



## Council Minutes

4th Meeting of City Council  
February 15, 2022, 4:00 PM

Present: Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, J. Helmer, M. Cassidy, M. Hamou, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Peloza, J. Fyfe-Millar, S. Hillier

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

Remote Attendance: L. Livingstone, A. Barbon, G. Barrett, G. Belch, B. Card, I. Collins, C. Cooper, S. Corman, J. Davison, K. Dickins, G. Kotsifas, L. Hamer, R. Hayes, R. Morris, K. Scherr, C. Smith, B. Warner

The meeting is called to order at 4:02 PM; it being noted that the following members were in remote attendance: Councillors M. van Holst, M. Salih, J. Helmer, M. Cassidy, M. Hamou, A. Hopkins, P. Van Meerbergen, S. Turner, E. Peloza, S. Hillier

### 1. Disclosures of Pecuniary Interest

Councillor S. Lehman discloses a pecuniary interest in clause 4.1 of the 3rd Report of the Strategic Priorities and Policy Committee, having to do with the Core Area Pilot Program involving the London Downtown Business Association (LDBA), by indicating he is a member of the LDBA. Councillor S. Lehman further discloses a pecuniary interest in clause 4.6 of the 3rd Report of the Strategic Priorities and Policy Committee, having to do with the appointment to the LDBA, by indicating he is a member of the LDBA.

Councillor P. Van Meerbergen discloses a pecuniary interest in clause 4.9 of the 3rd Report of the Strategic Priorities and Policy Committee, having to do with the 7th Report of the Governance Working Group and specifically the Childcare Advisory Committee being dissolved, by indicating that his wife owns/operates a childcare business.

Councillor S. Turner discloses a pecuniary interest in clause 6.1 of the 3rd Report of the Corporate Services Committee, having to do with the purchase of property and settlement of potential claims located at 220 Wellington Road South and potential claims by A Team London Inc., by indicating that it involves a principal donor in his 2018 election campaign.

Councillor S. Turner discloses a pecuniary interest in clause 1 of the 4th Report of the Council in closed session and the related Bill No. 122, having to do with the purchase of property and settlement of potential claims located at 220 Wellington Road South and potential claims by A Team London Inc., by indicating that it involves a principal donor in his 2018 election campaign.

### 2. Recognitions

None.

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

None.

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

That, pursuant to section 6.4 of the Council Procedure By-law, a change in order of the Council Agenda BE APPROVED, to provide for Stage 4, Council, In Closed Session and Stage 9, Added Reports, to be considered after Stage 13, By-laws.

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

**Motion Passed (15 to 0)**

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

Motion made by: E. Pelozza

Seconded by: M. Hamou

That the Minutes of the 3rd Meeting held on January 25, 2022, BE APPROVED.

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

**Motion Passed (15 to 0)**

**6. Communications and Petitions**

Motion made by: J. Helmer

Seconded by: A. Hopkins

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

**6.1 Draft Climate Emergency Action Plan**

1. C. Hansen, EVP & President, Gas Distribution and Storage, Enbridge

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

**Motion Passed (15 to 0)**

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

None.

**8. Reports**

**8.1 3rd Report of the Community and Protective Services Committee**

Motion made by: M. Cassidy

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

Yeas: (15): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, J. Helmer, M. Cassidy, M. Hamou, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelozza, J. Fyfe-Millar, 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. (2.2) Single Source Procurement - London Homeless Prevention Housing Allowance Program

Motion made by: M. Cassidy

That, on the recommendation of the Deputy City Manager, Social and Health Development, the following actions be taken with respect to the staff report dated February 1, 2022, related to a Single Source Procurement - London Homeless Prevention Housing Allowance Program, as per the City of London Procurement of Goods and Service Policy, section 8.5.a.iv, that committee and city council must approve single source awards greater than \$50,000.00:

a) the single source procurements BE ACCEPTED, at a total estimated cost of \$1,084,000 (excluding HST), for the period of April 1, 2022, to March 31, 2023, with the opportunity to extend for four (4) additional one (1) year terms, to administer Housing Stability Services Housing Allowance program, as per The Corporation of the City of London Procurement Policy Section 14.4 d), to the following providers:

- Mission Services – Rotholme Family Shelter (SS-2022-029)
- CMHA Thames Valley Addiction & Mental Health Services (Street Level Woman At Risk Program) (SS-2022-030)
- CMHA Thames Valley Addiction & Mental Health Services (SS-2022-031)
- Unity Project Emergency Shelter (SS-2022-033)
- Youth Opportunities Unlimited (SS-2022-034)
- London Cares Homeless Response Services (SS-2022-035)
- St. Leonard's Society of London (SS-2022-036)

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

c) the approval given, herein, BE CONDITIONAL upon the Corporation entering into Purchase of Service Agreements with each program. (2022-S14)

**Motion Passed**

3. (2.4) Odell Jalna Social Housing Provider Proposal

Motion made by: M. Cassidy

That, on the recommendation of the Deputy City Manager, Planning and Economic Development, the following actions be taken with respect to the staff report dated February 1, 2022, related to the Odell Jalna Social Housing Provider Proposal:

a) the Civic Administration BE DIRECTED to work with the Board of Odell Jalna and the Ministry of Municipal Affairs to advance the provider's proposal; and,

b) the Civic Administration BE DIRECTED to re-invest the anticipated future tax levy supported mortgage subsidy savings related to the Odell Jalna portfolio to address the long-term financial stability of the Odell Jalna portfolio; it being noted that the communication, dated January 27, 2022, from C. Sprovieri, Odell-Jalna Residences of London, with respect to this matter, was received. (2022-S04)

**Motion Passed**

4. (2.1) Single Source Award Recommendation for Housing Stability Service Programs Including Outreach, Emergency Shelter and Housing Stability Bank

Motion made by: M. Cassidy

That, on the recommendation of the Deputy City Manager, Social and Health Development, the following actions be taken with respect to the staff report dated February 1, 2022, related to a Single Source Award Recommendation for Housing Stability Service Programs including Outreach, Emergency Shelter and Housing Stability Bank:

a) single source procurements BE ACCEPTED, at a total estimated cost of \$9,890,000 (excluding HST), for the period of April 1, 2022, to March 31, 2023, with the opportunity to extend for four (4) additional one (1) year terms, to administer Housing Stability Services Emergency Shelter and Housing Stability Bank and Outreach programs, as per The Corporation of the City of London's Procurement Policy Section 14.4 d), to the following providers:

- Men's Mission Emergency Shelter (SS-2022-021)
- Salvation Army Centre of Hope Emergency Shelter (SS-2022-022)
- Rotholme Family Emergency Shelter (SS-2022-023)
- Unity Project Emergency Shelter (SS-2022-024)
- Youth Opportunities Emergency Shelter (SS-2022-025)
- London Cares Homeless Response Services Outreach Program (SS-2022-026)
- The Salvation Army Centre of Hope Housing Stability Bank Program (SS-2022-027)

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

c) the approval given, herein, BE CONDITIONAL upon the Corporation entering into Purchase of Service Agreements with each program; it being noted that the communication, dated January 23, 2022, the presentation, dated February 1, 2022, and the verbal delegation from P. Rozeluk, Mission Services of London and the communication, dated January 21, 2022 and the verbal delegation from J. DeActis, Centre of Hope London, with respect to this matter, were received. (2022-S11)

**Motion Passed**

5. (2.3) End of Mortgage (EOM) and End of Operating Agreement (EOA) Impacts and Analysis

Motion made by: M. Cassidy

That, on the recommendation of the Deputy City Manager, Planning and Economic Development, the following actions be taken with respect to the staff report dated February 1, 2022, related to the End of Mortgage (EOM) and End of Operating Agreement (EOA) Impacts and Analysis:

- a) the above-noted staff report BE RECEIVED;
- b) the Civic Administration BE DIRECTED to re-invest any anticipated future municipal mortgage subsidy savings in the social housing portfolio to address the long-term financial sustainability of the portfolio; and
- c) the Mayor BE REQUESTED to send a letter to the Minister of Municipal Affairs and Housing on behalf of the City Council, to:
  - request continued provincial partnership and investment in existing community housing;
  - highlight Council's recent significant investment commitments in housing with the need for additional provincial support; and,
  - communicate the need to receive the new Housing Services Act regulatory Exit and Service Agreement framework as early as possible to develop strategies to address challenges facing the sector;

it being noted that the Civic Administration will continue to examine alternative and innovative solutions to the challenge of maintaining social housing units due to EOM/EOA;

it being further noted that the communication, dated February 1, 2022, from M. Carlson, Birch Housing, with respect to this matter, was received. (2022-S04)

**Motion Passed**

6. (5.1) Deferred Matters List

Motion made by: M. Cassidy

That the Deferred Matters List for the Community and Protective Services Committee, as at January 24, 2022, BE RECEIVED.

**Motion Passed**

8.2 3rd Report of the Corporate Services Committee

Motion made by: S. Lewis

That the 3rd Report of the Corporate Services Committee, BE APPROVED, excluding item 3 (2.2).

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

**Motion Passed (15 to 0)**

1. Disclosures of Pecuniary Interest

Motion made by: S. Lewis

That it BE NOTED that no pecuniary interests were disclosed.

**Motion Passed**

2. (2.1) Banking Services By-laws – Amendments Due to Appointment of New City Clerk (Relates to Bill No.'s 94 and 95)

Motion made by: S. Lewis

That on the recommendation of the Deputy City Manager, Finance Supports, the following actions be taken with respect to various By-Law amendments to implement organizational changes:

a) the proposed by-law as appended to the staff report dated January 31, 2022 as Appendix "A", being "A by-law to amend By-Law A.-7955-83, entitled "A by-law to authorize the Mayor and City Clerk to execute the Resolution Regarding Banking and the Master Client Agreement for Business Client Authorization and any contract or document with the Royal Bank relating to the Ontario Works Royal Bank of Canada Right Pay Reloadable Payment Card Program and to authorize the signing of cheques and the withdrawal or transfer of funds" to reflect the current organizational structure", BE INTRODUCED at the Municipal Council meeting to be held on February 15, 2022; and,

b) the proposed by-law as appended to the staff report dated January 31, 2022 as Appendix "B", being "A by-law to amend By-Law A.-8047-15, entitled "A by-law to approve an Amending Agreement between the Bank of Nova Scotia and the Corporation of the City of London", BE INTRODUCED at the Municipal Council meeting to be held on February 15, 2022.

**Motion Passed**

4. (2.3) Procurement of Goods and Services Policy Revisions Resulting from the Pandemic and Current Business-Related Needs (Relates to Bill No. 93)

Motion made by: S. Lewis

That, on the recommendation of the Deputy City Manager, Finance Supports, the proposed by-law, as appended to the staff report dated January 31, 2022, being a By-Law to amend By-Law No. A.-6151-17, and the revised page included in the added agenda, BE INTRODUCED at the Municipal Council meeting on February 15, 2022, to revise Schedule "C" to By-Law No. A.-6151-17 being the Procurement of Goods and Services Policy, where the following amendments are being recommended;

a) increase the dollar limit from \$3,000,000 to \$6,000,000 for Administrative Awarded Tenders that do not have an irregular result as per Section 13.2 in the Procurement of Goods and Services Policy; and,

b) make minor "housekeeping" revisions necessary in Section 4.6 related to contract amendments, and Sections 19.5 and 19.6 related to organizational titles.

**Motion Passed**

5. (2.4) Assessment Growth for 2022, Changes in Taxable Phase-In Values, and Shifts in Taxation as a Result of Reassessment

Motion made by: S. Lewis

That, on the recommendation of the Deputy City Manager, Finance Supports, the staff report regarding Assessment Growth for 2022, Changes in Taxable Phase-In Values, and Shifts in Taxation as a result of Reassessment BE RECEIVED for information purposes.

**Motion Passed**

6. (4.1) Application - Issuance of Proclamation - Parental Alienation Awareness Day

Motion made by: S. Lewis

That based on the application dated January 10, 2022 from Just Another Parent, April 25, 2022 BE RECEIVED and NO ACTION be taken.

**Motion Passed**

7. (5.1) Corporate Services Committee Deferred Matters List

Motion made by: S. Lewis

That the Corporate Services Committee Deferred Matters List as of January 24, 2022 BE RECEIVED.

**Motion Passed**

3. (2.2) Considerations and Viability to Implement a Vacant Home Tax in London

At 4:37 PM, the Mayor places Councillor J. Morgan in the Chair.

At 4:41 PM, the Mayor resumes the Chair.

Motion made by: M. Cassidy

Seconded by: S. Lewis

That part b) BE AMENDED to read as follows:

"b) That Civic Administration BE DIRECTED to begin a Request for Proposal (RFP) for consultant services to study and validate the number of vacant residential properties in London and report back on the scope of the problem and potential mitigation measures to a future meeting of Corporate Services Committee;"

Yeas: (13): M. van Holst, S. Lewis, M. Salih, J. Helmer, M. Cassidy, M. Hamou, J. Morgan, S. Lehman, A. Hopkins, S. Turner, E. Pelozo, J. Fyfe-Millar, and S. Hillier

Nays: (2): Mayor E. Holder, and P. Van Meerbergen

**Motion Passed (13 to 2)**

Motion made by: S. Lewis

Seconded by: M. Cassidy

Clause 2.2, as amended, excluding part b)

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

**Motion Passed (15 to 0)**

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

That part b), of clause 2.2, as amended BE APPROVED.

Yeas: (11): S. Lewis, M. Salih, J. Helmer, M. Cassidy, M. Hamou, J. Morgan, S. Lehman, A. Hopkins, E. Pelozza, J. Fyfe-Millar, and S. Hillier

Nays: (4): Mayor E. Holder, M. van Holst, P. Van Meerbergen, and S. Turner

**Motion Passed (11 to 4)**

Clause 2.2, as amended, reads as follows:

That, on the recommendation of the Deputy City Manager, Finance Supports, the following actions be taken with respect to the consideration to implement a vacant home tax in London:

a) the staff report dated January 31, 2022, "Considerations and Viability to Implement a Vacant Home Tax in London BE RECEIVED for information;

b) that Civic Administration BE DIRECTED to begin a Request for Proposal (RFP) for consultant services to study and validate the number of vacant residential properties in London and report back on the scope of the problem and potential mitigation measures to a future meeting of Corporate Services Committee;

c) that Civic Administration BE DIRECTED to continue to monitor implementation, execution, and experience of other Ontario municipalities of this tax;

it being noted that the Corporate Services Committee received a communication dated January 27, 2022 from M. Laliberte, Staff Lawyer, Neighbourhood Legal Services and J. Thompson, Executive Director, LIFE\*SPIN with respect to this matter.

### 8.3 3rd Report of the Civic Works Committee

Motion made by: E. Pelozza

That the 3rd Report of the Civic Works Committee BE APPROVED.

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

**Motion Passed (15 to 0)**

#### 1. Disclosures of Pecuniary Interests

Motion made by: E. Pelozza



That it BE NOTED that no pecuniary interests were disclosed.

**Motion Passed**

2. (2.1) Wastewater Treatment Operations Master Plan - Notice of Completion

Motion made by: E. Pelosa

That, on the recommendation of Deputy City Manager, Environment and Infrastructure, the following actions be taken with respect to the staff report dated February 1, 2022, related to the Wastewater Treatment Operations Master Plan:

a) the Notice of Completion BE FILED with the Municipal Clerk; and,

b) the Wastewater Treatment Operations Master Plan report BE PLACED on public record for a 30-day review period; it being noted that the recommended implementation plan presented in the Wastewater Treatment Operations Master Plan will not be formally approved and endorsed until the following 30-day public review period and following responses to any comments received in accordance with the Master Planning process; it being further noted that the pace for advancing the projects recommended through this Master Plan will be addressed through existing programs and budgets and Council's decisions through the upcoming 2024-2028 multi-year budget process. (2022-E03)

**Motion Passed**

3. (2.2) Sole Source - Organic Rankine Cycle Equipment Service Contract

Motion made by: E. Pelosa

That, on the recommendation of the Deputy City Manager, Environment and Infrastructure, the following actions be taken with respect to the staff report dated February 1, 2022, related to the award of a service contract for the maintenance of the Organic Rankine Cycle Equipment package at Greenway Wastewater Treatment Plant:

a) Turboden S.p.A., BE AWARDED a sole source service contract for the Greenway Organic Rankine Cycle system, in the amount of €39,000.00 per year, excluding HST, plus allowance for inflation as described, for a five-year term, in accordance with Section 14.3 (c) and 14.5 (a)(ii) of the City of London's Procurement of Goods and Services Policy;

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

c) the approvals given, herein, BE CONDITIONAL upon the Corporation entering into a formal contract; and,

d) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2022-E07)

**Motion Passed**

4. (2.3) Amending Agreement to the Services Agreement Between Partner Municipalities and the Ontario Clean Water Agency for Contracted Operations at the Elgin-Middlesex Pumping Station (Relates to Bill No.'s 92 and 113)

Motion made by: E. Pelosa

That, on the recommendation of the Director, Water, Wastewater and Stormwater, the following actions be taken with respect to the staff report dated February 1, 2022, related to an Amending Agreement to the existing Services Agreement between the partner municipalities and the Ontario Clean Water Agency for the contracted operation of the Elgin-Middlesex Pumping Station:

- a) the proposed by-law as appended to the above-noted staff report BE INTRODUCED at the Municipal Council meeting to be held on February 15, 2022, to approve an Amending Agreement Between Ontario Clean Water Agency and the Corporation of the City of London, Aylmer Area Secondary Water Supply System Board of Management and the St. Thomas Area Secondary Water Supply System Board of Management, for the continued contracted operation of the Elgin-Middlesex Pumping Station;
- b) the Mayor and the City Clerk BE AUTHORIZED to execute the Amending Agreement, substantially in the form as appended to the above-noted by-law, and satisfactory to the City Solicitor, and all documents required to fulfill its conditions; and,
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this Amending Agreement;

it being noted that the Boards of Management for both Secondary Water Supply Systems are concurrently undertaking similar actions to enter into this agreement. (2022-E13)

**Motion Passed**

5. (2.4) 2021 Drinking Water Annual Report and Summary Report for the City of London Drinking Water System

Motion made by: E. Pelosa

That, on the recommendation of the Director, Water, Wastewater, and Stormwater, the staff report dated February 1, 2022, related to the 2021 Drinking Water Annual Report and Summary Report for the City of London Drinking Water System BE RECEIVED for information. (2022-E13)

**Motion Passed**

6. (2.5) Area Speed Limit Amendments to the Traffic and Parking By-law (Relates to Bill No. 106)

Motion made by: E. Pelosa

That, on the recommendation of the Deputy City Manager, Environment and Infrastructure, the proposed by-law as appended to the staff report dated February 1, 2022 BE INTRODUCED at the

Municipal Council meeting to be held on February 15, 2022, to amend By-law PS-114 entitled, "A by-law to regulate traffic and the parking of motor vehicles in the City of London". (2022-T08)

**Motion Passed**

7. (2.6) Contract Award: Tender No. 21-109 - Victoria Bridge Replacement

Motion made by: E. Pelosa

That, on the recommendation of the Deputy City Manager, Environment and Infrastructure, the following actions be taken with respect to the staff report dated February 1, 2022, related to the award of contracts for the Victoria Bridge Replacement Project (Tender No. 21-109):

- a) the bid submitted by McLean Taylor Construction Limited at its tendered price of \$22,771,238.28, excluding HST, for the Victoria Bridge Replacement Project, BE ACCEPTED; it being noted that the bid submitted by McLean Taylor Construction Limited was the lowest of eight bids received and meets the City's specifications and requirements in all areas;
- b) AECOM Canada Limited BE AUTHORIZED to carry out the resident inspection and contract administration for this project at an upset amount of \$1,740,991.00 excluding HST, in accordance with Section 15.2 (g) of the City of London Procurement of Goods and Services Policy;
- c) the financing for this project BE APPROVED as set out in the Sources of Financing Report as appended to the above-noted staff report;
- d) the Civic Administration BE AUTHORIZED to undertake all administrative acts that are necessary in connection with this project;
- e) the approvals given, herein, BE CONDITIONAL upon the Corporation entering into a formal contract, or issuing a purchase order for the work to be done relating to this project (Tender 21-109); 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. (2022-T10)

**Motion Passed**

8. (2.7) Contract Award: Tender No. 21-117 - East London Link and Municipal Infrastructure Improvements Phase 1

Motion made by: E. Pelosa

That, on the recommendation of the Deputy City Manager, Environment and Infrastructure, the following actions be taken with respect to the staff report dated February 1, 2022, related to the award of contracts for the East London Link and Municipal Infrastructure Improvements Phase 1 project:

- a) the bid submitted by Bre-Ex Construction Inc. at its tendered price of \$20,887,870.36, excluding HST, for the East London Link and Municipal Infrastructure Improvements Phase 1 project, BE ACCEPTED; it being noted that the bid submitted by Bre-Ex Construction Inc. was the lowest of 5 bids received and meets the City's specifications and requirements in all areas;
- b) AECOM Canada Ltd. BE AUTHORIZED to carry out the resident inspection and contract administration for the said project in accordance with the estimate, on file, at an upset amount of \$1,565,255.00, excluding HST, in accordance with Section 15.2 (g) of the City of London's Procurement of Goods and Services Policy;
- c) the financing for this project BE APPROVED as set out in the Sources of Financing Report as appended to the above-noted staff report;
- d) the Civic Administration BE AUTHORIZED to undertake all administrative acts that are necessary in connection with this project;
- e) the approvals given, herein, BE CONDITIONAL upon the Corporation entering into a formal contract, or issuing a purchase order for the material to be supplied and the work to be done, relating to this project (Tender 21-117); 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. (2022-T10)

**Motion Passed**

9. (2.8) Exclusion of H.I.R.A. Limited from the City of London's Bidding and Tender Processes

Motion made by: E. Pelosa

That, on the recommendation of the Deputy City Manager, Environment and Infrastructure, the following actions be taken with respect to staff report dated February 1, 2022, related to an outstanding legal action against the City of London:

- a) H.I.R.A. Limited BE EXCLUDED from any City of London bidding opportunities until such time as they are no longer in litigation against the City of London in accordance with Section 19.6 of the City of London's Procurement of Goods and Services Policy; and,
- b) the balance of this report BE RECEIVED for information. (2022-E03)

**Motion Passed**

10. (5.1) Deferred Matters List

Motion made by: E. Pelosa

That the Civic Works Committee Deferred Matters List as at January 24, 2022, BE RECEIVED.

**Motion Passed**

11. (5.2) 2nd Report of the Cycling Advisory Committee

Motion made by: E. Pelosa

That the 2nd Report of the Cycling Advisory Committee, from its meeting held on January 19, 2022, BE RECEIVED

**Motion Passed**

12. (5.3) Municipal Drain Petitions - Scotland Farms

Motion made by: E. Pelosa

That, on the recommendation of the Deputy City Manager, Environment and Infrastructure, the following actions be taken with respect to the staff report dated February 1, 2022, related to the municipal drain petitions for Scotland Farms:

- a) the petitions for two new Municipal Drains to be located at 2657 Scotland Drive (Lot 14 and 15) to benefit the drainage of the east and west sides of the property BE ACCEPTED by the Council of the Corporation of the City of London under Section 5 of the Drainage Act; and,
- b) Mike DeVos, P.Eng. of Spriet Associates London Limited BE APPOINTED under Section 8 of the Drainage Act to complete a report for the new drains.

**Motion Passed**

- 8.5 3rd Report of the Planning and Environment Committee

Motion made by: A. Hopkins

That the 3rd Report of the Planning and Environment Committee BE APPROVED.

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

**Motion Passed (15 to 0)**

1. Disclosures of Pecuniary Interests

Motion made by: A. Hopkins

That it BE NOTED that no pecuniary interests were disclosed.

**Motion Passed**

2. (2.1) 2nd Report of the Environmental and Ecological Planning Advisory Committee

Motion made by: A. Hopkins

That, the following actions be taken with respect to the 2nd Report of the Environmental and Ecological Planning Advisory Committee, from its meeting held on January 20, 2022:

- a) the Working Group report relating to the property located at 4519 Colonel Talbot Road BE REFERRED to the Civic Administration for consideration; and,
- b) clauses 1.1, 2.1 and 2.2, inclusive, 3.1, 4.2 and 5.1 to 5.5, inclusive, BE RECEIVED for information.

**Motion Passed**

- 3. (2.2) 3425 Grand Oak Crossing (H-9414) (Relates to Bill No. 114)

Motion made by: A. Hopkins

That, on the recommendation of the Director, Planning and Development, based on the application by 2219008 Ontario Limited (York Developments), relating to the property located at 3425 Grand Oak Crossing, the proposed by-law appended to the staff report dated January 31, 2022, as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on February 15, 2022, to amend Zoning By-law No. Z.-1, (in conformity with the 1989 Official Plan), to change the zoning of the subject property FROM a Holding Residential R6 Special Provision (h\*h-100\*h-198\*R6-5(43)) Zone TO a Residential R6 Special Provision Zone (R6-5(43)). (2022-D09)

**Motion Passed**

- 4. (3.1) Housekeeping Amendment to Secondary Plans (O-9346) (Relates to Bill No.'s 98, 99, 100, 101 and 102)

Motion made by: A. Hopkins

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to housekeeping amendments to approved Secondary Plans:

- a) the proposed by-law appended to the staff report dated January 31, 2022 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on February 15, 2022 to AMEND the McCormick Area Secondary Plan, to DELETE references to the 1989 Official Plan and to ADD references to The London Plan;
- b) the proposed by-law appended to the staff report dated January 31, 2022 as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on February 15, 2022 to AMEND the Old Victoria Hospital Lands Secondary Plan, to DELETE references to the 1989 Official Plan and to ADD references to The London Plan;
- c) the proposed by-law appended to the staff report dated January 31, 2022 as Appendix "C" BE INTRODUCED at the Municipal Council meeting to be held on February 15, 2022 to AMEND the Riverbend South Secondary Plan, to DELETE references to the 1989 Official Plan and to ADD references to The London Plan;
- d) the proposed by-law appended to the staff report dated January 31, 2022 as Appendix "D" BE INTRODUCED at the

Municipal Council meeting to be held on February 15, 2022 to AMEND the Old East Village Dundas Street Corridor Secondary Plan, to DELETE references to the 1989 Official Plan and to ADD references to The London Plan;

e) the proposed by-law appended to the staff report dated January 31, 2022 as Appendix "E" BE INTRODUCED at the Municipal Council meeting to be held on February 15, 2022 to AMEND the Beaufort/Irwin/Gunn/ Saunby (BIGS) Neighbourhood Secondary Plan, to DELETE references to the 1989 Official Plan and to ADD references to The London Plan; and,

f) the Civic Administration BE DIRECTED to report back at a future meeting of the Planning and Environment Committee with an in-depth review of the Southwest Area Secondary Plan to consider the potential for broader changes; it being noted that changes to the London Psychiatric Hospital Secondary Plan will be addressed through Official Plan and Zoning By-law amendment (OZ-9328);

it being pointed out that the Planning and Environment Committee reviewed and received a communication dated January 28, 2022, from L. Logan, Vice-President, Operations and Finance, Western University, with respect to this matter;

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

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

- the purpose and effect of the recommended action is to update Secondary Plans to reflect the transition from the 1989 Official Plan to The London Plan. The recommended action will assist in the interpretation and implementation of the Secondary Plans in conjunction with The London Plan and to improve clarity and consistency of policies and maps in the Plans. (2022-D08)

### **Motion Passed**

5. (3.2) 3207 Woodhull Road (O-9429/Z-9430) (Relates to Bill No.'s 103 and 115)

Motion made by: A. Hopkins

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application by Karen and Eric Auzins, relating to the property located at 3207 Woodhull Road:

a) the proposed by-law appended to the staff report dated January 31, 2022 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on February 15, 2022 to amend The London Plan to change the designation of a portion of the subject lands FROM a Farmland Place Type TO a Green Space Place Type on Map 1 – Place Types, and to change the identification and delineation of natural heritage features on a portion of the subject lands FROM a Potential Environmentally Significant Area TO an Environmentally Significant Area on Map 5 – Natural Heritage;

b) the proposed by-law appended to the staff report dated January 31, 2022 as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on February 15, 2022 to amend Zoning By-law No. Z.-1, (in conformity with The London Plan as amended in part a) above), to change the zoning of the subject lands proposed to be severed FROM a Holding Open Space (h-2\*OS4) Zone, an Agricultural (AG2) Zone and an Environmental Review (ER) Zone TO an Open Space Special Provision (OS5(\*)) Zone, and to change the zoning of the lands proposed to be retained FROM an Agricultural (AG2) Zone, a Holding Open Space (h-2\*OS4) Zone and an Environmental Review (ER) Zone TO an Agricultural Special Provision (AG2(\_)) Zone, a Holding Agricultural Special Provision (h-\_\*AG2(\_)) Zone, an Open Space Special Provision (OS5(\*\*)) Zone and an Environmental Review (ER) Zone;

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

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

- the recommended amendment is consistent with the Provincial Policy Statement, 2020;
- the recommended amendment conforms to the in-force policies of The London Plan, including but not limited to the Key Directions, Farmland and Green Space Place Types, and Natural Heritage Features and Hazards; and,
- the recommended changes to Maps 1 and 5 of The London Plan support the conservation and protection of environmentally significant features and functions over the long-term. (2022-D09)

### **Motion Passed**

6. (3.3) 755-785 Wonderland Road South (O-9409/Z-9410) (Relates to Bill No.'s 96 and 116)

Motion made by: A. Hopkins

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the applications by The Corporation of the City of London and McCorr Management (East) Inc., relating to the property located at 755-785 Wonderland Road South:

a) the proposed by-law appended to the staff report dated January 31, 2022 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on February 15, 2022 to amend the 1989 Official Plan by ADDING a policy to section 10.1.3 – Policies for Specific Areas;

b) the proposed by-law appended to the staff report dated January 31, 2022 as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on February 15, 2022 to amend Zoning By-law No. Z.-1, (in conformity with the 1989 Official Plan, as amended in part a) above), to change the zoning of the subject property FROM a Regional Shopping Area Special Provision (RSA2(2)) Zone TO a Regional Shopping Area Special Provision (RSA2(\_)) Zone;

it being pointed out that the Planning and Environment Committee reviewed and received a staff presentation with respect to this



matter;

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

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

- the recommended amendment is consistent with the Provincial Policy Statement, 2020;
- the recommended amendment conforms to the in-force policies of the 1989 Official Plan, including but not limited to the criteria for Specific Area Policies and Planning Impact Analysis;
- the recommended amendment conforms to the in-force policies of The London Plan, including but not limited to the Key Directions and Shopping Area Place Type;
- the recommended amendment would permit a new use that is appropriate within the surrounding context ; and,
- the recommended amendment would repurpose existing vacant and underutilized building stock and would provide convenient access to services for dog owners in the urban area of the city, thereby reducing the length and number of vehicle trips. (2022-D09)

#### **Motion Passed**

7. (3.4) 345 Sylvan Street (SPA21-112)

Motion made by: A. Hopkins

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

- a) the Approval Authority BE ADVISED that the following issues were raised at the public meeting with respect to the application for Site Plan Approval to permit the construction of a 42-unit apartment building:
- i) lighting;
  - ii) board on board wooden fence instead of the proposed chain link fence;
  - iii) loss of privacy;
  - iv) evergreen trees instead of the proposed deciduous trees and requesting maintenance of existing trees on the lot; and,
  - v) movement through the lot with quick ingress and egress; and,
- b) the Approval Authority BE ADVISED that the Municipal Council advised of the following issues with respect to the Site Plan Application, and that the Municipal Council supports the Site Plan Application:
- i) a six foot board on board wooden fence with one foot of lattice on top instead of the proposed chain link fence; and,
  - ii) fir trees and requesting maintenance of existing trees on the lot;

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

- a communication dated January 14, 2022 from J. Lanys, by e-mail;
- a communication dated January 16, 2022 from K. Busche, by e-mail;
- a communication dated January 16, 2022 from L. Gosnell, by e-mail;
- a communication dated January 17, 2022 from A. Sworik, by e-mail;
- a communication dated January 19, 2022 from D. Gosnell; and,
- the staff presentation;

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

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

- the proposed Site Plan is consistent with the Provincial Policy Statement, 2020, 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 Low 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 conforms to the regulations of the Site Plan Control By-law. (2022-D09)

**Motion Passed**

8. (4.1) Secondary Plan for Meadowlilly Road Area

Motion made by: A. Hopkins

That the communication dated January 4, 2022, from J. Crockett, President, Friends of Meadowlilly Woods Community Association, with respect to the request for a Secondary Plan for the Meadowlilly Road Area BE RECEIVED for information. (2022-D09)

**Motion Passed**

8.6 4th Report of the Planning and Environment Committee

At 5:03 PM, the Mayor places Councillor J. Morgan in the Chair.

At 5:05 PM, the Mayor resumes the Chair.

Motion made by: A. Hopkins

That the 4th Report of the Planning and Environment Committee BE APPROVED.

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

**Motion Passed (15 to 0)**

1. Disclosures of Pecuniary Interest

Motion made by: A. Hopkins

That it BE NOTED that no pecuniary interests were disclosed.

**Motion Passed**

2. (2.1) 2021 Annual Development Report

Motion made by: A. Hopkins

That the staff report dated February 7, 2022 entitled "2021 Annual Development Report" BE RECEIVED for information;

it being noted that the Planning and Environment Committee reviewed and received a communication dated February 3, 2022, from C. Butler, 863 Waterloo Street, with respect to this matter. (2022-A23)

**Motion Passed**

3. (2.2) 2624 Jackson Road and 1635 Commissioners Road East (H-9445) (Relates to Bill No. 117)

Motion made by: A. Hopkins

That, on the recommendation of the Director, Planning and Development, based on the application by Drewlo Holdings Inc., relating to lands located at 2624 Jackson Road and 1635 Commissioners Road East, the proposed by-law appended to the staff report dated February 7, 2022 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on February 15, 2022 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a Holding Residential R1 (h•h-100•R1-4) Zone and a Holding Residential R1 Special Provision (h•h-100•R1-13(8)) Zone TO a Residential R1 (R1-4) Zone and a Residential R1 Special Provision (R1-13(8)) Zone to remove the h and h-100 holding provisions. (2022-D09)

**Motion Passed**

4. (2.3) 751 Fanshawe Park Road West (H-9448) (Relates to Bill No. 118)

Motion made by: A. Hopkins

That, on the recommendation of the Director, Planning and Development, based on the application by MTE Consultants Inc., relating to portion of lands located southwest of corner of Sunningdale Road West and Wonderland Road North (formerly known as 751 Fanshawe Park Road West), the proposed by-law appended to the staff report dated February 7, 2022 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on February 15, 2022 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a Holding Residential R1 (h•R1-4) Zone, a Holding Residential R5/R6 (h•R5-2/R6-4) and an Open Space (OS) Zone TO a Residential R1 (R1-4) Zone, Holding Residential

R5/R6 (h•R5-2/R6-4) and an Open Space (OS1) Zone to remove the h holding provision. (2022-D09)

**Motion Passed**

5. (2.4) 1750 Finley Crescent (P-9369) (Relates to Bill No. 104)

Motion made by: A. Hopkins

That, on the recommendation of the Director, Planning and Development, with respect to the application by Kenmore Homes (London) Inc., the ~~attached~~ proposed by-law BE INTRODUCED at the Municipal Council meeting on February 15, 2022 to exempt Block 101, Plan 33M-733 from the Part-Lot Control provisions of Subsection 50(5) of the Planning Act, for a period not exceeding three (3) years. (2022-D25)

**Motion Passed**

6. (3.1) 2624 Jackson Road and 1635 Commissioners Road East (Z-9449) (Relates to Bill No. 119)

Motion made by: A. Hopkins

That, on the recommendation of the Director, Planning and Development, with respect to the application by Drewlo Holdings Inc., relating to lands located within the Parker Jackson Subdivision – Phase 1, known municipally as 2624 Jackson Road and 1635 Commissioners Road East, the proposed by-law appended to the staff report dated February 7, 2022 as Appendix 'A' BE INTRODUCED at the Municipal Council meeting to be held on February 15, 2022 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a Holding Residential R1 (h•h-100•R1-4) Zone TO a Residential R1 (R1-3) Zone;

it being noted that no individuals spoke at the public participation meeting associated with these matters;

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

- the conditions for removing the holding (h & h-100) provisions have been met and the recommended amendment will allow development of single detached dwellings in compliance with the Zoning By-law;
- subdivision security has been posted with the City in accordance with City policy, and the Subdivision Agreement for Phase 1 has been executed by the applicant and the City; and,
- provision has been made for a looped watermain system to ensure adequate water service, as well as provision for a second public road access to the satisfaction of the City. (2022-D07)

**Motion Passed**

7. (3.2) 475 Grey Street (OZ-9406) (Relates to Bill No.'s 97 and 120)

Motion made by: A. Hopkins

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the

application by 2810645 Ontario Inc., relating to the property located at 475 Grey Street:

a) the proposed by-law appended to the staff report dated February 7, 2022 as Appendix "A" BE INTRODUCED at the Municipal Council meeting on February 15, 2022, to amend the 1989 Official Plan for the City of London Planning Area by ADDING a policy to Chapter 10, Policies for Specific Areas, to permit a maximum residential density of 96 units per hectare (UPH) in the form of stacked townhouses to align the 1989 Official Plan policies with the Neighbourhoods Place Type policies of The London Plan; and,

b) the proposed by-law appended to the staff report dated February 7, 2022 as Appendix "B" BE INTRODUCED at the Municipal Council meeting on February 15, 2022, to amend Zoning By-law No. Z.-1, (in conformity with the 1989 Official Plan as amended in part a) above), to change the zoning of the subject property FROM a Residential R2 Zone TO a Residential R8 Special Provision (R8-4(\_)) Zone;

it being noted that the Planning and Environment Committee reviewed and received a communication dated February 4, 2022 from S. Jones, by e-mail, with respect to this matter;

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

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

- the recommended amendment is consistent with the Provincial Policy Statement (PPS), 2020, which encourages the regeneration of settlement areas, opportunities for intensification and redevelopment, and higher density residential development within transit supportive areas. The PPS directs municipalities to permit all forms of housing required to meet the needs of all residents, present and future;
- the recommended amendment to Zoning By-law Z.-1 conforms to the Residential Intensification policies and the Infill Housing and Conversion of Non-Residential Buildings policies of the 1989 Official Plan, and criteria for Policies for Specific Residential Areas which allow Council to address intensification opportunities through specific policies which provide additional guidance to the general Residential policies;
- the recommended amendment to Zoning By-law Z.-1 conforms to the in-force policies of the Neighbourhoods Place Type policies of The London Plan and implements Key Directions of The London Plan;
- the re-use of the subject land supports Council's commitment to reducing and mitigating climate change by making efficient use of existing infrastructure and focusing intensification and growth in already developed areas; and,
- the subject lands are an appropriate location for residential infill and intensification in a stacked townhouse form. The recommended amendments are consistent with and appropriate for the site and surrounding context. (2022-D07)

**Motion Passed**

8. (3.3) 346, 370 and 392 South Street & 351, 373 and 385 Hill Street  
(Relates to Bill No. 105)

Motion made by: A. Hopkins

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application by Vision SoHo Alliance, relating to the properties located at 346, 370 and 392 South Street and 351, 373 and 385 Hill Street:

a) the Approval Authority BE ADVISED that no issues were raised at the public meeting with respect to the application for Draft Plan of Vacant Land Condominium relating to a property located at 346, 370 and 392 South Street and 351, 373 and 385 Hill Street; and,

b) the Approval Authority BE ADVISED that the Municipal Council has no issues with respect to the Site Plan Approval application and the Municipal Council supports the Site Plan Approval application relating to the property located at 346, 370 and 392 South Street and 351, 373 and 385 Hill Street;

it being noted that the Planning and Environment Committee reviewed and received the staff presentation with respect to these matters;

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

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

- the proposed Vacant Land Condominium is consistent with the Provincial Policy Statement, which directs new development to designated growth areas and areas adjacent to existing development;
- the proposed Vacant Land Condominium conforms to the in-force policies of The London Plan including but not limited to Our Tools, Key Directions, and the Neighbourhoods Place Type policies; and,
- the proposed Vacant Land Condominium conforms to the in-force policies of the 1989 Official Plan, including but not limited to the Multi-Family, High Density Residential Designation and will implement an appropriate form of residential development for the site. (2022-D07)

**Motion Passed**

9. (4.1) Inclusionary Zoning

Motion made by: A. Hopkins

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

a) the preliminary findings of the Inclusionary Zoning Review ~~attached~~ hereto as Appendix "C" BE RECEIVED for information; and

b) the Ministry of Municipal Affairs and Housing BE REQUESTED to consider the City of London Assessment Report evaluating the

potential for, and feasibility of, Inclusionary Zoning on a city-wide basis, incorporating lands outside of the Protected Major Transit Station Areas (PMTSAs) as Inclusionary Zoning eligibility areas;

it being noted that the Minister may prescribe the City of London through Planning Act, R.S.O. 1990, c .P. 13, section 16(4) so that the area where Inclusionary Zoning may potentially be applied incorporates lands outside of the designated PMTSAs;

it being further noted that the request is clause b) above is to broaden the review of the potential new tool of Inclusionary Zoning;

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

- the staff presentation;
- the consultants' presentation;
- a communication dated February 2, 2022, from Mike Wallace, Executive Director, London Development Institute; and,
- a communication dated February 3, 2022, from Jared Zaifman, CEO, London Home Builders' Association;

it being pointed out that the Planning and Environment Committee heard verbal delegations from the following with respect to these matters:

- Mike Wallace, Executive Director, London Development Institute; and,
- Jared Zaifman, CEO, London Home Builders' Association. (2022-D14)

**Motion Passed**

10. (5.1) December, 2021 Building Division Monthly Report

Motion made by: A. Hopkins

That the Building Division Monthly Report for December 2021 BE RECEIVED for information. (2022-A23)

**Motion Passed**

8.4 3rd Report of the Strategic Priorities and Policy Committee

Motion made by: J. Morgan

That the 3rd Report of the Strategic Priorities and Policy Committee BE APPROVED, excluding items 3 (4.1), 5 (4.3), 8 (4.6), 11 (4.9) and 12 (4.10).

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

**Motion Passed (15 to 0)**

1. Disclosures of Pecuniary Interest

Motion made by: J. Morgan

That it BE NOTED that the following pecuniary interests were disclosed:

a) Councillor S. Lehman discloses a pecuniary interest in clause 4.1 having to do with the Core Area Pilot Program involving the London Downtown Business Association (LDBA) and clause 4.6 having to do with the appointment to the LDBA, by indicating he is a member of the LDBA.

b) Councillor P. Van Meerbergen discloses a pecuniary interest in clause 4.9 having to do with the 7th Report of the Governance Working Group and specifically the Childcare Advisory Committee being dissolved, by indicating that his wife owns/operates a childcare business.

**Motion Passed**

2. (2.1) Anonymized Application Review for the London Community Grants Program

Motion made by: J. Morgan

That, on the recommendation of the Deputy City Manager, Neighbourhood and Community-Wide Services, the staff report dated February 8, 2022 regarding an Anonymized Application Review for the London Community Grants Program BE RECEIVED for information.

**Motion Passed**

4. (4.2) Draft Climate Emergency Action Plan

Motion made by: J. Morgan

That, on the recommendation of the Deputy City Manager, Environment & Infrastructure, the following actions be taken with respect to the draft Climate Emergency Action Plan:

a) the draft Climate Emergency Action Plan, as appended to the staff report dated February 8, 2022 as Appendix "A", BE RECEIVED;

b) the draft Climate Emergency Action Plan Foundational Actions, as appended to the staff report dated February 8, 2022 as Appendix "B", BE RECEIVED;

c) the Background Information (Supporting Documents) to Develop the Draft Climate Emergency Action Plan, as appended to the staff report dated February 8, 2022 as Appendix "C", BE RECEIVED for information; and,

d) the Civic Administration BE DIRECTED to hold a public participation meeting at the April 5, 2022 Strategic Priorities and Policy Committee with respect to the draft Climate Emergency Action Plan;

it being noted that the Strategic Priorities and Policy Committee received a presentation from the Director, Climate Change, Environment & Waste Management and a communication dated February 6, 2022 from Councillor M. van Holst with respect to this matter.

**Motion Passed**



6. (4.4) London and Middlesex Community Housing

Motion made by: J. Morgan

That Anne-Marie Mitchell BE APPOINTED to the London & Middlesex Community Housing Board of Directors for the term ending December 31, 2025 (Third Class); it being noted that the Strategic Priorities and Policy Committee received a communication from A. Anderson, Board of Directors, London & Middlesex Community Housing with respect to this matter.

**Motion Passed**

7. (4.5) Consideration of Appointment to the Waste Management Working Group

Motion made by: J. Morgan

That the following BE APPOINTED to the Waste Management Working Group for the term ending November 14, 2022 or when the City's Resource Recovery Plan and Residual Waste Disposal Plan are approved by Council, whichever comes first:

Councillor S. Turner  
Councillor M. van Holst  
Councillor E. Pelosa

**Motion Passed**

9. (4.7) 1st Report of the Diversity, Inclusion and Anti-Oppression Advisory Committee

Motion made by: J. Morgan

That the following actions be taken with respect to the 1st Report of the Diversity, Inclusion and Anti-Oppression Advisory Committee from its meeting held on December 16, 2021:

- a) the communication from L. Poeta with respect to the Canadian Brewhouse Inukshuk BE REFERRED to Civic Administration for their consideration; and
- b) clauses 1.1, 2.1, 2.2, 3.1, 4.1, 4.2, 5.1, 5.2, 5.3, 5.4, 6.1 and 6.3 BE RECEIVED for information.

**Motion Passed**

10. (4.8) 2nd Report of the Diversity, Inclusion and Anti-Oppression Advisory Committee

Motion made by: J. Morgan

That the following actions be taken with respect to the 2nd Report of the Diversity, Inclusion and Anti-Oppression Advisory Committee from its meeting held on January 20, 2022:

- a) the Civic Administration BE REQUESTED to include a template for the Acknowledgement of Indigenous Lands on all future Diversity, Inclusion and Anti-Oppression Advisory Committee Agendas;

it being noted that the meeting was opened with an Acknowledgement of Indigenous Lands by M. Buzzelli; and,

b) clause 1.1, 2.2, 3.1, 4.1, 5.1, 5.2, 5.3, 5.4, 6.1, 6.2, 6.3, 7.1 and 7.2 BE RECEIVED for information.

**Motion Passed**

13. (5.1) Audit and Accountability Fund - Intake 3 - Transfer Payment Agreement and Single Source Contract Award (Relates to Bill No. 91)

Motion made by: J. Morgan

That, on the recommendation of the Deputy City Manager, Planning and Economic Development, the following actions be taken:

- a) the proposed by-law as appended to the staff report dated February 8, 2022 as Appendix "A" BE INTRODUCED at the Municipal Council meeting on February 15, 2022, to:
- i) approve the Ontario Transfer Payment Agreement, appended as Appendix "B" to the proposed by-law, for the Audit and Accountability Fund – Intake 3 (the "Agreement") between Her Majesty the Queen in Right of Ontario as represented by the Minister of Municipal Affairs and Housing and The Corporation of the City of London;
  - ii) authorize the Mayor and the City Clerk to execute the Agreement;
  - iii) delegate authority to the Deputy City Manager, Planning and Economic Development, or their written delegate, to approve further Amending Agreements to the above-noted Transfer Payment Agreement for the Audit and Accountability Fund;
  - iv) authorize the Mayor and Clerk to execute any amending agreements approved by the Deputy City Manager, Planning and Economic Development; and,
  - v) authorize the Deputy City Manager, Planning and Economic Development, or their written delegate, to execute any financial reports required under this Agreement and to undertake all administrative, financial, and reporting acts necessary in connection with the Agreement;
- b) a Single Source Procurement (SS-2022-044) in accordance with section 14.4(e) of the Procurement of Goods and Services Policy BE AWARDED to EZSigma Group, 61 Wellington Street East, Aurora, ON, L4G 1H7, to conduct the Audit and Accountability Fund Intake 3 – Site Plan Resubmission Process Review for the City of London at a cost of up to \$305,280.00 (including HST); and,
- c) the Civic Administration BE AUTHORIZED to undertake all administrative acts that are necessary in connection with this matter.

**Motion Passed**

3. (4.1) Strategy to Reduce Core Area Vacancy - Business Case: Core Area Pilot Program

Motion made by: J. Morgan

That the following actions be taken with respect to the “Strategy to Reduce Core Area Vacancy – Business Case: Core Area Pilot Program”:

- a) the communication dated February 8, 2022 from Planning and Economic Development regarding the Strategy to Reduce Core Area Vacancy - Business Case: Core Area Pilot Program BE RECEIVED;
- b) the funding request by London Economic Development Corporation as presented in the “Business Case: Core Area Pilot Program” BE APPROVED; and,
- c) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required by the City Solicitor, to implement the approved noted in part b) above.

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

Recuse: (1): S. Lehman

**Motion Passed (14 to 0)**

5. (4.3) A London For Everyone: An Action Plan to Disrupt Islamophobia

At 5:10 PM, the Mayor places Councillor J. Morgan in the Chair.

At 5:13 PM, the Mayor resumes the Chair.

Motion made by: J. Morgan

That on the recommendation of the City Manager, the following action be taken with respect to ending Islamophobia in London:

- a) the report of the Anti-Islamophobia Working Group, A London for Everyone: An Action Plan to Disrupt Islamophobia (Action Plan), ~~attached~~ to the staff report dated February 8, 2022 as Appendix "A", BE ENDORSED;
- b) the recommendations of A London for Everyone: An Action Plan to Disrupt Islamophobia which are specifically directed towards the Corporation of the City of London BE ENDORSED;
- c) letters of support, from Community Based and Public Sector organizations and individual members of the Muslim communities, ~~attached~~ to the staff report as Appendix "B", BE RECEIVED;
- d) the members of the London Anti-Islamophobia Working Group BE THANKED for their time and effort in developing recommendations to end Islamophobia in London;
- e) one-time funding of up to \$150,000 BE AUTHORIZED from the Operating Budget Contingency Reserve for the erection of a memorial plaza at the intersection of Hyde Park Road/South Carriage Road, creation of a mural, and establishment of a Community Garden in honour of Our London Family;
- f) the Mayor BE DIRECTED to establish an Anti-Islamophobia Advisory Council/Circle, with appropriate representation of diverse Muslims in London, to meet quarterly with the responsibility to provide oversight for the implementation of the Action Plan recommendations directed to the Corporation of the City of London;

g) the Civic Administration BE DIRECTED to undertake the following actions for accountability and implementation:

i) establish a Muslim Community Liaison Advisor role within the Anti-Racism Anti-Oppression Division with the responsibility of working with community partners and the City of London to implement the recommendations of the Action Plan, it being noted that this position will be funded on a temporary basis within existing budget resources;

ii) continue the work of the Anti-Islamophobia Working Group to provide a forum to update on progress, share best practices and hold each other accountable;

iii) request that the Community Diversity & Inclusion Strategy (CDIS) consider whether Islamophobia should form a distinct priority within the Strategy; and,

iv) create an implementation plan for the Corporation of the City of London actions to end Islamophobia with activities, responsibilities, timelines, measures, and budget requirements (inclusive of additional funding needs) by September 2022;

h) the Civic Administration BE DIRECTED to share the A London for Everyone: An Action Plan to Disrupt Islamophobia with local Provincial and Federal Members of Parliament, the Association of Municipalities of Ontario, and the Federation of Canadian Municipalities;

it being noted that the Strategic Priorities and Policy Committee received a presentation from the Director, Anti-Racism and Anti-Oppression with respect to this matter.

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

**Motion Passed (15 to 0)**

8. (4.6) Appointment to the London Downtown Business Association

Motion made by: J. Morgan

That Councillor J. Fyfe-Millar BE APPOINTED to the London Downtown Business Association for the term ending November 14, 2022; it being noted that the Strategic Priorities and Policy Committee received a communication dated January 20, 2022 from Councillor J. Helmer with respect to this matter.

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

Recuse: (1): S. Lehman

**Motion Passed (14 to 0)**

11. (4.9) 7th Report of the Governance Working Group

Motion made by: J. Morgan

That the following actions be taken with respect to the 7th Report of the Governance Working Group from its meeting held on January 17, 2022:

a) based on the results of the Council-directed Advisory Committee Member consultation, the Governance Working Group (GWG) recommends the following actions be taken:

- i) the ~~attached~~ revised Terms of Reference for the London Community Advisory Committees (LCAC) BE APPROVED for enactment;
- ii) the Civic Administration BE DIRECTED to recruit for the membership appointments for all of the LCACs, included in part a) above, upon Council approval;
- iii) the Civic Administration BE DIRECTED to report back to a future meeting of the GWG with respect to an updated General Terms of Reference for all Advisory Committees to support the approved new structure, including but not limited to the feedback collected from the Advisory Committee consultation with respect to recruitment, term, flexibility in procedure, and reporting;
- iv) an additional round of consultation with the newly established LCACs, once established, BE UNDERTAKEN to identify any additional considerations around operational matters;
- v) the Civic Administration BE DIRECTED to report back to the Strategic Priorities and Policy Committee with a plan to establish a new Housing Committee to assist Council in meeting its goals under the approved municipal budget, the Strategic Plan and the Roadmap to 3000, with the committee include representatives from London and Middlesex Community Housing, community members at large, and relevant housing not-for-profits, organizations, and industry partners;
- vi) the Childcare Advisory Committee BE DISSOLVED and no new related committee be established.

b) clause 1.1 BE RECEIVED for information.

Motion made by: J. Morgan

That all of clause 4.9 BE APPROVED, excluding:

- a) i)
- a) ii)
- a) vi)

That the following actions be taken with respect to the 7th Report of the Governance Working Group from its meeting held on January 17, 2022:

a) based on the results of the Council-directed Advisory Committee Member consultation, the Governance Working Group (GWG) recommends the following actions be taken:

- iii) the Civic Administration BE DIRECTED to report back to a future meeting of the GWG with respect to an updated General Terms of Reference for all Advisory Committees to support the approved new structure, including but not limited to the feedback collected from the Advisory Committee consultation with respect to recruitment, term, flexibility in procedure, and reporting;

iv) an additional round of consultation with the newly established LCACs, once established, BE UNDERTAKEN to identify any additional considerations around operational matters;

v) the Civic Administration BE DIRECTED to report back to the Strategic Priorities and Policy Committee with a plan to establish a new Housing Committee to assist Council in meeting its goals under the approved municipal budget, the Strategic Plan and the Roadmap to 3000, with the committee include representatives from London and Middlesex Community Housing, community members at large, and relevant housing not-for-profits, organizations, and industry partners;

b) clause 1.1 BE RECEIVED for information.

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

**Motion Passed (15 to 0)**

Motion made by: J. Morgan

Parts a) i) and a) ii) of clause 4.9 BE APPROVED.

i) the ~~attached~~ revised Terms of Reference for the London Community Advisory Committees (LCAC) BE APPROVED for enactment;

ii) the Civic Administration BE DIRECTED to recruit for the membership appointments for all of the LCACs, included in part a) above, upon Council approval;

Yeas: (12): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, M. Cassidy, M. Hamou, J. Morgan, S. Lehman, P. Van Meerbergen, E. Peloza, J. Fyfe-Millar, and S. Hillier

Nays: (3): J. Helmer, A. Hopkins, and S. Turner

**Motion Passed (12 to 3)**

Motion made by: J. Morgan

That part a) vi) BE APPROVED:

vi) the Childcare Advisory Committee BE DISSOLVED and no new related committee be established.

Yeas: (13): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, M. Cassidy, M. Hamou, J. Morgan, S. Lehman, A. Hopkins, S. Turner, E. Peloza, J. Fyfe-Millar, and S. Hillier

Nays: (1): J. Helmer

Recuse: (1): P. Van Meerbergen

**Motion Passed (13 to 1)**

12. (4.10) Unique Part-Time Role of Council

Motion made by: J. Morgan

That the Governance Working Group BE REQUESTED to discuss and report back to the Strategic Priorities and Policy Committee with their recommendations about Council continuing as a unique-part-time-role versus transitioning to a unique-full-time-role.

Yeas: (11): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, J. Helmer, M. Cassidy, M. Hamou, J. Morgan, E. Pelozza, J. Fyfe-Millar, and S. Hillier

Nays: (4): S. Lehman, A. Hopkins, P. Van Meerbergen, and S. Turner

**Motion Passed (11 to 4)**

8.7 1st Report of the Audit Committee

Motion made by: J. Morgan

That the 1st Report of the Audit Committee BE APPROVED.

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

**Motion Passed (15 to 0)**

1. (1.1) Disclosures of Pecuniary Interest

Motion made by: J. Morgan

That it BE NOTED that no pecuniary interests were disclosed.

**Motion Passed**

2. (1.2) Election of Vice Chair for the term ending November 14, 2022

Motion made by: J. Morgan

That Councillor Helmer BE APPOINTED as Vice Chair for the term ending November 14, 2022.

**Motion Passed**

3. (3.1) Introduction of MNP - Deepak Jaswal, Senior Manager, Enterprise Risk Services, MNP

Motion made by: J. Morgan

That it BE NOTED that a verbal presentation from D. Jaswal, Senior Manager, Enterprise Risk Services, MNP, G. Rodrigues, Partner, National Leader, Internal Audit, MNP, J. Barbour, Partner, MNP, and P. Racco, Partner, MNP, with respect to an introduction to Internal Audit Services for the City of London, was received.

**Motion Passed**

4. (4.1) Audit Planning Report for the Year Ending December 31, 2021

Motion made by: J. Morgan

That the KPMG LLP Audit Planning Report, for the year ending December 31, 2021, BE APPROVED.

**Motion Passed**

5. (4.2) London Downtown Closed Circuit Television Program for the Year Ending December 31, 2021

Motion made by: J. Morgan

That the KPMG Report on Specified Auditing Procedures for the London Downtown Closed Circuit Television Program, for the year ending December 31, 2021, BE RECEIVED.

**Motion Passed**

6. (4.3) Internal Audit Dashboard as at January 31, 2022

Motion made by: J. Morgan

That the communication from Deloitte, regarding the internal audit dashboard as of January 31, 2022, BE RECEIVED.

**Motion Passed**

7. (4.4) Internal Audit Summary Update

Motion made by: J. Morgan

That the communication dated January 31, 2022, from Deloitte, with respect to the internal audit summary update, BE RECEIVED.

**Motion Passed**

8. (4.5) Observation Summary as at October 22, 2021

Motion made by: J. Morgan

That the Observation Summary from Deloitte, as of October 22, 2021, BE RECEIVED.

**Motion Passed**

9. (4.6) Advanced Traffic Management System (ATMS) Project Review

Motion made by: J. Morgan

That the Internal Audit Report from Deloitte with respect to Advanced Traffic Management System (ATMS) Project Review performed December 2021, issued January 28, 2022, BE RECEIVED.

**Motion Passed**

10. (4.7) Fire Process Assessment



Motion made by: J. Morgan

That the Internal Audit Report from Deloitte with respect to Fire Process Assessment performed November 2021 to January 2022, issued January 28, 2022, BE RECEIVED.

**Motion Passed**

11. (4.8) Fleet Allocation and Utilization Management Assessment

Motion made by: J. Morgan

That the Internal Audit Report from Deloitte with respect to Fleet Allocation and utilization Management Assessment performed November 2021 to January 2022, issued January 28, 2022, BE RECEIVED.

**Motion Passed**

**9. Added Reports**

9.2 (ADDED) 4th Report of the Strategic Priorities and Policy Committee

Motion made by: J. Morgan

That the 4th Report of the Strategic Priorities and Policy Committee BE APPROVED.

Yeas: (15): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, J. Helmer, M. Cassidy, M. Hamou, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelozza, J. Fyfe-Millar, 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) Streamline Development Approval Fund - Transfer Payment Agreement

Motion made by: J. Morgan

That, on the recommendation of the Deputy City Manager, Planning and Economic Development, the following actions be taken:

a) the proposed by-law as appended to the staff report dated February 15, 2022 as Appendix "A" BE INTRODUCED at the Municipal Council meeting on February 15, 2022, to:

i) approve the Ontario Transfer Payment Agreement, attached as Schedule A to the proposed by-law, for the Streamline Development Approval Fund (the "Agreement") between Her Majesty the Queen in Right of Ontario as represented by the

Minister of Municipal Affairs and Housing and The Corporation of the City of London;

- ii) authorize the Mayor and the City Clerk to execute the Agreement;
- iii) delegate authority to the Deputy City Manager, Planning and Economic Development, or their written delegate, to approve further Amending Agreements to the above-noted Transfer Payment Agreement for the Streamline Development Approval Fund;
- iv) authorize the Mayor and Clerk to execute any amending agreements approved by the Deputy City Manager, Planning and Economic Development; and,
- v) authorize the Deputy City Manager, Planning and Economic Development, or their written delegate, to execute any financial reports required under this Agreement and to undertake all administrative, financial, and reporting acts necessary in connection with the Agreement;
- b) 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**

Councillor A. Hopkins enquires with respect to the process for the approvals associated with the Reptilia building permit at Westmount Mall. The Deputy City Manager, Planning and Economic Development provides information to the Council with respect to this matter.

Councillor M. van Holst enquires with respect to downtown street closures over the previous weekend. The City Manager provides information to the Council with respect to this matter.

**12. Emergent Motions**

12.1 Councillor M. Cassidy - Proclamation Request - International Day of the Elimination of Racial Discrimination

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

That pursuant to section 20.2 of the Council Procedure By-law leave BE GIVEN to introduce the following emergent motion related to a request for support from Councillor Cassidy of the application from London & Middlesex Local Immigration Partnership, submitted on February 4, 2022, to proclaim March 21, 2022 "International Day of the Elimination of Racial Discrimination".

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

**Motion Passed (15 to 0)**

Motion made by: M. Cassidy  
Seconded by: M. Hamou

That based on the application from London & Middlesex Local Immigration Partnership, March 21, 2022 BE PROCLAIMED “International Day of the Elimination of Racial Discrimination” day.

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

**Motion Passed (15 to 0)**

**13. By-laws**

Motion made by: E. Pelozza  
Seconded by: M. van Holst

That introduction and first reading of Bill No.’s 90 to 120, and the Added Bill No. 121, BE APPROVED.

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

**Motion Passed (15 to 0)**

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

That second reading of Bill No.’s 90 to 120, and the Added Bill No. 121, BE APPROVED.

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

**Motion Passed (15 to 0)**

Motion made by: M. Hamou  
Seconded by: M. Cassidy

That third reading and enactment of Bill No.’s 90 to 120, and the Added Bill No. 121, BE APPROVED.

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

**Motion Passed (15 to 0)**

**4. Council, In Closed Session**

Motion made by: J. Fyfe-Millar  
Seconded by: E. Pelozza

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

4.1 Solicitor-Client Privileged Advice / Litigation/Potential Litigation

A matter pertaining to advice that is subject to solicitor-client privilege, including communications necessary for that purpose, in connection with the purchase of property and settlement of all potential claims located at 220 Wellington Road South, London; potential litigation with respect to claims by A Team London Inc. in respect of property located at 220 Wellington Road South, London; and directions and instructions to officers and employees or agents of the municipality regarding settlement negotiations in connection with the potential purchase of a property located at 220 Wellington Road South, London. (6.1/3/CSC)

4.2 Solicitor-Client Privileged Advice

A matter pertaining to advice subject to solicitor-client privilege, including communications necessary for that purpose, and advice with respect to litigation with respect to various personal injury and property damage claims against the City. (6.2/3/CSC)

4.3 Personal Matters/Identifiable Individual

A matter pertaining to an identifiable individual; employment-related matters; advice or recommendations of officers and employees of the Corporation, including communications necessary for that purpose and for the purpose of providing instructions and directions to officers and employees of the Corporation. (6.3/3/CSC)

4.4 Litigation / Solicitor-Client Privileged Advice

A matter pertaining to litigation or potential litigation; advice that is subject to solicitor-client privilege, including communications necessary for that purpose from the solicitor and officers and employees of the Corporation with respect to litigation currently before the Superior Court of Justice, Court File No. 2112/19, affecting the municipality in relation to Tender T17-104 Vauxhall WWTP Effluent Pumping Station and Berm. (6.1/3/CWC)

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

A matter pertaining to the security of municipal property; advice that is subject to solicitor-client privilege including communications necessary for that purpose; 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. (6.1/3/SPPC)

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

**Motion Passed (15 to 0)**

The Council convenes in closed session at 5:45 PM with all Members participating.

The Council resumes into public session at 6:28 PM with all Members participating.

**9. Added Reports**

- 9.1 4th Report of Council in Closed Session  
Motion made by: S. Lehman  
Seconded by: J. Fyfe-Millar

1. Property Acquisition, 220 Wellington Road South – Wellington Gateway Project

That, on the recommendation of the City Solicitor's Office the Civic Administration BE DIRECTED to:

- a) offer to purchase the above property and settle all potential claims pursuant to the Expropriation Act on the basis of payment to the registered owner, A Team London Inc., of the total sum of \$1,140,000.00 as full compensation for market value of the land taken, future business losses, disturbance damages and statutory interest, in connection with an acquisition of a commercial property located at 220 Wellington Road South, in the City of London;
- b) offer to settle the legal costs incurred by A Team London Inc., in an amount of up to \$25,000, including disbursements, plus HST, failing which the matter would be referred to assessment by the local assessment officer;
- c) the Mayor and the City Clerk, BE AUTHORIZED to execute an Agreement pursuant to Section 30 of the Expropriations Act between the City and the owner to create the legal framework for the purchase transaction and settlement, all in a form acceptable to the City Solicitor's office, substantially in the form attached as Appendix "C";
- d) the Mayor and the City Clerk, BE AUTHORIZED to execute a lease Agreement between the City and the owner to create the legal framework for the lease by the City of the premises until July 30, 2022, all in a form acceptable to the City Solicitor's office, substantially in the form attached as Appendix "C"; and,
- e) the financing for this settlement BE APPROVED as set out in the Source of Financing attached as Appendix "A".

Yeas: (13): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, J. Helmer, M. Cassidy, M. Hamou, J. Morgan, S. Lehman, A. Hopkins, E. Peloza, J. Fyfe-Millar, and S. Hillier

Nays: (1): P. Van Meerbergen

Recuse: (1): S. Turner

**Motion Passed (13 to 1)**

Motion made by: M. Hamou

Seconded by: J. Fyfe-Millar

That introduction and first reading of Added Bill No. 122, BE APPROVED.

Yeas: (13): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, J. Helmer, M. Cassidy, M. Hamou, J. Morgan, S. Lehman, A. Hopkins, E. Peloza, J. Fyfe-Millar, and S. Hillier

Nays: (1): P. Van Meerbergen

Recuse: (1): S. Turner

**Motion Passed (13 to 1)**

Motion made by: A. Hopkins

Seconded by: E. Peloza

That second reading of Added Bill No. 122, BE APPROVED.

Yeas: (13): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, J. Helmer, M. Cassidy, M. Hamou, J. Morgan, S. Lehman, A. Hopkins, E. Pelozza, J. Fyfe-Millar, and S. Hillier

Nays: (1): P. Van Meerbergen

Recuse: (1): S. Turner

**Motion Passed (13 to 1)**

Motion made by: S. Lehman

Seconded by: E. Pelozza

That third reading and enactment of Added Bill No. 122, BE APPROVED.

Yeas: (13): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, J. Helmer, M. Cassidy, M. Hamou, J. Morgan, S. Lehman, A. Hopkins, E. Pelozza, J. Fyfe-Millar, and S. Hillier

Nays: (1): P. Van Meerbergen

Recuse: (1): S. Turner

**Motion Passed (13 to 1)**

Motion made by: S. Turner

Seconded by: J. Helmer

That introduction and first reading of Added Bill No. 123, BE APPROVED.

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

**Motion Passed (15 to 0)**

Motion made by: S. Lewis

Seconded by: P. Van Meerbergen

That second reading of Added Bill No. 123, BE APPROVED.

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

**Motion Passed (15 to 0)**

Motion made by: S. Lewis

Seconded by: J. Fyfe-Millar

That third reading and enactment of Added Bill No. 123, BE APPROVED.

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

**Motion Passed (15 to 0)**

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

Bill No. 90	By-law No. A.-8215-56 - A by-law to confirm the proceedings of the Council Meeting held on the 15th day of February, 2022. (City Clerk)
Bill No. 91	By-law No. A.-8216-57 - A by-law to approve and authorize the execution of the Ontario Transfer Payment Agreement between Her Majesty the Queen in right of the Province of Ontario, as represented by the Minister of Municipal Affairs and Housing for the Province of Ontario and The Corporation of the City of London for the provision of funding to undertake the Site Plan Resubmission Process Review under this intake of the Audit and Accountability Fund. (5.1/3/SPPC)
Bill No. 92	By-law No. A.-8217-58 - A by-law to approve an Amending Agreement Between Ontario Clean Water Agency and the Corporation of the City of London, Aylmer Area Secondary Water Supply System Board of Management and the St. Thomas Area Secondary Water Supply System Board of Management, for the continued contracted operation of the Elgin-Middlesex Pumping Station. (2.3/3/CWC)
Bill No. 93	By-law No. A.-6151(ae)-59 - A by-law to amend By-law No. A.-6151-17, as amended, being "A by-law to establish policies for the sale and other disposition of land, hiring of employees, procurement of goods and services, public notice, accountability and transparency, and delegation of powers and duties, as required under section 270(1) of the Municipal Act, 2001", by deleting Schedule "C" – Procurement of Goods and Services Policy in its entirety and by replacing it with a new Schedule "C" – Procurement of Goods and Services Policy, to update the Policy, to provide additional clarity and updates (2.3/3/CSC)
Bill No. 94	By-law No. A.-7955(b)-60 - A by-law to amend By-law A.-7955-83, "a bylaw to authorize the Mayor and City Clerk to execute the Resolution Regarding Banking and the Master Client Agreement for Business Client Authorization and any contract or document with the Royal Bank relating to the Ontario Works Royal Bank of Canada Right Pay Reloadable Payment Card Program and to authorize the signing of cheques and the withdrawal or transfer of funds." (2.1a/3/CSC)
Bill No. 95	By-law No. A.-8047(b)-61 - A by-law to amend By-law A.-8047-15, "A bylaw to approve an Amending Agreement between the Bank of Nova Scotia and The Corporation of the City of London." (2.1b/3/CSC)
Bill No. 96	By-law No. C.P.-1284(wq)-62 - A by-law to amend the Official Plan for the City of London, 1989 relating to 755-785 Wonderland Road South. (3.3a/3/PEC)
Bill No. 97	By-law No. C.P.-1284(wr)-63 - A by-law to amend the Official Plan for the City of London, 1989, relating to 475 Grey Street. (3.2a/4/PEC)



Bill No. 98	By-law No. C.P.-1512(aw)-64 - A by-law to amend The London Plan for the City of London, 2016 relating to the McCormick Area Secondary Plan. (3.1a/3/PEC)
Bill No. 99	By-law No. C.P.-1512(ax)-65 - A by-law to amend The London Plan for the City of London, 2016 relating to the Old Victoria Hospital Lands Secondary Plan. (3.1b/3/PEC)
Bill No. 100	By-law No. C.P.-1512(ay)-66 - A by-law to amend The London Plan for the City of London, 2016 relating to the Riverbend South Secondary Plan. (3.1c/3/PEC)
Bill No. 101	By-law No. C.P.-1512(az)-67 - A by-law to amend The London Plan for the City of London, 2016 relating to the Old East Village Dundas Street Corridor Secondary Plan. (3.1d/3/PEC)
Bill No. 102	By-law No. C.P.-1512(ba)-68 - A by-law to amend The London Plan for the City of London, 2016 relating to the Beaufort/Irwin/Gunn/Saunby (BIGS) Neighbourhood Secondary Plan. (3.1e/3/PEC)
Bill No. 103	By-law No. C.P.-1512(bb)-69 - A by-law to amend The London Plan for the City of London, 2016 relating to 3207 Woodhull Road. (3.2a/3/PEC)
Bill No. 104	By-law No. C.P.-1575-70 - A by-law to exempt from Part-Lot Control, lands located at 1750 Finley Crescent, legally described as Block 101 in Registered Plan 33M-733. (2.4/4/PEC)
Bill No. 105	By-law No. L.S.P.-3499-71 - A by-law to designate 370 South Street (Health Services Building) to be of cultural heritage value or interest. (2.9/17/PEC – 2021)
Bill No. 106	By-law No. PS-114-22001 - A by-law to amend By-law PS-114 entitled, “A by-law to regulate traffic and the parking of motor vehicles in the City of London.” (2.5/3/CWC)
Bill No. 107	By-law No. S.-6165-72 - A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Innovation Drive east of Innovation Gate) (Chief Surveyor – for road widening purposes)
Bill No. 108	By-law No. S.-6166-73 - A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to King Edward Avenue and Thompson Road) (Chief Surveyor – for road widening purposes, registered as ER1419534 pursuant to SPA20-054 and in accordance with Z.-1)
Bill No. 109	By-law No. S.-6167-74 - A by-law to lay out, constitute, establish and assume certain reserves in the City of London as public highway. (as part of Kleinburg Drive) (Chief Surveyor – registration of 33M-787 required 0.3m reserve on abutting plan 33M-749 for unobstructed legal access through a subdivision)

Bill No. 110	By-law No. S.-6168-75 - A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Dingman Drive, west of Wellington Road South) (Chief Surveyor – for road widening purposes, registered as ER1403524, pursuant to SPA17-111 and SPA17-117 and in accordance with Z.-1)
Bill No. 111	By-law No. S.-6169-76 - A by-law to lay out, constitute, establish, name, and assume lands in the City of London as public highway. (to be known as Campbell Street North) (Chief Surveyor – to provide road access to new developments)
Bill No. 112	By-law No. W.-5628(a)-77 - A by-law to amend by-law No. W.-5628-283 being “A by-law to authorize the Sunningdale Road Widening, Phase 3 – Richmond to Wonderland (Project No. TS1496-3).” (6.1/2/CSC)
Bill No. 113	By-law No. W.-5681-78 - A by-law to authorize the Kilally South East Basin – SWMF 1 (Project ESSWM-KILSE). (2.3/2/CWC)
Bill No. 114	By-law No. Z.-1-223000 - A by-law to amend By-law No. Z.-1 to remove holding provision from the zoning for lands located at 3425 Grand Oak Crossing. (2.2/3/PEC)
Bill No. 115	By-law No. Z.-1-223001 - A by-law to amend By-law No. Z.-1 to rezone an area of land located at 3207 Woodhull Road. (3.2b/3/PEC)
Bill No. 116	By-law No. Z.-1-223002 - A by-law to amend By-law No. Z.-1 to rezone an area of land located at 755-785 Wonderland Road South. (3.3b/3/PEC)
Bill No. 117	By-law No. Z.-1-223003 - A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at 2624 Jackson Road and 1635 Commissioners Road East. (2.2/4/PEC)
Bill No. 118	By-law No. Z.-1-223004 - A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at southwest of corner of Sunningdale Road West and Wonderland Road North (formerly known as 751 Fanshawe Park Road West). (2.3/4/PEC)
Bill No. 119	By-law No. Z.-1-223005 - A bylaw to amend By-law No. Z.-1 to rezone lands located at 2624 Jackson Road and 1635 Commissioners Road East (Parker Jackson Subdivision – Phase 1). (3.1/4/PEC)
Bill No. 120	By-law No. Z.-1-223006 - A by-law to amend By-law No. Z.-1 to rezone an area of land located at 475 Grey Street. (3.2b/4/PEC)

Bill No. 121	By-law No. A.-8218-79 - A by-law to approve and authorize the execution of the Ontario Transfer Payment Agreement between Her Majesty the Queen in right of the Province of Ontario, as represented by the Minister of Municipal Affairs and Housing for the Province of Ontario and The Corporation of the City of London for the provision of funding under the Streamline Development Approval Fund. (2.1/4/SPPC)
Bill No. 122	By-law No. A.-8219-80 - A by-law to authorize and approve a Section 30 Agreement of Purchase and Sale between The Corporation of the City of London and A Team London Inc., for the acquisition of the property located at 220 Wellington Road, in the City of London, for the Wellington Gateway Project, and to authorize the Mayor and the City Clerk to execute the Agreement. (6.1/3/CSC)
Bill No. 123	By-law No. A.-8220-81 - A by-law to appoint Scott Mathers as Deputy City Manager, Planning and Economic Development and repeal By-law No. A.-8104-155 being "A by-law to appoint George Kotsifas as Deputy City Manager, Planning and Economic Development." (6.3/3/CSC)

**14. Adjournment**

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

That the meeting BE ADJOURNED.

**Motion Passed**

The meeting adjourned at 6:53 PM.

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Ed Holder, Mayor

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Michael Schulthess, City Clerk

## **Appendix “C”**

**AGREEMENT**, made pursuant to Section 30 of the *Expropriations Act*, R.S.O., 1990, c. E. 26

BETWEEN:

**A TEAM LONDON INC.**

-and-

**THE CORPORATION OF THE CITY OF LONDON**

**WHEREAS** The Corporation of the City of London (“the City”) is to undertake work known as the Wellington Gateway Rapid Transit Project, which work will include road widening and improvements to Wellington Road in London (the “Project”);

**AND WHEREAS** A Team London Inc. (“the Owner”) is the registered owner of the lands known municipally as 220 Wellington Road South, London and legally described as Lot 39, Plan 467(4th); London, Ontario, being all of PIN 08358 – 0105 (LT) as more particularly described on the Parcel Register attached hereto as Schedule “A” (the “Subject Property”);

**AND WHEREAS** A Team London Inc. was formerly known as Century 21 First Canadian Corp. A Team Inc. prior to changing its corporate name in July 2021;

**AND WHEREAS** A Team London Inc. (“A Team”) is a business incorporated under the laws of the Province of Ontario;

**AND WHEREAS** the Subject Property is not currently subject to any lease agreement;

**AND WHEREAS** the Subject Property is not the Owner’s residence;

**AND WHEREAS** the City requires the Subject Property in fee simple to facilitate the Project;

**AND WHEREAS** the Owner is prepared to agree to the acquisition of the Subject Property in fee simple (the "Acquisition") in order to avoid the necessity of a formal expropriation proceeding;

**NOW THEREFORE**, in consideration of payment of the sum of ONE DOLLAR (\$1.00) paid by each of the parties hereto to the other, the receipt and sufficiency of which is hereby acknowledged and for other good and valuable consideration and mutual covenants set out below, the parties agree as follows:

1. The parties agree and warrant that the above recitals are true.
2. Subject to paragraph 4, the Owner agrees to convey, and the City agrees to acquire the fee simple interest in the Subject Property free from all restrictions and encumbrances,
3. The closing date of this transaction shall be March 14, 2022 ("Closing Date").
4. The Owner shall discharge any interest, lien or charge registered on title to the Subject Property on or before the Closing Date, save and except as may be permitted under this agreement which the City agrees to accept in writing following the completion of its title search.
5. The City agrees to pay to the Owner, on the Closing Date:
  - a) EIGHT HUNDRED THIRTY-FIVE THOUSAND dollars (\$835,000.00), in full and final compensation for the fair market value of the fee simple interest in the Subject Property ("Closing Payment"), and,
  - b) THREE HUNDRED FIVE THOUSAND DOLLARS (\$305 000.00) in full and final compensation for the Owner's outstanding claims available under the *Expropriations Act*, including disturbance damages relating to the acquisition of the Subject Property ("Damages Payment").

6. The City covenants and agrees with the Owner to pay the Closing Payment and the Damages Payment on the date and in the manner specified in this Agreement and to otherwise observe, perform and comply with the covenants, conditions, terms and provisions of this Agreement.
7. On the Closing Date, taxes if any, shall be adjusted and the City and the Owner agree to enter into a readjustment agreement providing for readjustment of any error or omissions in the statement of adjustment or any necessary changes in the statement of adjustments in respect of any item which was estimated for closing purposes. The parties agree that such readjustment shall take place as soon as reasonably practical after closing.
8. Provided that title to the Subject Property is good and free and clear from all encumbrances except as otherwise provided in paragraph 2 above, the City is not to call for the production of any title deeds, abstracts of title, proof or evidence to title or surveys for the Subject Property, other than those in the possession of the Owner and under their control. The City shall be allowed thirty (30) days, or such other time as the parties agree to in writing, after the acceptance of this Agreement to investigate the title to the Subject Property at its expense and within that time it shall furnish to the Owner in writing any valid objection to title which, if the Owner are unwilling or unable to remove, remedy or satisfy and which the City will not waive, this Agreement, notwithstanding any intervening acts or negotiations in respect of such objections, shall be null and void and neither the Owner nor the City shall have any further liability or obligation to the other, but for those obligations as set out in this Agreement, provided that the covenant that this Agreement shall continue to be without prejudice to any and all parties, shall continue and survive the termination of this Agreement in all other respects.
9. This offer is conditional upon the Owner and the City entering into a commercial lease to continue the existing use of the Subject Property, in a form of lease attached as Schedule "B". The Owner agrees not to sublet the property. VACANT POSSESSION SHALL BE GIVEN TO THE CITY ON JULY

30, 2022, OR SUCH EARLIER DATE AS THE PARTIES AGREE TO IN WRITING.

10. The Owner and the City acknowledge the Subject Property is being conveyed under this Agreement “as is” and this Agreement constitutes an entire Agreement between the Owner and the City and there are no representation, warranties, collateral agreement or conditions affecting this Agreement or the Subject Property other than as expressed herein in writing.
11. The Owner hereby grants the City, its agents and authorized representatives’ permission to have reasonable access to the Subject Property prior to the Closing Date, provided the City delivers notice in writing to the Owner three (3) days prior to entering upon the Subject Property, to conduct such tests (including soil, groundwater and environmental tests) surveys and inspections as it may reasonably require and to remove samples. The City agrees that such access and work shall not unreasonably interfere with the Owner’s use of the Subject Property and the City shall repair any damage caused thereby should the transactions agreed to herein fail to close. The City shall indemnify and save the Owner harmless from all claims, costs, expenses or damage of whatsoever kind that the Owner may incur or suffer directly or indirectly on account of such access and work.
12. The Owner agree to execute, on the request of the City, such authorizations addressed to all appropriate ministries and governmental offices, authorizing such ministries and offices to release to the City or to the City’s solicitor any and all information that may be on the record with respect to the Subject Property, to act as the Owner’s agent in relation thereto but not authorizing inspections of the Subject Property.
13. The Owner hereby waives any rights to notice as a Registered Owner under Sections 6, 7, 8, 9, 10 and 25 of the *Expropriations Act*.

14. The City and the Owner agree that payment of the Closing Payment shall constitute full and final compensation for the fair market value of the fee simple interest in the Subject Property.
15. The City and the Owner agree that payment of the Damages Payment shall constitute full and final compensation for and settlement of all claims for compensation related to the acquisition of the Subject Property to which the Owner would have been entitled had the Subject Property been expropriated, including but not limited to relocation costs, other compensation in respect of disturbance, compensation for business loss, compensation for injurious affection and all other compensation available under the *Expropriations Act*, except as otherwise set out herein.
16. The Owner shall execute and deliver to the City a Release in the form attached hereto as Schedule "C."
17. The City will, at closing, reimburse the Owner for their reasonable legal, appraisal and other costs incurred in accordance with Section 32(1) of the *Expropriations Act*.
18. The City will reimburse the Owner for any charges, levies, penalties or other fees incurred as a result of the acceleration or early termination of any mortgage or charge on the Subject Property.
19. All documentation required to complete this transaction shall be prepared by the City at its expense. If necessary for registration purposes, the City shall prepare, at its expense, a plan of survey for the Subject Property. A copy of said Plan, if prepared, shall be provided to the Owner free of charge.
20. The Owner warrants that it is and will be on the day of closing, a resident of Canada and shall supply adequate evidence thereof at or before closing.
21. All buildings on the Subject Property and all other things being purchased shall be and remain until completion at the risk of the Owner. Pending completion, the Owner 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 City shall receive the proceeds of any insurance. No insurance shall be transferred on completion.

22. The City shall be credited towards the Closing Payment with the amount, if any, necessary for the City to pay to the Minister of National Revenue to satisfy the City's liability in respect of tax payable by the Owner under the non-resident provisions of the *Income Tax Act* by reason of the conveyance of the Subject Property. The City shall not claim such credit if the Owner delivers on completion of this transaction the prescribed certificate or a statutory declaration stating that the Owner is not then a non-resident of Canada.
23. This Agreement shall be effective to create an interest in the Subject Property only if the subdivision control provisions of the *Planning Act* are complied with.
24. The Owner further acknowledges and agrees that the City may register a Plan of Expropriation to clear title before the closing.
25. This agreement is to remain open for acceptance by the City up to and including February 18, 2022, or such earlier or other date as may be mutually agreed upon.
26. The compensation shall be paid on the date of closing, subject to such adjustment, if any.
27. On the date of closing, the Owner will convey to the City the Subject Property, free from liens, mortgages or other charges, by a good and sufficient Transfer/Deed.
28. The Transfer/Deed and Statement of Adjustments shall be prepared by the City Solicitor's office.
29. Time shall be in all respects of the essence, but time for doing and completing any matter provided herein may be extended or abridged by agreement in writing by the parties or their solicitor.

30. The Owner hereby directs the City to make any and all payments of compensation and/or costs to Thomson Mahoney Delorey LLP in trust or as otherwise directed in writing. The parties agree and acknowledge that this Agreement is sufficient direction on the payment of costs.
31. Service of any documents required to be served pursuant to this Agreement shall be made personally or by registered mail as follows:
- On the Owner to:           A Team London Inc]
- Attention:
- With a copy to:            Strong Nenniger Law PC  
  D-309 Commissioners Road West  
  London, ON N6J 1Y4
- Attention: Kelly Nenniger
- On the City to:            City Clerk
- Attention: Michael Schulthess
- With a copy to:            Director Realty Services
- Attention: Bill Warner
32. The City represents and warrants that it is duly registered for HST purposes and, if required to do so, the City shall remit the HST payable on the Acquisition to the relevant taxation authorities following completion of this transaction and file the prescribed form, and shall indemnify the Owner with respect to any H.S.T. payable.
33. The terms and the representations and warranties, if any, contained in this Agreement shall survive and not merge on Closing.
34. This Agreement shall be binding upon and shall enure to the benefit of the parties hereto, and each of their respective representatives, successors, heirs and assigns.

35. The parties to this Agreement agree that this Agreement is strictly confidential and deals with matters of a personal and commercially sensitive nature. Accordingly, this Agreement will not be disclosed to any person or entity other than for the purpose of proceeding with this Agreement, legal purposes, accounting and auditing purposes or reporting purposes by the City or as may otherwise be required by law.

36. This Agreement may be executed and delivered in any number of separate counterparts, each of which when executed and delivered is an original but all of which taken together constitutes one and the same instrument. Any party may deliver an executed copy of this Agreement by facsimile transmission.

**IN WITNESS WHEREOF** the parties have executed this Agreement as of the date indicated below.

A Team London Inc. hereby executes this Agreement this \_\_\_\_\_ day of February 2022.

**A Team London Inc**

\_\_\_\_\_  
Name:  
Title:

\_\_\_\_\_  
Name:  
Title:

I/We have the authority to bind the Corporation.

The Corporation of the City of London hereby executes this Agreement this \_\_\_\_\_ day of February 2022.

**THE CORPORATION OF THE CITY OF LONDON**

\_\_\_\_\_  
Name: Ed Holder  
Title: Mayor

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Name: Michael Schulthess

Title: Clerk

I/We have the authority to bind the corporation.

Appendix "A" Confidential  
- Released in public

#22012

January 31, 2022  
(Property Acquisition)

Chair and Members  
Corporate Services Committee

RE: Purchase of Land at 220 Wellington Road South  
Wellington Gateway Rapid Transit Project  
(Subledger LD210016)  
Capital Project RT1430-1B - Wellington Gateway - Land Rapid Transit  
A Team London Inc.

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**Finance Supports Report on the Sources of Financing:**

Finance Supports 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 recommendation of the Deputy City Manager, Finance Supports, the detailed source of financing for this purchase is:

<b>Estimated Expenditures</b>	<b>Approved Budget</b>	<b>Committed To Date</b>	<b>This Submission</b>	<b>Balance for Future Work</b>
Land Purchase	18,032,900	9,363,550	1,224,119	7,445,231
<b>Total Expenditures</b>	<b>\$18,032,900</b>	<b>\$9,363,550</b>	<b>\$1,224,119</b>	<b>\$7,445,231</b>
<b>Sources of Financing</b>				
Capital Levy	1,896,342	984,672	128,729	782,941
Drawdown from City Services - Roads Reserve Fund (Development Charges) (Note 1)	16,136,558	8,378,878	1,095,390	6,662,290
<b>Total Financing</b>	<b>\$18,032,900</b>	<b>\$9,363,550</b>	<b>\$1,224,119</b>	<b>\$7,445,231</b>

**Financial Note:**

Purchase Cost	\$835,000
Add: Legal Fees etc.	355,000
Add: Land Transfer Tax	13,175
Add: HST @13%	154,700
Less: HST Rebate	<u>-133,756</u>
Total Purchase Cost	\$1,224,119

**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.



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Jason Davies

Manager of Financial Planning & Policy

HB