which the purchaser shall in the sole discretion of the City reconvey the land to the City in accordance with Section 18 of this policy and free and clear of all encumbrances, easements, restrictions or covenants except as to those originally assumed by the purchaser from the City.
  - (b) The minimum coverage of the building or structure shall be 15 per cent, provided however that, where the maximum coverage permitted under the applicable zoning by-law is 15 percent or less, the maximum coverage under the zoning by-law shall be deemed to be the minimum coverage required by this condition.
  - (c) The purchaser shall not within 10 years of the registration of the deed or transfer convey any vacant part of the land by deed, transfer, grant, assignment, appointment, mortgage, charge, lease or sub-lease (Planning Act, R.S.O. 1990, Chapter P .13), without first notifying the City and, where it has been so notified, the City may either grant its consent (which shall not be unreasonably withheld) to the conveyance or application or may in its sole discretion require the purchaser to reconvey the vacant part to the City in accordance with Section 18 of this policy and free and clear of all encumbrances, easements, restrictions or covenants except as to those originally assumed by the purchaser from the City.
  - (d) The purchaser shall pay local improvement charges and any other special levies assessed at any time against the land on and after completion of the purchase.
6. The Manager of Realty Services may grant one or more extensions (which in total shall not exceed two years) of the time set out in paragraph 5 (a) of Section 5 of this policy within which construction of a building or structure is to be commenced provided the purchaser has filed a written request with the Manager of Realty Services for the extension.
7. A purchaser wishing to notify the City under condition 5 (c) of this policy shall file a written request with the Manager of Realty Services who shall submit a recommendation thereon to Council through the Corporate Services Committee.



CLASS 2 SALE

8. A class 2 sale is a sale of a land for the purpose of the extension or enlargement of a building or structure erected or to be erected upon land of the purchaser abutting the land.
9. A class 2 sale shall be subject to conditions (c) and (d) of Section 5 of this policy and the further condition that the land shall not be used for any purpose other than the extension or enlargement of a building or structure erected or to be erected upon lands of the purchaser abutting the land.

CLASS 3 SALE

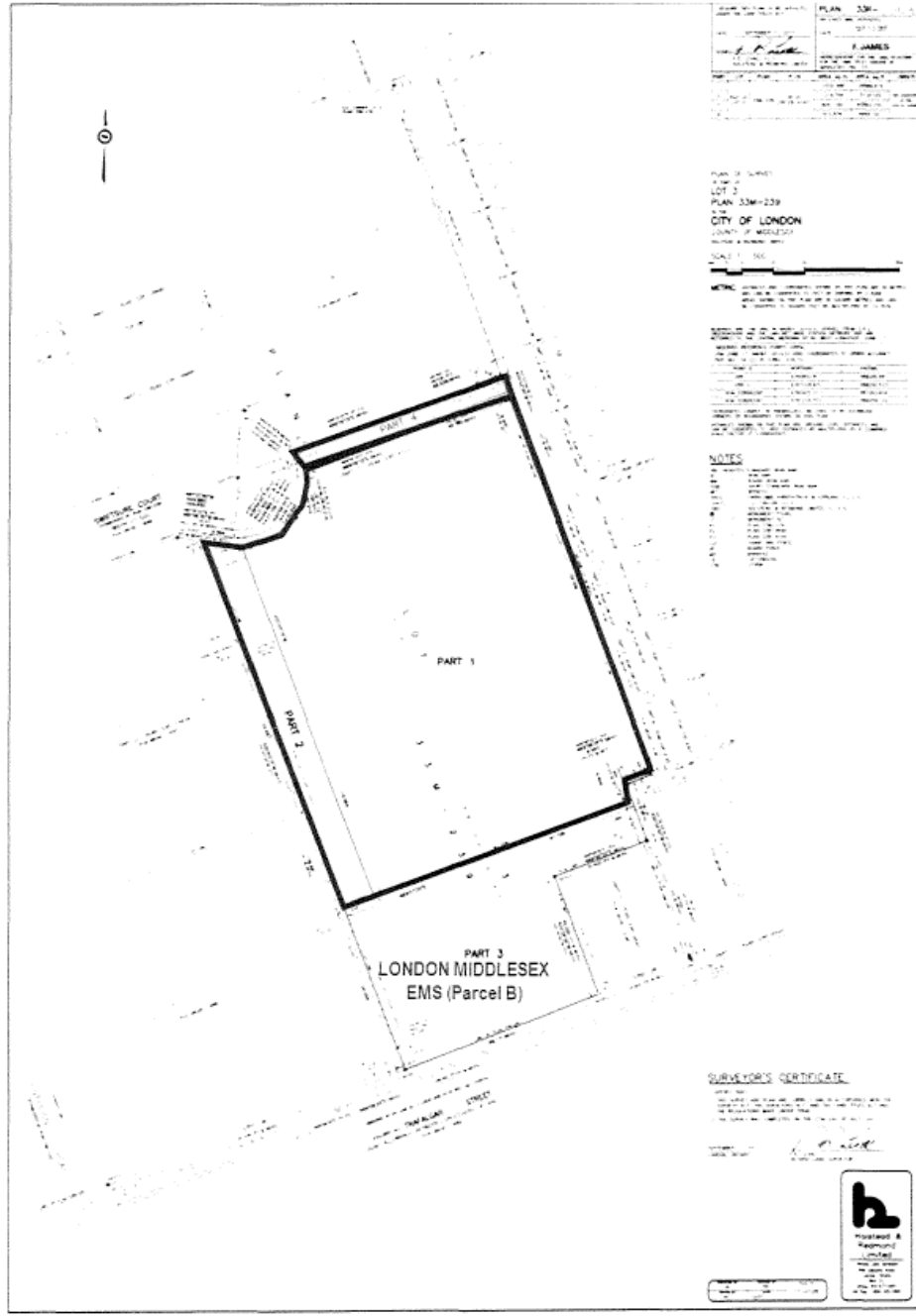
10. A class 3 sale is a sale that is not a class 1 or class 2 sale and that is a sale of a land for the purpose of a use ancillary to a building or structure erected or to be erected upon land of the purchaser abutting the parcel.
11. A class 3 sale shall be subject to conditions (c) and (d) of Section 5 of this policy and the further condition that the land shall not be used for any purpose other than a use ancillary to a building or structure erected or to be erected upon land of the purchaser abutting the parcel.

GENERAL

12. At least annually, the Manager of Realty Services shall review the pricing of industrial land and if a change in pricing is recommended, shall make a recommendation to Board of Control as to the price per acre at which land should be offered for sale during the ensuing year.
13. Pending receipt of an offer to purchase from a prospective purchaser, land may be reserved for a period of 30 days, provided however that, if during the reserve period the City receives an offer to purchase the same land in accordance with this policy from another prospective purchaser, the first prospective purchaser shall be allowed 5 days after notification within which to submit an offer to purchase at the same price and on the same terms; otherwise the City shall be at liberty to accept the second offer to purchase.
14. A prospective purchaser shall complete and execute an offer to purchase in the form provided by the City accompanied by a deposit payable to the City Treasurer by cash or certified cheque equal to 10 per cent of the total purchase price, and the balance shall be payable subject to usual adjustments upon completion of the transaction.
15. The Manager of Realty Services may submit an offer to purchase for acceptance by the City.
16. The transaction shall be completed within 90 days of the passing of the by-law accepting the offer to purchase or within such further period as may be agreed to between the City Solicitor and the purchaser's solicitor in the best interests of the City.
17. Where, in the City's opinion, land is properly sold through a real estate agent, the City shall pay a fee to the agent not exceeding the scale established by the City upon completion of the transaction but no fee shall be payable if the purchaser is permitted to withdraw from the agreement of purchase and sale prior to the completion of the transaction.
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. Where the whole or any part of land is reconveyed by the purchaser to the City pursuant to a condition of sale or otherwise, the amount payable upon the reconveyance shall be 90 per cent of either the original purchase price (exclusive of interest thereon), if the whole land is reconveyed, or the portion thereof that is in the same ratio as the area of the reconveyed part is to the whole land, subject to adjustments as of the date of reconveyance for taxes, local improvements and other rates and subject, where the City considers necessary, to the City's withholding until a new purchaser is found, an amount sufficient to compensate the City for the cost of restoring the land to its original condition if so required by the new purchaser.
20. The development of the property will be subject to the requirements of the Architectural Control Guidelines as published by the City of London from time to time and the purchaser acknowledges the contents thereof and agrees to conform to those Guidelines.
21. The cost of service connections from the main to the property line is the responsibility of the purchaser.
22. The purchaser accepts the current condition of the site and the cost of removal of topsoil from the site if required is the responsibility of the purchaser.

SCHEDULE "C"

Plan 33R-19904



**SCHEDULE "D"**

## ADDITIONAL TERMS AND CONDITIONS

Headings

The headings in this agreement are for convenience of reference only and shall not define or limit the provisions of the agreement.

Paramountcy of Schedule "D"

The provisions of this Schedule "D" are in addition to and not in substitution for the standard provisions contained in the body of the Agreement of Purchase and Sale and in Schedule "B" thereto, provided that if the provisions of this Schedule "D" conflict or are inconsistent in any respect with such standard provisions, By-Law No. A-6151-17 or any policy of The Corporation of the City of London, the provisions of this Schedule "D" shall prevail and the aforesaid By-Laws and Policies shall be read with the corresponding amendments. Unless the context otherwise requires, the term "this Agreement" as used in the Agreement of Purchase and Sale and Schedules thereto shall mean the said Agreement of Purchase and Sale and all Schedules thereto.

Assignment of Agreement

At any time prior to closing the Purchaser may assign this Agreement to an affiliated corporation of the Purchaser, as defined in the Ontario or Canada Business Corporations Act, and upon delivery to the Vendor of a notice of such assignment and a covenant by the assignee in favour of the Vendor pursuant to which the assignee agrees to assume all covenants and agreements to be kept, observed and performed by the Purchaser pursuant to this Agreement, the assignee shall be entitled to and bound by, and the Purchaser shall cease to be entitled to and shall be released from, all of the benefits and obligations of the Purchaser pursuant to this Agreement.

Requirement for Sewage Sampling Manholes

The Purchaser may be required to construct sewage sampling manholes, built to City standards in accordance with the City's Waste Discharge By-law No. WM-2, as amended, regulating the discharge of sewage into public sewage systems. If required, the sewage sampling manholes shall be installed on both storm and sanitary private drain connections, and shall be located wholly on private property, as close as possible to the street line, or as approved otherwise by the City Engineer.

Development Agreement

The Purchaser acknowledges that prior to the issuance of a Development Agreement, the Purchaser shall be subject to site plan and permitting process which may include but not be limited to an approval for the location of an entrance to the site, urban design, granting municipal easements and working easements, satisfying servicing requirements, obtaining approvals and satisfying requirements by Upper Thames Conservation Authority, (UTRCA), Ministry of Environment and Climate Change (MOECC), and any other approvals deemed necessary by the City. As part of the Purchaser's due diligence, the Purchaser shall satisfy itself at its sole risk and cost as to the total developable area available on the property.

Testing After Acceptance

From and after the date of Vendor's Acceptance of this Agreement, and in accordance with Paragraph 5 of the Agreement of Purchase and Sale, the Vendor shall permit the Purchaser and its authorized representatives and consultants reasonable access to the property for the purpose of making soil, ground water, environmental or other tests, measurements or surveys in, on or below the property, provided that the Purchaser shall do so at its own expense and its own risk. No action taken by the Purchaser hereunder shall constitute a trespass or taking of possession.

Municipal Services and Roadway Easements

The Purchaser agrees to transfer to the Vendor a municipal services easement as shown in Schedule "F", for nominal consideration over the portion of lands described as Part 4 in Plan 33R-19904 which is shown highlighted in yellow on the plan attached hereto as Schedule "C" and other lands if deemed necessary. This condition shall survive and not merge on the completion of this transaction.

Trafalgar Industrial Park Subdivision Agreement Conditions

In accordance with the Trafalgar Industrial Park Phase III Subdivision Agreement, the Purchaser acknowledges and agrees that (a) open storage, loading areas and truck idling and parking areas will not

be located in yards that abut residential lands. Outdoor areas devoted to employee parking are not subject to this requirement (b) Purchaser will assume responsibility, in perpetuity, for the maintenance of the wooden privacy fence along their easterly boundary (the "Fence") (c) the Purchaser will maintain, in perpetuity, a 50 foot buffer zone which includes the Fence, existing landscaping and existing trees and tree plantings (which collectively is referred to as the "Buffer") from the abutting residential lands. The Purchaser acknowledges and agrees that (a) no development is permitted within the Buffer (b) the existing trees along and within the vicinity of the easterly property limit are not to be removed. The Buffer is approximately 0.55 acres and shown highlighted in green in schedule "E".

Notwithstanding this provision above, the Purchaser shall be subject to the standard site plan and permitting process by the City which may include, but not limited to, approvals through UTRCA, MOECC, and other deemed necessary and zoning regulations. The Purchaser acknowledges and agrees to accept the property "as is".

Purchaser Condition – Feasibility of Intended Use

This offer is conditional upon the Buyer, at the Buyer's expense, determining the financial feasibility of the Buyer's intended use for the property satisfactory to the Buyer in the Buyer's sole and absolute discretion. Unless the Buyer gives notice in writing delivered to the City personally or in accordance with any other provision for the delivery of notice in this Agreement of Purchase and Sale or any Schedule thereto no later than ninety (90) days from the date that this offer is accepted that this condition is fulfilled this offer shall be null and void and the deposit shall be returned to the Buyer in full without deduction. This condition is included for the benefit of the Buyer and may be waived at the Buyer's sole option by notice in writing to the City as aforesaid within the time-period stated herein.

Real Estate Commission

If the name of a realtor and real estate firm is noted at the bottom of Page 3 of this Agreement, in addition to the Purchaser's signature(s), then the Vendor shall acknowledge that the real estate agent is properly involved in this Agreement of Purchase and Sale, and pay a fee to the agent upon completion of the transaction, as per Attachment "C" of By-law No. A.-6151-17, Schedule A. No fee shall be payable if the purchaser is permitted to withdraw from the agreement of purchase and sale prior to the completion of the transaction.

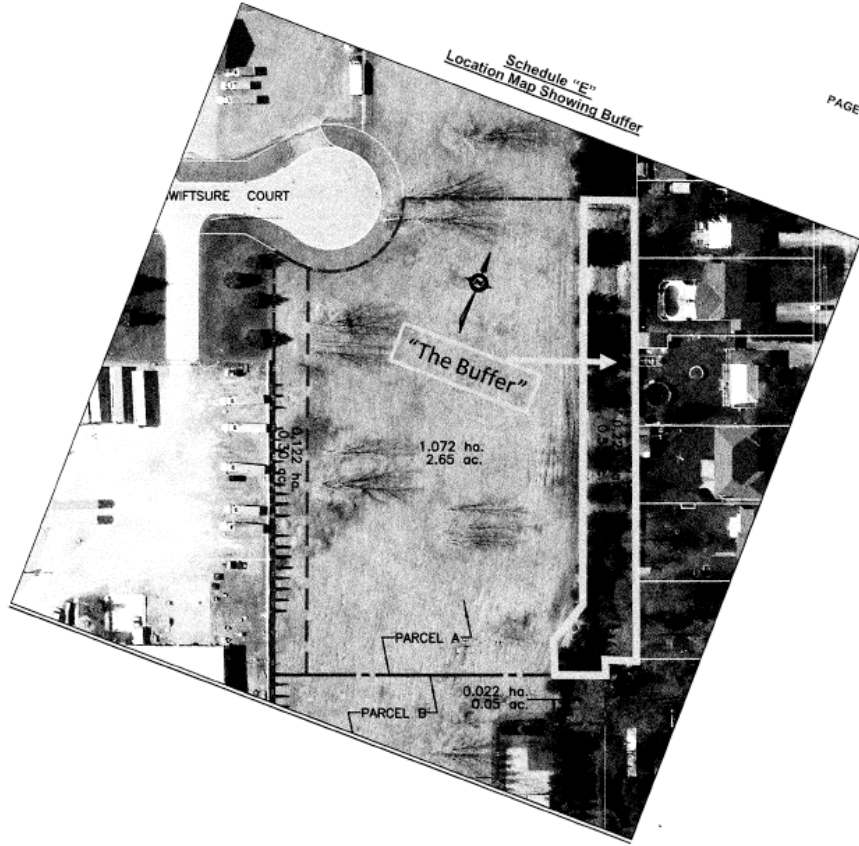
Attachment "C" of By-law No. A.-6151-17, Schedule A, entitled Real Estate Commissions for Industrial Land, states that the fee payable to real estate agents is as follows:

- (a) Transactions up to \$100,000 – 5%,
- (b) Transactions up to \$200,000 – 5% for the first \$100,000, 3% above \$100,000 to \$200,000
- (c) Transactions over \$200,000 – 5% for the first \$100,000, 3% above \$100,000 to \$200,000, and 2% above \$200,000 for remainder.

AGREEMENT OF PURCHASE AND SALE  
CORPORATION OF THE CITY OF LONDON

Schedule "E"  
Location Map Showing Buffer

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**Schedule "F"**  
**Municipal Services Easement**

THIS EASEMENT made this \_\_\_\_ day of \_\_\_\_\_, 2006.

BETWEEN:

**[\_\_\_\_TRANSFEROR\_\_\_\_]**

(Hereinafter called the "Transferor")

OF THE FIRST PART

- and -

**THE CORPORATION OF THE CITY OF LONDON**

(Hereinafter called the "Transferee")

OF THE SECOND PART

WHEREAS the Transferor is seized of the lands and premises herein described, and has agreed to transfer to the Transferee a multi-purpose easement for municipal services in, over and upon the said Lands;

AND WHEREAS Section 91(2) of the *Municipal Act, S.O. 2001, c. 25*, as amended provides that an easement of a public utility provided by a municipality does not have to be appurtenant or annexed to or for the benefit of any specific parcel of land to be valid;

NOW THEREFORE THIS INDENTURE WITNESSETH that in consideration of the sum of ONE DOLLAR (\$1.00), of lawful money of Canada now paid by the Transferee to the Transferor (the receipt and sufficiency of which is hereby acknowledged), the Transferor DOTH GRANT unto the Transferee, its successors and assigns, forever, the full, free and uninterrupted right, liberty, privilege and easement in gross to install, construct, reconstruct, repair, clean, maintain, inspect and use as part of the Municipal Services system of the City of London and as appurtenant thereto, and for all times hereafter, sewers, watermains, electrical cables, communications cables, conduits and other municipal services of such kind, size, type and number as the Transferee may from time to time determine necessary (the "Municipal Services"), in, through, over, on and under that part of the lands of the Transferor more particularly described as [\_\_\_\_DESCRIPTION\_\_\_\_] (the "Lands").

TOGETHER WITH the full right, liberty, privilege and easement unto the Transferee, its successors and assigns, and its and their servants, agents, work people, contractors and others designated by it and them, from time to time and at all times forever hereafter, to enter upon the said Lands, with or without tools, machinery, equipment and vehicles, for the purposes aforesaid and to enter as aforesaid upon the adjoining lands of the Transferor in order to obtain access to and from the said Lands.

AND TOGETHER WITH the full right, liberty, privilege and easement unto the Transferee, its successors and assigns, and its and their servants, agents, work people, contractors and others designated by it and them, from time to time and at all times forever hereafter, to enter upon the said Lands, with or without tools, machinery, equipment and vehicles, for the purpose of obtaining access to abutting lands owned by the Transferee or to abutting lands in which Municipal Services are installed.

IT SHALL BE LAWFUL for the Transferee and its successors and assigns to exercise and enjoy the rights, liberties and privileges hereby granted without being liable for any interference, loss of use or loss of profit which shall or may be thereby caused to the said lands or to the owners and occupiers thereof from time to time, and the Transferee shall have the right to cut down or remove any brush, trees, shrubs, fences, pavements, ramps, curbs and other objects or structures as may be necessary or convenient in the exercise of the rights and privileges hereby granted and likewise to excavate and remove the soil and surfacings for the purposes aforesaid.

THE TRANSFEEE COVENANTS with the Transferor that it will restore the said Lands to the approximate condition which existed immediately prior to each and every entry upon the said Lands, excluding the replacement of brush and trees and structures. Restoration of hard surfaces will be at the sole discretion of the Transferee unless the surface predated the acquisition of this easement or was subsequently constructed as part of a development



**Schedule "F" Cont'd**  
**Municipal Services Easement**

approved by the Transferee.

THE TRANSFEROR COVENANTS that no buildings or other structures shall be erected on or over the Lands described herein without the written consent of the Engineer of the Transferee or his designate.

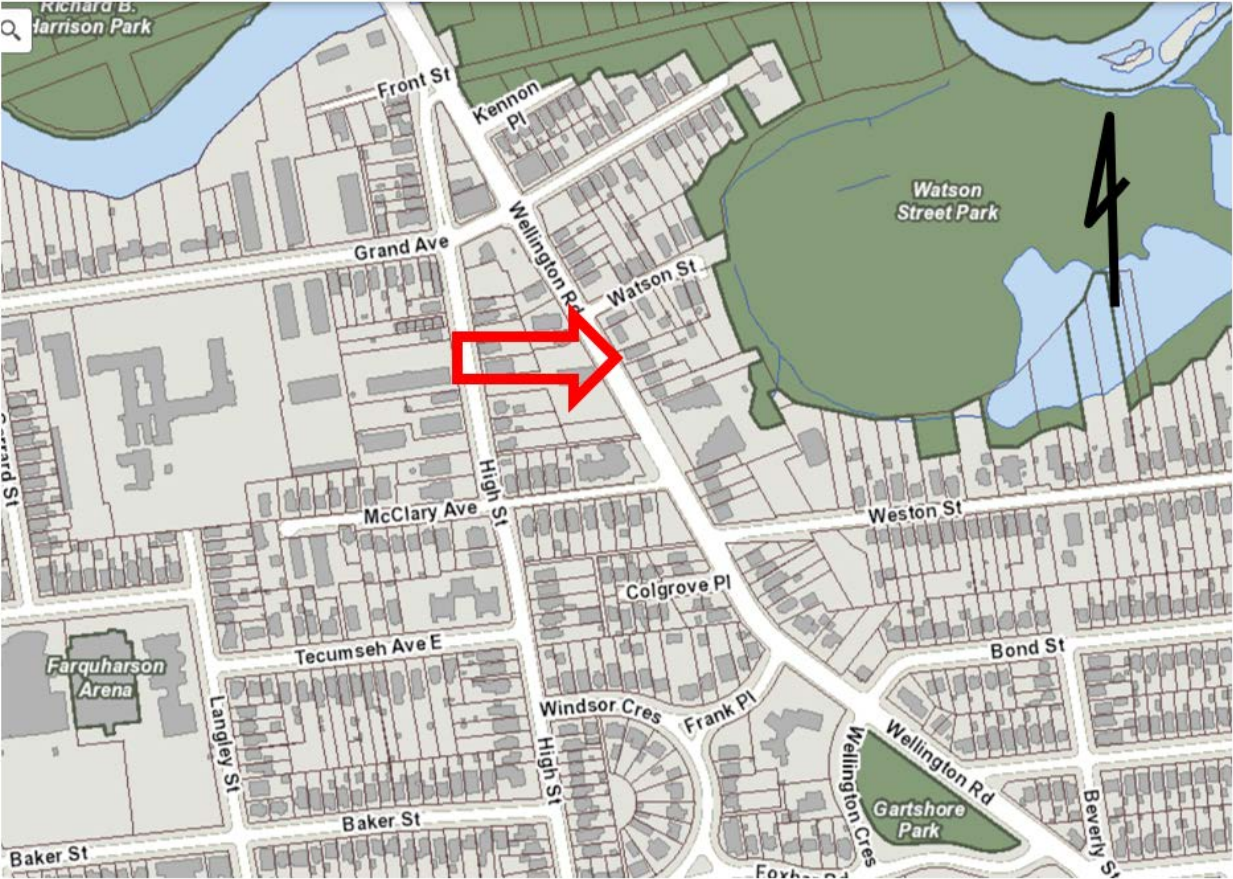
THE TRANSFEROR FURTHER COVENANTS that it has the right to convey the rights, liberties, privileges and easements hereby granted and will execute such further assurances as may be requisite to give full effect to this indenture.

IT IS HEREBY AGREED that the covenants and agreements on the part of the Transferor shall run with the Lands of the Transferor, and these shall enure to the benefit of and be binding upon the respective successors, heirs, executors, administrators and assigns of the parties hereto.

WHERE THE context requires, the masculine shall be construed as feminine or neuter and the singular shall be construed as plural.

Appendix B – Location Map

88 Wellington Road South





## Appendix C – Agreement of Purchase and Sale

### AGREEMENT OF PURCHASE AND SALE

**PURCHASER:** THE CORPORATION OF THE CITY OF LONDON

**VENDOR:** ARLENE COCHRANE

**REAL PROPERTY:**

Address: 88 Wellington Road, London, ON

Location: East side of Wellington Road, South of Watson Street

Measurements: approximately 565 m<sup>2</sup>/ 6081.6 ft<sup>2</sup>

Legal Description: Part of Lot 25, Broken Front Concession, Geographic Township of Westminster, City of London, County of Middlesex, as in Instrument No. 611376, being all of PIN 08357-0084 (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 shall be FOUR HUNDRED AND FIFTY-FIVE THOUSAND FIVE HUNDRED DOLLARS CDN (\$455,500.00) 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 **March 26, 2021**, after which date, if not accepted by Council, this Offer shall be null and void and the deposit shall be returned to the Purchaser in full without interest or deduction.
6. **TITLE SEARCH:** The Purchaser shall be allowed until 4:30 p.m. on **March 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. on **March 31, 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:** The 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 restrictions and encumbrances, except as otherwise specifically provided in this Agreement. 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 the


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.

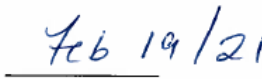
12. **DOCUMENTS AND DISCHARGE:** The Purchaser shall not call for the production of any title deed, abstract, survey or other evidence of title to the Property except such as are in the possession or control of Vendor. If requested by the Purchaser, the Vendor will deliver any sketch or survey of the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

I, the undersigned Vendor agree to the above offer.

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

  
 \_\_\_\_\_  
 Witness

  
 \_\_\_\_\_  
 Arlene Cochrane

  
 \_\_\_\_\_  
 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.

6.3

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 \_\_\_\_\_, 2021.

THE CORPORATION OF THE CITY OF LONDON

\_\_\_\_\_  
Ed Holder, Mayor

\_\_\_\_\_  
Catharine Saunders, City Clerk

VENDOR'S LAWYER: Greg Clark, 680 Waterloo Street, London, ON N6A 3V8, 519-660-7704

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

## SCHEDULE "A"

1. **LEGAL COSTS:** As set out in Section 32 of the *Expropriations Act* the City agrees to pay the Owner reasonable legal and appraisal costs, including fees, disbursements and applicable taxes, to complete this transaction, subject to assessment, if necessary.
2. **INSURANCE:** All buildings on the Property and all other things being purchased shall be and remain until completion at the risk of the Vendor. Pending completion, the Vendor shall hold all insurance policies, if any, and the proceeds thereof in trust for the parties as their interests may appear and in the event of substantial damage, the Purchaser may either terminate this Agreement and have all monies paid returned without interest or deduction or else take the proceeds of any insurance and complete the purchase. No insurance shall be transferred on completion.
3. **STATEMENT OF ADJUSTMENTS:** The Vendor shall provide the Purchaser with the Statement of Adjustments and fully executed copies of any further final and irrevocable directions and re-directions regarding payment of the balance of the Purchase Price (as defined in Section 2 of this Agreement) as the Vendor may require (collectively, the "Direction re: Funds"), by no later than 4:00 p.m. on the 6th business day that precedes the Closing Date (as defined in Section 7 of this Agreement or otherwise agreed upon by the parties), failing which, at the sole option of the Purchaser, the Closing Date may be extended to a date up to ten (10) business days after the Purchaser's receipt of the Direction re: Funds.
4. **RIGHT OF INSPECTION:** The Purchaser or an agent of the Purchaser shall be entitled to enter and inspect the property including all dwellings and buildings prior to the closing of this Agreement.
5. **REPLACEMENT PROPERTY:** The Purchaser agrees to pay reasonable legal and other non-recoverable expenditures incurred in acquiring a similar replacement property, providing a claim is made within one year of the date of possession. The Vendor shall be responsible to apply to the Ministry of Finance for any eligible reduction to the payment of the Land Transfer Tax for the purchase of the replacement property, in accordance with Section 1(2) of the *Land Transfer Tax Act, RSO 1990, cL6*, and such amounts shall not be recoverable under this clause. This condition shall survive and not merge upon the completion of this Agreement.
6. **SECTION 18 OF THE EXPROPRIATIONS ACT:** Pursuant to section 18 of the *Expropriations Act* the Purchaser shall pay to the Vendor an allowance of five per cent of the compensation payable in respect of the market value of the lands herein, being \$22,775.00, upon completion of this transaction.
7. **SECTION 20 OF THE EXPROPRIATIONS ACT:** With respect to any prepayment of mortgage, the Purchaser agrees to pay compensation for any bonus legally payable and for any loss incurred by reason of a difference in interest rates upon completion as set out in section 20 of the *Expropriations Act*.
8. **VACANT POSSESSION:** The Vendor agrees to leave the Property in a clean, broom-swept condition, free and clear of all refuse, hazardous and other waste material, garbage or other loose or objectionable materials upon closing. Should the Vendor be unable to fulfill the terms of this condition prior to completion, the Purchaser may hold back an amount up to One Thousand Dollars (\$1,000.00) from the Purchase Price due on closing, as determined by the Purchaser in their sole discretion, to be contributed towards the Purchaser's reasonable costs to clean the Property and remove any left-over materials.

## Appendix A – Source of Financing Report

### Appendix "A" Confidential

#21029

March 1, 2021

(Property Acquisition)

Chair and Members  
Corporate Services Committee

RE: Property Acquisition, 88 Wellington Road South  
Wellington Gateway Project  
(Subledger LD210027)  
Capital Project RT1430-1B - Wellington Gateway - Land Rapid Transit  
Arlene Cochrane

#### 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 the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, with concurrence of the Director, Major Projects, 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
Land Acquisition	11,059,900	4,086,163	504,998	6,468,739
<b>Total Expenditures</b>	<b>\$11,059,900</b>	<b>\$4,086,163</b>	<b>\$504,998</b>	<b>\$6,468,739</b>

#### Sources of Financing

Capital Levy	1,157,204	427,538	52,838	676,828
Drawdown from City Services - Roads Reserve Fund (Development Charges) (Note 1)	9,902,696	3,658,625	452,160	5,791,911
<b>Total Financing</b>	<b>\$11,059,900</b>	<b>\$4,086,163</b>	<b>\$504,998</b>	<b>\$6,468,739</b>

#### Financial Note:

Purchase Cost	\$455,500
Add: Legal Fees etc.	35,275
Add: Land Transfer Tax	5,585
Add: HST @13%	63,801
Less: HST Rebate	<u>-55,163</u>
Total Purchase Cost	<u>\$504,998</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.

  
\_\_\_\_\_  
Jason Davies  
Manager of Financial Planning & Policy

lp