



Council Minutes

The 7th Meeting of City Council
May 4, 2021, 4:00 PM

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

Also Present: C. Saunders and K. Van Lammeren
Remote Attendance: L. Livingstone, A. Barbon, G. Barrett, B. Card, C. Cooper, K. Dickins, G. Kotsifas, J.P. McGonigle, K. Scherr, M. Schulthess, C. Smith, B. Warner and B. Westlake-Power.
The meeting was called to order at 4:03 PM, with Mayor E. Holder in the Chair and all Members participating, except Councillor M. Salih; it being noted that the following Members attended the meeting remotely: M. van Holst, M. Salih, J. Helmer, M. Cassidy, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelozza, A. Kayabaga, and S. Hillier.

1. Disclosures of Pecuniary Interest

Councillor S. Turner discloses a pecuniary interest with Item 7 (5.1) of the 8th Report of the Strategic Priorities and Policy Report, having to do with an update on City services during COVID-19, by indicating that he is an employee of the Middlesex-London Health Unit.

Councillor S. Turner also discloses a pecuniary interest in Item 5 (2.6) of the 7th Report of the Community and Protective Services Committee and related Bill No. 191, having to do with the amendments to the Open-Air Burning By-law F-7, by indicating that his employer, the Middlesex-London Health Unit have some involvement in the enforcement of the by-law.

2. Recognitions

None.

3. Review of Confidential Matters to be Considered in Public

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

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

- a) Stage 4 – Council, In Closed Session be considered after Stage 13- By-laws, with the exception of Bill No. 176, being a by-law to confirm the proceedings of the Council Meeting held on the 4th day of May, which will be considered, prior to Stage 14 – Adjournment; and
- b) Stage 9 – Added Reports –Item 9.1 – 7th Report of Council, In Closed Session be considered after Stage 4 – Council, In Closed Session.

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

Absent: (1): M. Salih

Motion Passed (14 to 0)

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

5.1 6th Meeting held on April 13, 2021

Motion made by: P. Van Meerbergen

Seconded by: S. Lehman

That the Minutes of the 6th Meeting held on April 13, 2021, BE APPROVED.

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

Absent: (1): M. Salih

Motion Passed (14 to 0)

6. Communications and Petitions

Motion made by: A. Hopkins

Seconded by: S. Hillier

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

6.1 Update - City of London 2020-2021 Winter Response Program for Unsheltered Individuals (Refer to the Community and Protective Services Committee Stage for Consideration with Item 7(2.3) of the 7th Report of the Community and Protective Services Committee);

1. J. Baskey
2. A. Oakey
3. Councillors M. van Holst and S. Lewis
4. E. Blaney

6.2 Homeless Prevention Funding Received in 2021-21 and COVID-19 Response (Refer to the Community and Protective Services Committee Stage for Consideration with Item 8 (2.5) of the 7th Report of the Community and Protective Services Committee);

1. A Badillo, ACORN London

6.3 Animal By-law PH-3 (Refer to the Community and Protective Services Committee Stage for Consideration with Item 12 (4.1) of the 7th Report of the Community and Protective Services Committee);

1. L. Poynter, Paws United Dog Rescue
2. P. Armstrong
3. D. Harris
4. C. Hueston
5. S. Leckie, Animal Outreach Cat Rescue

6.4 Kilally South, East Basin Environmentally Significant Area - 1918 to 2304 and 2005 to 2331 Killally Road (OZ-9275) (Refer to the Planning and Environment Committee Stage for Consideration with Item 8 (3.3) of the 6th Reprot of the Planning and Environment Committee)

1. L. Kirkness

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

Absent: (1): M. Salih

Motion Passed (14 to 0)

7. Motions of Which Notice is Given

None.

8. Reports

8.1 7th Report of the Community and Protective Services Committee

Motion made by: J. Helmer

That the 7th Report of the Community and Protective Services Committee BE APPROVED, excluding Items 5 (2.6) and 7 (2.3).

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

Absent: (1): M. Salih

Motion Passed (14 to 0)

1. Disclosures of Pecuniary Interest

Motion made by: J. Helmer

That it BE NOTED that no pecuniary interests were disclosed.

Motion Passed

2. (2.1) 3rd Report of the Accessibility Advisory Committee

Motion made by: J. Helmer

That the 3rd Report of the Accessibility Advisory Committee, from its meeting held on March 25, 2021, BE RECEIVED.

Motion Passed

3. (2.2) 3rd Report of the Animal Welfare Advisory Committee

Motion made by: J. Helmer

That the 3rd Report of the Animal Welfare Advisory Committee, from its meeting held on April 1, 2021, BE RECEIVED.

Motion Passed

4. (2.4) Coordinated Informed Response (CIR) Spring Update

Motion made by: J. Helmer

That, on the recommendation of the Acting Managing Director, Housing, Social Services and Dearness Home, the staff report dated April 20, 2021 with respect to the Coordinated Informed Response (CIR) Spring Update, BE RECEIVED. (2021-S12)

Motion Passed

6. (2.7) Fire Safety Grant Transfer Payment Agreement (Relates to Bill No. 180)

Motion made by: J. Helmer

That, on the recommendation of the Managing Director, Neighbourhood, Children and Fire Services, the proposed by-law, as appended to the staff report dated April 20, 2021, BE INTRODUCED at the Municipal Council meeting to be held on May 4, 2021, to:

- a) authorize and approve the Fire Safety Grant Transfer Payment Agreement, as appended to the above-noted by-law, between Her Majesty the Queen in Right of Ontario as represented by the Office of the Fire Marshall and The Corporation of the City of London;
- b) authorize the Mayor and the City Clerk to execute the above-noted Agreement;
- c) delegate authority to the Deputy City Manager, Neighbourhood and Community-Wide Services, or written designate, to approve and execute any further amendments to the above-noted Agreement, if the amendments are substantially in the form of the above-noted Agreement; and,
- d) delegate authority to the Deputy City Manager, Neighbourhood and Community-Wide Services, or written designate, to undertake all the administrative, financial and reporting acts that are necessary in connection with the above-noted Agreement. (2021-F11)

Motion Passed

8. (2.5) Homeless Prevention Funding Received in 2020-21 and COVID-19 Response

Motion made by: J. Helmer

That, on the recommendation of the Acting Managing Director, Housing, Social Services and Dearness Home, the staff-report dated April 20, 2021 with respect to the Homeless Prevention Funding Received in 2021-2021 and COVID-19 Response, BE RECEIVED. (2021-S08/F11)

Motion Passed

9. (2.8) Security Video Cameras on Private Residential Property

Motion made by: J. Helmer

That, on the recommendation of the Managing Director, Development and Compliance Services and Chief Building Official, the staff report dated April 20, 2021 with respect to Security Video

Cameras on Private Residential Property, BE RECEIVED; it being noted that a verbal delegation from D. Johnstone, with respect to this matter, was received. (2021-P00)

Motion Passed

10. (3.1) Swimming Pool Fence By-law - Proposed Amendments
(Relates to Bill No. 206)

Motion made by: J. Helmer

That, on the recommendation of the Managing Director, Development and Compliance Services and Chief Building Official, the revised ~~attached~~ proposed by-law, BE INTRODUCED at the Municipal Council meeting held on May 4, 2021 to amend By-law No. PS-5, being "A by-law to provide for the owners of privately-owned outdoor swimming pools to erect and maintain fences";

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

it being further noted that the communication from B. Robertson, Pool and Hot Tub Council of Canada, as appended to the Added Agenda, was received with respect to this matter. (2021-C01)

Motion Passed

11. (3.2) Administrative Monetary Penalties - Application to Municipal By-laws (Relates to Bill No's. 181, 183, 192, 194, 195, 196, 197, 198, 199, 207, 208, 209, 210, 211, 212, and 218)

Motion made by: J. Helmer

That, on the recommendation of the Managing Director, Development & Compliance Services and Chief Building Official, the following actions be taken with respect to the staff report dated April 20, 2021, related to the Administrative Monetary Penalties System:

- a) the proposed by-law, as appended to the above-noted staff report, BE INTRODUCED at the Municipal Council meeting to be held on May 4, 2021 to amend By-law A-54, as amended, for the purpose of applying the Administrative Monetary Penalties System By-law to various municipal by-laws;
- b) the proposed by-law, as appended to the above-noted staff report, BE INTRODUCED at the Municipal Council meeting to be held on May 4, 2021 to amend By-law PH-12, referred to as the Pit Bull Dog Licensing By-law, to add a new section in Part 6;
- c) the proposed by-law, as appended to the above-noted staff report, BE INTRODUCED at the Municipal Council meeting to be held on May 4, 2021 to amend By-law PH-3, referred to as the Animal Control By-law, to add a new section in Part 15;
- d) the proposed by-law, as appended to the above-noted staff report, BE INTRODUCED at the Municipal Council meeting to be held on May 4, 2021 to amend By-law PH-4, referred to as the Dog Licensing and Control By-law, to add a new section in Part 9;
- e) the proposed by-law, as appended to the above-noted staff report, BE INTRODUCED at the Municipal Council meeting to be

held on May 4, 2021 to amend By-law PH-7, referred to as the Dog Off-Leash Areas By-law, to add a new section in Section 7;

f) the proposed by-law, as appended to the above-noted staff report, BE INTRODUCED at the Municipal Council meeting to be held on May 4, 2021 to amend By-law PS-6, referred to as the Fence By-law, to add a new section in Part 17;

g) the proposed by-law, as appended to the above-noted staff report, BE INTRODUCED at the Municipal Council meeting to be held on May 4, 2021 to amend By-law PS-5, referred to as the Swimming Pool Fence By-law, to add a new section in Part 7;

h) the proposed by-law, as appended to the above-noted staff report, BE INTRODUCED at the Municipal Council meeting to be held on May 4, 2021 to amend By-law B-1, referred to as the Naming of Highways and Numbering of Buildings and Lots By-law, to add a new section in Part 7;

i) the proposed by-law, as appended to the above-noted staff report, BE INTRODUCED at the Municipal Council meeting to be held on May 4, 2021 to amend By-law PH-18, referred to as the Public Nuisance By-law, to add a new section in Part 7;

j) the proposed by-law, as appended to the above-noted staff report, BE INTRODUCED at the Municipal Council meeting to be held on May 4, 2021 to amend By-law PW-12, referred to as the Sound By-law, to add a new section in Part 7;

k) the proposed by-law, as appended to the above-noted staff report, BE INTRODUCED at the Municipal Council meeting to be held on May 4, 2021 to amend By-law PR-2, referred to as the Parks and Recreation By-law, to add a new section in Part 7;

l) the proposed by-law, as appended to the above-noted staff report, BE INTRODUCED at the Municipal Council meeting to be held on May 4, 2021 to amend By-law S.-5868-183, referred to as the Sign By-law, to add a new section in Section in 3.12;

m) the proposed by-law, as appended to the above-noted staff report, BE INTRODUCED at the Municipal Council meeting to be held on May 4, 2021 to amend By-law L.-130-71, referred to as the Vehicle for Hire By-law, to add a new section in Part 18;

n) the proposed by-law, as appended to the above-noted staff report, BE INTRODUCED at the Municipal Council meeting to be held on May 4, 2021 to amend By-law PW-2, referred to as the Abandoned Refrigerator, Freezer and Containers By-law, to add a new section in Part 3;

o) the proposed by-law, as appended to the above-noted staff report, BE INTRODUCED at the Municipal Council meeting to be held on May 4, 2021 to amend By-law WM-12, referred to as the Municipal Waste & Resource Materials Collection By-law, to add a new section in Part 12; and,

p) the proposed by-law, as appended to the above-noted staff report, BE INTRODUCED at the Municipal Council meeting to be held on May 4, 2021 to amend By-law S-1, referred to as the Streets By-law, to add a new section in Part 9;

it being noted that no individuals spoke at the public participation meeting associated with this matter. (2021-C01)

Motion Passed

12. (4.1) Animal By-law PH-3

Motion made by: J. Helmer

That the communication, dated April 1, 2021, from Councillor M. Cassidy, with respect to By-law PH-3, being "A by-law to provide for the regulation, restriction and prohibition of the keeping of animals in the City of London", BE REFERRED to the Civic Administration for review and a report back at a future meeting of the Community and Protective Services Committee related to revisions or updates that could be made to the by-law; it being noted that a communication from K. and K. Beattie, as appended to the Added Agenda, with respect to this matter, was received. (2021-P14)

Motion Passed

13. (5.1) Deferred Matters List

Motion made by: J. Helmer

That the Deferred Matters List for the Community and Protective Services Committee, as at April 12, 2021, BE RECEIVED.

Motion Passed

At 4:10 PM, Councillor M. Salih enters the meeting.

5. (2.6) Amendments to the Open-Air Burning By-law F-7 (Relates to Bill No. 191)

Motion made by: J. Helmer

That, on the recommendation of the Managing Director, Neighbourhood, Children and Fire Services, the following actions be taken with respect to the staff report dated April 20, 2021 related to Amendments to the Open Air Burning By-law F7:

- a) the above-noted staff report, BE RECEIVED; and,
- b) the proposed by-law, as appended to the above-noted staff report, being "A by-law to provide for the regulation of open air burning in the City of London and to repeal By-law F-7", BE INTRODUCED at the Municipal Council Meeting to be held on May 4, 2021. (2021-P01)

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

Recuse: (1): S. Turner

Motion Passed (14 to 0)

7. (2.3) Update - City of London 2020-2021 Winter Response Program for Unsheltered Individuals

Motion made by: J. Helmer

That, on the recommendation of the Acting Managing Director, Housing, Social Services and Deerness Home, the following actions be taken with respect to the staff report dated April 20, 2021 related to an Update on the City of London 2020-2021 Winter Response Program for Unsheltered Individuals:

- a) the above-noted staff report BE ENDORSED and BE APPROVED;
- b) the Civic Administration BE DIRECTED to undertake all administrative acts which are necessary in relation to the above-report; and,
- c) the Civic Administration BE DIRECTED to report back to the Community and Protective Services Committee, as soon as possible, on additional actions that could be taken after the end of June, building on what we have learned from the temporary winter response, to support people who are experiencing homelessness; it being noted that the following communications, as appended to the Added Agenda, were received with respect to this matter:
 - A. Luis;
 - C. Scott;
 - I. MacLean;
 - C. Davis;
 - A. Oakey; and,
 - E. Blaney. (2021-S14)

At 4:35 PM, Mayor E. Holder places Deputy Mayor J. Morgan in the Chair and takes a seat at the Council Board.

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

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

That Item 7 (2.3) of the 7th Report of the Community and Protective Services Committee BE AMENDED by adding the following new part c), and by renumbering the remaining parts of the Item accordingly:

- c) for those warming centres that are to remain open in 2021, the Civic Administration BE DIRECTED to make the necessary arrangements to, where permission is granted, regularly sweep for needles in the area within 100 metres of the warming centre and when requested to do so, to undertake a sweep for needles within 300 metres of the warming centre; and to report back to a future meeting of the Community and Protective Services Committee on the implementation of similar actions for future warming and cooling centres; and,"

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

Motion Passed (15 to 0)

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

That Item 7 (2.3), as amended, BE APPROVED, excluding the reference to the property located at 525 Hamilton Road location, as follows:

That, on the recommendation of the Acting Managing Director, Housing, Social Services and Dearness Home, the following actions be taken with respect to the staff report dated April 20, 2021 related to an Update on the City of London 2020-2021 Winter Response Program for Unsheltered Individuals:

- a) the above-noted staff report BE ENDORSED and BE APPROVED;
- b) the Civic Administration BE DIRECTED to undertake all administrative acts which are necessary in relation to the above-report;
- c) for those warming centres that are to remain open in 2021, the Civic Administration BE DIRECTED to make the necessary arrangements to, where permission is granted, regularly sweep for needles in the area within 100 metres of the warming centre and when requested to do so, to undertake a sweep for needles within 300 metres of the warming centre; and to report back to a future meeting of the Community and Protective Services Committee on the implementation of similar actions for future warming and cooling centres; and,
- d) the Civic Administration BE DIRECTED to report back to the Community and Protective Services Committee, as soon as possible, on additional actions that could be taken after the end of June, building on what we have learned from the temporary winter response, to support people who are experiencing homelessness;
- it being noted that the following communications, as appended to the Added Agenda, were received with respect to this matter;

- A. Luis;
- C. Scott;
- I. MacLean;
- C. Davis
- A. Oakey; and,
- E. Blaney (2021-S14)

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

Motion Passed (15 to 0)

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

The motion to approve the endorsement and approval of the staff report as it pertains to matters related to 525 Hamilton Road is put.

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

Nays: (1): M. van Holst

Motion Passed (14 to 1)

Item 7 (2.3), as amended, reads as follows:

That, on the recommendation of the Acting Managing Director, Housing, Social Services and Dearness Home, the following actions be taken with respect to the staff report dated April 20, 2021 related to an Update on the City of London 2020-2021 Winter Response Program for Unsheltered Individuals:

- a) the above-noted staff report BE ENDORSED and BE APPROVED;
 - b) the Civic Administration BE DIRECTED to undertake all administrative acts which are necessary in relation to the above-report;
 - c) for those warming centres that are to remain open in 2021, the Civic Administration BE DIRECTED to make the necessary arrangements to, where permission is granted, regularly sweep for needles in the area within 100 metres of the warming centre and when requested to do so, to undertake a sweep for needles within 300 metres of the warming centre; and to report back to a future meeting of the Community and Protective Services Committee on the implementation of similar actions for future warming and cooling centres; and,
 - d) the Civic Administration BE DIRECTED to report back to the Community and Protective Services Committee, as soon as possible, on additional actions that could be taken after the end of June, building on what we have learned from the temporary winter response, to support people who are experiencing homelessness;
- it being noted that the following communications, as appended to the Added Agenda, were received with respect to this matter;
- A. Luis;
 - C. Scott;
 - I. MacLean;
 - C. Davis
 - A. Oakey; and,
 - E. Blaney (2021-S14)

8.2 7th Report of the Corporate Services Committee

Motion made by: M. Cassidy

That the 7th Report of the Corporate Services Committee BE APPROVED.

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

Motion Passed (15 to 0)

1. Disclosures of Pecuniary Interest

Motion made by: M. Cassidy

That it BE NOTED that no pecuniary interests were disclosed.

Motion Passed

2. (2.1) Integrity Commissioner Agreement

Motion made by: M. Cassidy

That, on the recommendation of the City Clerk, the following actions be taken with respect to the appointment of an Integrity Commissioner for The Corporation of the City of London and local

boards:

- a) the staff report, dated April 19, 2021, entitled “Integrity Commissioner Agreement” BE RECEIVED; and,
- b) the City Clerk BE DIRECTED to bring forward to the May 10, 2021 Corporate Services Committee meeting, a draft Agreement between The Corporation of the City of London and Gregory F. Stewart for the provision of services as The Corporation of the City of London’s and local boards Integrity Commissioner for the term ending as determined by the Municipal Council; it being noted that the draft Agreement will include additional provisions which speak to anticipated timelines for responding to complaints and enquiries in accordance with the Code of Conduct for Members of Council.

Motion Passed

- 3. (2.4) Declare Surplus - Portion of City-Owned Property – 2846 and 2870 Tokala Trail

Motion made by: M. Cassidy

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, on the advice of the Manager of Realty Services, with respect to a portion of City-owned land, being part of an undedicated road allowance fronting on 2846 Tokala Trail, closed and designated as Parts 4, 6, 8, 9, and 20, Plan 33R-17911, the following actions be taken:

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

Motion Passed

- 4. (2.5) Report of the Federation of Canadian Municipalities Board of Directors -Virtual Meeting - March 9-12, 2021

Motion made by: M. Cassidy

That the communication from Councillor J. Morgan regarding the Federation of Canadian Municipalities (FCM) update on board activities from the virtual meeting held on March 9-12, 2021 BE RECEIVED for information.

Motion Passed

- 5. (2.2) Year 2021 Tax Policy (Relates to Bill No's. 177 and 178)

Motion made by: M. Cassidy

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the following actions be taken with respect to property taxation for 2021:

- a) the proposed by-law appended to the staff report dated April 19, 2021 as Appendix “A” being a by-law to set tax ratios in the

various property classes, in accordance with Sub-sections 308(4) and 308.1(4) of the Municipal Act, 2001 BE INTRODUCED at the Municipal Council meeting to be held on May 4, 2021; it being noted that the 2021 Municipal Tax Ratio By-Law has been prepared reflecting no change to tax ratios;

b) the proposed by-law appended to the staff report dated April 19, 2021 as Appendix “B” being a by-law to set municipal tax rates for the various property classes, in accordance with Sections 307 and 312 of the Municipal Act, 2001 BE INTRODUCED at the Municipal Council meeting to be held on May 4, 2021; and,

c) the Civic Administration BE DIRECTED to take no action in 2021 with respect to the adoption of a small business property subclass, to undertake the necessary policy and financial impact analysis including local consultation following release of the regulation by the Province, and to report back to the Corporate Services Committee with recommendations regarding the potential adoption of a small business subclass for the 2022 taxation year and subsequent taxation years.

Motion Passed

6. (2.3) Year 2021 Education Tax Rates (Relates to Bill No. 179)

Motion made by: M. Cassidy

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the proposed by-law appended to the staff report dated April 19, 2021 as Appendix “A”, being a by-law to levy education tax rates for 2021 BE INTRODUCED at the Municipal Council meeting to be held on May 4, 2021.

Motion Passed

7. (4.1) Application – Issuance of Proclamation – World Migratory Bird Day

Motion made by: M. Cassidy

That based on the application dated March 30, 2021 from London’s Bird Friendly City Team, May 8, 2021 BE PROCLAIMED World Migratory Bird Day.

Motion Passed

8. (4.2) Advisory Committees

Motion made by: M. Cassidy

That, on the recommendation of the City Clerk, the following actions be taken with respect to the current Advisory Committee appointments:

a) the current term for the City of London Advisory Committee appointments BE EXTENDED, until December 31, 2021;

b) additional appointments BE MADE for the identified Advisory Committees, whose voting membership is well below that number identified in each of the respective Terms of Reference;

c) the following BE APPOINTED as Voting Member at Large for the term ending December 31, 2021:

i) Accessibility Advisory Committee (Requires up to 4 Members of which a minimum of 1 must have a disability)

Bonnie Quesnel
Dianne Haggerty
Jill Teeple
Katya Pereyaslavka

ii) Cycling Advisory Committee (Requires up to 4 Members at Large)

Marieke Mur
Trevor Wade
Irina Chulkova
Dan Doroshenko

iii) Diversity, Inclusion and Anti-Oppression Advisory Committee (Requires up to 7 Members at Large)

Melissa Alder
Hetham Hani Jamel Abu Kakry
Nour Al-Farawi
Wajdi Khouri
Krista Arnold
Citlally Maceil
Beverley Madigan

iv) Trees and Forests Advisory Committee (Requires up to 7 Members at Large)

Samjhana Thapa
G. Paul Nicholson.

Motion Passed

9. (5.1) Corporate Services Committee Deferred Matters List

Motion made by: M. Cassidy

That the Corporate Services Committee Deferred Matters List as of April 12, 2021, BE RECEIVED.

Motion Passed

10. (5.2) Application – Issuance of Proclamation – Apraxia Awareness Day

Motion made by: M. Cassidy

That based on the application dated April 14, 2021 from Apraxia Kids, May 14, 2021 BE PROCLAIMED Apraxia Awareness Day.

Motion Passed

11. (5.3) Board of Directors – Federation of Canadian Municipalities

Motion made by: M. Cassidy

That the following actions be taken with respect to the communication dated April 15, 2020 from Councillor J. Morgan regarding standing for re-election to the Federation of Canadian Municipalities' Board of Directors and his associated expenses:

WHEREAS the Federation of Canadian Municipalities (FCM) represents the interests of municipalities on policy and program matters that fall within federal jurisdiction;

WHEREAS FCM's Board of Directors is comprised of elected municipal officials from all regions and sizes of communities to form a broad base of support and provide FCM with the prestige required to carry the municipal message to the federal government;

WHEREAS an election of FCM's Board of Directors will be held this year;

BE IT RESOLVED that the Council of The Corporation of the City of London endorses Councillor Josh Morgan to stand for election on FCM's Board of Directors for the 2021/2022 term;

BE IT FURTHER RESOLVED that Councillor J. Morgan be reimbursed by The Corporation of the City of London, outside his annual expense allocation, for his campaign expenses in seeking re-election to the Board of Directors, in an amount of up to \$500, upon submission of eligible receipts; and

BE IT FURTHER RESOLVED that Council assumes all costs associated with Councillor Josh Morgan attending FCM's Board of Directors meetings, the FCM Annual Conference and AGM and the Trade Show, during the 2021/2022 term.

Motion Passed

8.3 6th Report of the Civic Works Committee

Motion made by: E. Pelozza

That the 6th Report of the Civic Works Committee BE APPROVED, excluding Item 11 (2.5).

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

Motion Passed (15 to 0)

1. Disclosures of Pecuniary Interest

Motion made by: E. Pelozza

That it BE NOTED that no pecuniary interests were disclosed.

Motion Passed

2. (2.1) 3rd Report of the Transportation Advisory Committee

Motion made by: E. Pelozza

That the 3rd Report of the Transportation Advisory Committee held on March 23, 2021 BE RECEIVED.

Motion Passed

3. (2.2) Appointment of Consulting Engineer for Construction Administration Services - 2021 Infrastructure Renewal Program: Regent Street and Maitland Street Valve Chamber and Instrumentation

Motion made by: E. Pelosa

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the staff report dated April 20, 2021, related to the appointment of consulting services for the construction administration of the 2021 Infrastructure Renewal Program Regent Street and Maitland Street Valve Chamber and Instrumentation project:

- a) Dillon Consulting Limited, BE AUTHORIZED to carry out the resident inspection and contract administration for the Regent Street and Maitland Street Valve Chamber and Instrumentation project in accordance with the estimate, on file, at an upset amount of \$349,499.76, including 10% contingency, excluding HST, in accordance with Section 15.2 (g) of the City of London's Procurement of Goods and Services Policy;
- b) the financing for this project BE APPROVED as set out in the Sources of Financing Report, as appended to the above-noted staff report;
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project;
- d) the approval given, herein, BE CONDITIONAL upon the Corporation entering into a formal contract; and
- e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2021-A05)

Motion Passed

4. (2.4) Amendments to the Traffic and Parking By-law (Relates to Bill No's. 202, 203, and 204)

Motion made by: E. Pelosa

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the proposed by-law, as appended to the staff report dated April 20, 2021, BE INTRODUCED at the Municipal Council meeting to be held on May 4, 2021 to amend By-law PS-113, entitled, "A by-law to regulate traffic and the parking of motor vehicles in the City of London". (2021-T07/T08)

Motion Passed

5. (2.6) 2021 New Traffic and Pedestrian Signals and Pedestrian Crossovers (Relates to Bill No. 205)

Motion made by: E. Pelozza

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the staff report dated April 20, 2021, related to the planned 2021 signal and pedestrian crossover installations:

- a) the installation of the following traffic signals BE APPROVED:
 - i. Edgevalley Road at Highbury Avenue North;
 - ii. Gainsborough Road at Coronation Drive (west intersection);
 - iii. Huron Street at Vesta Road;
 - iv. North Routledge Park at Hyde Park Road; and,
 - v. Sunningdale Road East at North Wenige Drive;
- b) the installation of the following pedestrian signals BE APPROVED:
 - i. Commissioners Road West at West Springbank Park Entrance; and,
 - ii. Springbank Drive at Quinella Drive; and,
- c) the proposed by-law, as appended to the above-noted staff report, BE INTRODUCED at the Municipal Council meeting to be held on May 4, 2021, to amend By-law PS-113, entitled, "A by-law to regulate traffic and the parking of motor vehicles in the City of London", as it relates to the above-noted installations. (2021-T07/T08)

Motion Passed

6. (2.7) Greenway Wastewater Treatment Plant UV Disinfection - Equipment Single Source

Motion made by: E. Pelozza

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the staff report dated April 20, 2021, related to upgrades to the UV disinfection system at Greenway Wastewater Treatment Plant:

- a) the contract for purchase of a UV disinfection system BE AWARDED to Trojan Technologies as a single source procurement for a total value of \$1,154,700.00 plus HST in accordance with Sections 14.4 (d) and (e) of the City of London's Procurement of Goods and Services Policy;
- b) AECOM BE APPOINTED Consulting Engineers in the amount of \$206,639.40, including 10% contingency, excluding HST, in accordance with 15.1 (b) and 15.2 (g) of the City of London's Procurement of Goods and Services Policy;
- c) the financing for the project BE APPROVED in accordance with the "Sources of Financing Report", as appended to the above-noted staff report;
- d) the Civic Administration BE AUTHORIZED to undertake all the 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; and
- f) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2021-A05)

Motion Passed

7. (2.8) Victoria Street Pumping Station Class Environmental Assessment - Notice of Completion

Motion made by: E. Pelosa

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the staff report dated April 20, 2021, related to the Victoria Street Pumping Station Municipal Class Environmental Assessment:

- a) the preferred alternative, identified through the Class EA process, as the replacement of the Victoria Street Pumping Station BE ACCEPTED, in accordance with the Schedule 'B' Municipal Class Environmental Assessment process requirements;
- b) the Notice of Completion BE FILED with the Municipal Clerk; and
- c) the Project file for the Victoria Street Pumping Station Class Environmental Assessment BE PLACED on public record for a 30-day review period. (2021-E03/E05)

Motion Passed

8. (2.9) Supply and Delivery of Traffic Paint SS21-17

Motion made by: E. Pelosa

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the staff report dated April 20, 2021, related to the supply and delivery of traffic paint:

- a) approval hereby BE GIVEN to enter a three-year (3) contract for the supply and delivery of traffic paint with Ennis Paint Canada ULC at the quoted price of \$123,562.00 per year, excluding HST; it being noted that the pricing was provided through participation in the Elgin/Middlesex/Oxford Purchasing Co-Operative (EMOP) and made in accordance with Section 14.4 g) Single Sourcing of the Procurement of Goods and Services Policy which states, "It is advantageous to the City to acquire the goods or services from a supplier pursuant to the procurement process conducted by another public body";
- b) Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this contract;
- c) approval hereby BE CONDITIONAL upon the Corporation negotiating prices, terms and conditions with Ennis Paint Canada ULC to the satisfaction of the Manager of Purchasing and Supply and the Managing Director, Environmental and Engineering Services and City Engineer; and,

d) approval hereby BE CONDITIONAL upon the Corporation entering into a formal contract or having a purchase order relating to the subject matter of this approval. (2021-T06)

Motion Passed

9. (2.10) Contract Award: Tender RFT21-23 - 2021 Infrastructure Renewal Program and Mornington Stormwater Management Pond Expansion

Motion made by: E. Pelosa

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the staff report dated April 20, 2021, related to the award of contracts for the Mornington Stormwater Management Pond Expansion Project:

- a) the bid submitted by Bre-Ex Construction Inc. at its tendered price of, \$4,347,747.11, excluding HST, for the Mornington Stormwater Management Pond Expansion Infrastructure Renewal Project, BE ACCEPTED; it being noted that the bid submitted by Bre-Ex Construction Limited was the lowest of six bids received and meets the City's specifications and requirements in all areas;
- b) the engineering fees for Stantec Consulting BE INCREASED to account for the additional contract administration days for the required oversight for the said project in accordance with the estimates, on file, by an upset amount of \$124,423.20, excluding HST, from \$633,183.39 to a total of \$757,606.59, in accordance with Section 15.2 (g) of the 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 approval given, herein, BE CONDITIONAL upon the Corporation entering into a formal contract, or issuing a purchase order for the material to be supplied and the work to be done, relating to this project (Tender RFT21-23); and,
- f) the Mayor and City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2021-E05)

Motion Passed

10. (2.3) Sewage Overflows and Bypasses Into the Thames River

Motion made by: E. Pelosa

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the staff report dated April 20, 2021, with respect to Sewage Overflows and Bypasses Into the Thames River, BE RECEIVED for information; it being noted that a presentation from S. Mathers, Director, Water and Wastewater, A. Rammeloo, Division Manager, Sewer Engineering, and K. Oudekerk, Division Manager,

Wastewater Treatment Operations, with respect to this matter, was received. (2021-E05)

Motion Passed

12. (3.1) Street Renaming Portion of Blackwater Road (Plans 33M-764 and 33M-787) File MN-9313 (Relates to Bill No. 213)

Motion made by: E. Pelosa

That, on the recommendation of the Director, Development Services, the proposed by-law, as appended to the staff report dated April 20, 2021, BE INTRODUCED at the Municipal Council meeting to be held on May 4, 2021, to approve the renaming of a portion of "Blackwater Road" from "Sunningdale Road East", northward to Block 5, Part of Lot 13 Concession 6, on Registered Plan 33M-764, and northward to Block 11, Part of Lot 13 Concession 6, on Registered Plan 33M-787 shall hereinafter be called and known as Appletree Gate, and the name of the said street is hereby changed accordingly; it being noted that no individuals spoke at the public participation meeting associated with this matter. (2021-T00)

Motion Passed

13. (3.2) Amendments to Consolidated Fees and Charges By-law (Relates to Bill No. 182)

Motion made by: E. Pelosa

That, on the recommendation of the City Clerk, on the advice of the Director, Environment, Fleet and Solid Waste, the proposed by-law, as appended to the staff report dated April 20, 2021, being "A by-law to amend By-law A-56 being "A by-law to provide for Various Fees and Charges" by adding fees related to the London Hefty® EnergyBag® Pilot Project and the Bike Lockers Pilot Project", BE INTRODUCED at the Municipal Council meeting to be held on May 4, 2021; it being noted that no individuals spoke at the public participation meeting associated with this matter. (2021-P01)

Motion Passed

14. (5.1) Deferred Matters List

Motion made by: E. Pelosa

That the Civic Works Committee Deferred Matters List, as at April 12, 2021, BE RECEIVED.

Motion Passed

11. (2.5) Update on Resource Recovery Strategy Including Mixed Waste Processing

Motion made by: E. Pelosa

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer the following actions be taken with respect to the staff report dated April

20, 2021, related to the update on Resource Recovery Strategy including Mixed Waste Processing:

- a) the above-noted staff report BE RECEIVED for information;
- b) the Civic Administration BE DIRECTED to take no further action on the Unsolicited Proposal dealing with mixed waste processing; and
- c) the Civic Administration BE DIRECTED to develop details and a background business engagement document to initiate a two-step public procurement process (Request for Qualifications followed by a Request for Proposals) for a resource recovery facility or facilities (including mixed waste processing, mechanical-biological treatment and waste conversion technologies), pilot project or commercial scale, and report back to Civic Works Committee by December 2021 with details on how the process will occur; it being noted that Civic Administration already have direction to examine the potential for small scale, demonstration facilities for resource recovery facilities as part of the London Waste to Resources Innovation Centre, subject to Municipal Council approval. (2021-E07)

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

Motion Passed (15 to 0)

8.4 6th Report of the Planning and Environment Committee

Motion made by: P. Squire

That the 6th Report of the Planning and Environment Committee BE APPROVED, excluding Item 8 (3.3).

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

Motion Passed (15 to 0)

1. Disclosures of Pecuniary Interest

Motion made by: P. Squire

That it BE NOTED that no pecuniary interests were disclosed

Motion Passed

2. (2.1) 3392 Wonderland Road South - Removal of Holding Provision h-17 (H-9298) (Relates to Bill No. 219)

Motion made by: P. Squire

That, on the recommendation of the Director, Development Services, based on the application by Wonderland Business Centre Inc. and Old Oak Properties, relating to the property located at 3392 Wonderland Road South, the proposed by-law appended to the staff report dated April 19, 2021 BE INTRODUCED at the Municipal Council meeting to be held on May 4, 2021 to amend

Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a Holding Light Industrial (h-17*LI1*LI7) Zone TO a Light Industrial (LI1*LI7) Zone to remove the h-17 holding provision

Motion Passed

3. (2.3) Annual Report on Building Permit Fees

Motion made by: P. Squire

That, on the recommendation of the Managing Director, Development & Compliance Services & Chief Building Official, the staff report dated April 19, 2021 entitled "Annual Report on Building Permit Fees", with respect to building permit fees collected and costs of administration and enforcement of the Building Code Act and regulations for the year 2020, BE RECEIVED for information.

Motion Passed

4. (2.4) Building Division Monthly Report for February 2021

Motion made by: P. Squire

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

Motion Passed

5. (2.2) Recovery Grant Program (Relates to Bill No's. 186, 187, 188, 189, and 190)

Motion made by: P. Squire

That, on the recommendation of the Director, Planning and City Planner, the following actions be taken with respect to the Recovery Grant Program:

- a) the ~~attached~~, revised, proposed by-law (Appendix "A") being "A by-law to amend C.P.-1467-175, as amended, being "A by-law to establish financial incentives for the Downtown Community Improvement Project Areas", by adding in its entirety Schedule 3 - The Recovery Grant Program Guidelines", BE INTRODUCED at the Municipal Council meeting to be held on May 4, 2021;
- b) the ~~attached~~, revised, proposed by-law (Appendix "B") being "A by-law to amend C.P.-1468-176, as amended, being "A by-law to establish financial incentives for the Old East Village Community Improvement Project Area", by adopting in its entirety Schedule 2 - The Recovery Grant Program Guidelines", BE INTRODUCED at the Municipal Council meeting to be held on May 4, 2021;
- c) the ~~attached~~, revised, proposed by-law (Appendix "C") being "A by-law to amend C.P.-1481-176, as amended, being "A by-law to establish financial incentives for the SoHo Community Improvement Project Area", by adopting in its entirety Schedule 2 - The Recovery Grant Program Guidelines", BE INTRODUCED at the Municipal Council meeting to be held on May 4, 2021;
- d) the ~~attached~~, revised, proposed by-law (Appendix "D") being "A by-law to amend C.P.-1527-248, as amended, being "A by-law

to establish financial incentives for the Hamilton Road Area Community Improvement Project Area”, by adopting in its entirety Schedule B - The Recovery Grant Program Guidelines”, BE INTRODUCED at the Municipal Council meeting to be held on May 4, 2021;

e) the ~~attached~~, revised, proposed by-law (Appendix “E”) being “A by-law to amend C.P.-1539-220, as amended, being “A by-law to establish financial incentives for the Lambeth Area Community Improvement Project Area”, by adopting in its entirety Schedule 2 - The Recovery Grant Program Guidelines”, BE INTRODUCED at the Municipal Council meeting to be held on May 4, 2021;

f) the Civic Administration BE DIRECTED to transfer \$6,000 of the \$250,000 program funding to the Old East Village Business Improvement Area (BIA) to fund graffiti removal across multiple properties;

g) the Civic Administration BE DIRECTED to transfer \$5,000 of the \$250,000 program funding to the Hamilton Road Business Improvement Area (BIA) to fund graffiti removal across multiple properties;

h) the Civic Administration BE REQUESTED to accept retroactive applications commencing May 4, 2021 if immediate repairs to damage by vandalism are necessary for securing the premises; it being noted that the revised by-laws noted in a) through e) above, provide for retroactive applications to be submitted;

it being further noted that funding for the program is accommodated within the Economic Development Reserve Fund as approved by Municipal Council at its January 12, 2021 meeting.

Motion Passed

6. (3.1) Demolition Request for Dwelling on Heritage Listed Property at 88 Wellington Road

Motion made by: P. Squire

That, on the recommendation of the Director, City Planning and City Planner, with the advice of the Heritage Planner, the property located at 88 Wellington Road BE REMOVED from the Register of Cultural Heritage Resources; it being noted that the two stained glass windows pictured in Appendix B of the staff report dated April 19, 2021 should be salvaged prior to the building’s demolition;

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

Motion Passed

7. (3.2) Demolition Request for Dwelling on Heritage Listed Property at 92 Wellington Road

Motion made by: P. Squire

That, on the recommendation of the Director, City Planning and City Planner, with the advice of the Heritage Planner, that the property located at 92 Wellington Road BE REMOVED from the Register of Cultural Heritage Resources;

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

Motion Passed

9. (4.1) 2nd Report of the Trees and Forests Advisory Committee

Motion made by: P. Squire

That, the following actions be taken with respect to the 2nd Report of the Trees and Forests Advisory Committee from its meeting held on March 24, 2021:

a) the following actions be taken with respect to the Notice of Planning Application, dated February 10, 2021, from S. Meksula, Senior Planner, related to a Draft Plan of Subdivision Official Plan and Zoning By-law Amendment applications for the properties located at 14 Gideon Drive and 2012 Oxford Street West:

i) the Civic Administration BE REQUESTED to provide the Trees and Forests Advisory Committee (TFAC) with the Tree Preservation Plans for the following properties:

- 1478 Westdel Bourne; and,
- 3095 and 3105 Bostwick Avenue;

ii) the Civic Administration BE REQUESTED to provide TFAC with the Tree Preservation Plans for any Notice of Planning Application that is sent to the Committee;

iii) that Civic Administration BE REQUESTED to clarify with the applicant for the above-noted Notice the status of the woodlot located to the east of the turning circle, as illustrated on the Notice;

iv) the above-noted notice, with respect to this matter, BE RECEIVED;

b) the following actions be taken with respect to the Neighbourhood Street Renewal Program:

i) the item BE DEFERRED to the next Trees and Forests Advisory Committee (TFAC) meeting; and,

ii) D. MacRae, Director, Roads and Transportation, BE INVITED to attend the next TFAC meeting, to provide information regarding the program; and,

c) clauses 1.1, 3.1, 3.3, 5.1 and 5.2 BE RECEIVED for information.

Motion Passed

10. (4.2) 3rd Report of the Advisory Committee on the Environment

Motion made by: P. Squire

That, the following actions be taken with respect to the 3rd Report of the Advisory Committee on the Environment from its meeting held on April 7, 2021:

a) the following actions be taken with respect to the National Earth Day Event and the 2040 Film:

i) Asha Hodura, London Chapter of the International Circular Economy Club, BE INVITED to a future meeting of the Advisory

Committee on the Environment to speak to the above-noted film and the activities of the International Circular Economy Club; and,
ii) the communication, movie poster and discussion questions, as appended to the agenda, BE RECEIVED

b) a representative of the London Environmental Network BE INVITED to a future meeting of the Advisory Committee on the Environment (ACE) to speak to the Green Homes London program; it being noted the ACE held a general discussion with respect to the ACE work plan;

c) a Working Group BE CREATED to review the Notice of Planning Application, dated March 31, 2021, from C. Parker, Senior Planner, with respect to Official Plan and Zoning By-law Amendments related to Encouraging the Growing of Food in Urban Areas city wide and report back to the Advisory Committee on the Environment; and,

d) clauses 1.1, 2.1, 3.1 and 3.2 BE RECEIVED for information.

Motion Passed

11. (4.3) 4th Report of the London Advisory Committee on Heritage

Motion made by: P. Squire

That, the following actions be taken with respect to the 4th Report of the London Advisory Committee on Heritage from its meeting held on April 14, 2021:

a) a Working Group BE CREATED to review the Notice of Planning Application, dated March 10, 2021, from M. Corby, Senior Planner, with respect to a Notice of Application for Draft Plan of Subdivision, Official Plan and Zoning By-law Amendments related to the property located at 850 Highbury Avenue North, as appended to the Agenda, and the Heritage Impact Assessment, dated January 2021, from Zelinka Priamo Ltd., with respect to the property located at 850 Highbury Avenue North, as appended to the Added Agenda, and report back to the May meeting of the London Advisory Committee on Heritage;

b) on the recommendation of the Director, City Planning and City Planner, with the advice of the Heritage Planner, the property located at 88 Wellington Road BE REMOVED from the Register of Cultural Heritage Resources; it being noted that the two stained glass windows pictured in Appendix B of the staff report, dated April 14, 2021, should be salvaged prior to the building's demolition;

c) on the recommendation of the Director, City Planning and City Planner, with the advice of the Heritage Planner, the property located at 92 Wellington Road BE REMOVED from the Register of Cultural Heritage Resources;

d) on the recommendation of the Director, City Planning and City Planner, with the advice of the Heritage Planner, the application under Section 42 of the Ontario Heritage Act seeking retroactive approval and approval for alterations to the heritage designated property located at 16 Cummings Avenue, within the Blackfriars/Petersville Heritage Conservation District, BE APPROVED with the following terms and conditions:

- the existing faux wood shakes on the gables be painted;
- the Heritage Planner be circulated on the Building Permit application to verify consistency with the alterations proposed to the porch; and,
- front yard parking be prohibited and the front yard restored to landscape;

e) on the recommendation of the Director, City Planning and City Planner, with the advice of the Heritage Planner, the application under Section 42 of the Ontario Heritage Act seeking retroactive approval for alterations to the heritage designated property located at 574 Maitland Street, in the East Woodfield Heritage Conservation District, BE APPROVED with the following terms and conditions:

- exterior grilles be added to the double-hung windows to create a simulated divided lite pattern on the exterior of the windows; and,
- the Heritage Alteration Permit be displayed in a location visible from the street until the work is completed; and,

f) clauses 1.1, 2.1 to 2.3, inclusive, 2.5, 3.1, 3.2, 4.1 and 4.6, BE RECEIVED for information.

Motion Passed

8. (3.3) Kilally South, East Basin Environmentally Significant Area - 1918 to 2304 and 2005 to 2331 Kilally Road (OZ-9275) (Relates to Bill No's. 184 and 220)

Motion made by: P. Squire

That, on the recommendation of the Director, City Planning and City Planner, the following actions be taken with respect to the application of the City of London relating to the Kilally South, East Basin Environmentally Significant Area (1918 to 2304 and 2005 to 2331 Kilally Road, excluding 2065 Kilally Road):

a) the attached, revised, proposed by-law (Appendix "A") BE INTRODUCED at the Municipal Council meeting to be held on May 4, 2021 to amend the Official Plan to:

- change Schedule "A" (Land Use) on the subject lands FROM Urban Reserve Community Growth, Multi Family Medium Density Residential and Environmental Review designations, TO an Open Space designation and FROM Low Density Residential TO an Environmental Review designation;
- change Map Schedule B1 (Flood Plain and Environmental Features) TO apply an Environmentally Significant Area delineation to the lands identified as the Kilally South, East Basin Environmentally Significant Area that are designated Open Space as amended above; and,
- change Map Schedule B1 (Flood Plain and Environmental Features) TO add Unevaluated Wetlands and Unevaluated Vegetation Patches that are designated Environmental Review as amended above.

b) the attached, revised, proposed by-law (Appendix "B") BE INTRODUCED at a future meeting of Municipal Council after the London Plan maps are in force and effect following the Local Planning Appeals Tribunal Hearings;

i) change the Place Types on Map 1 - Place Types - FROM Neighbourhoods and Environmental Review TO Green Space, and

FROM Environmental Review TO Neighbourhood to align with the limits of the Kilally South, East Basin Environmentally Significant Area;

ii) change the Place Types on Map1-Place Types- FROM Neighbourhood TO Environmental Review; and
iii) change Map 5 - Natural Heritage - FROM Potential Environmentally Significant Area, Unevaluated Vegetation Patch TO Environmentally Significant Area; and,
iv) change Map 5- Natural Heritage TO add Unevaluated Wetlands and Unevaluated Vegetation Patches;

c) the attached, revised, proposed by-law (Appendix "C") BE INTRODUCED at the Municipal Council meeting to be held on May 4, 2021 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan as amended in part a) above), to change the zoning of the subject property FROM an Urban Reserve (UR3) Zone TO an Open Space (OS5) Zone and FROM an Urban Reserve (UR2) Zone and Urban Reserve (UR3) Zone, TO an Environmental Review (ER) Zone; it being noted that the proposed Official Plan and Zoning By-law amendment for the lands located at 2065 Kilally Road will be returned to the Planning and Environment Committee for consideration no later than July 1, 2021;

it being pointed out that the Planning and Environment Committee reviewed and received communications dated April 15, 2021 and April 16, 2021, from S. Stapleton, Auburn Developments, with respect to these matters;

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

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

- the proposed amendments are consistent with the Provincial Policy Statement 2020 as diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features;
- the proposed amendments conform to the policies of the 1989 Official Plan; and
- the proposed amendments conform to the policies of The London Plan.

Motion made by: S. Lewis

Seconded by: S. Hillier

That Item 8 (3.3), Kilally South, East Basin Environmentally Significant Area, BE REFERRED back to the Civic Administration in order to allow an opportunity for the Civic Administration to meet with adjacent property owners and provide additional information, with respect to this matter.

Pursuant to section 11.6 of the Council Procedure By-law, the motion moved by Councillor S. Lewis and seconded by Councillor S. Hillier is withdrawn at the joint request of the mover and seconder and with the consent of the Council.

Motion made by: P. Squire

The motion to approve the recommendation is put.

That, on the recommendation of the Director, City Planning and City Planner, the following actions be taken with respect to the application of the City of London relating to the Kilally South, East Basin Environmentally Significant Area (1918 to 2304 and 2005 to 2331 Kilally Road, excluding 2065 Kilally Road):

a) the ~~attached~~, revised, proposed by-law (Appendix "A") BE INTRODUCED at the Municipal Council meeting to be held on May 4, 2021 to amend the Official Plan to:

- i) change Schedule "A" (Land Use) on the subject lands FROM Urban Reserve Community Growth, Multi Family Medium Density Residential and Environmental Review designations, TO an Open Space designation and FROM Low Density Residential TO an Environmental Review designation;
- ii) change Map Schedule B1 (Flood Plain and Environmental Features) TO apply an Environmentally Significant Area delineation to the lands identified as the Kilally South, East Basin Environmentally Significant Area that are designated Open Space as amended above; and,
- iii) change Map Schedule B1 (Flood Plain and Environmental Features) TO add Unevaluated Wetlands and Unevaluated Vegetation Patches that are designated Environmental Review as amended above.

b) the ~~attached~~, revised, proposed by-law (Appendix "B") BE INTRODUCED at a future meeting of Municipal Council after the London Plan maps are in force and effect following the Local Planning Appeals Tribunal Hearings;

- i) change the Place Types on Map 1 - Place Types - FROM Neighbourhoods and Environmental Review TO Green Space, and FROM Environmental Review TO Neighbourhood to align with the limits of the Kilally South, East Basin Environmentally Significant Area;
- ii) change the Place Types on Map1-Place Types- FROM Neighbourhood TO Environmental Review; and
- iii) change Map 5 - Natural Heritage - FROM Potential Environmentally Significant Area, Unevaluated Vegetation Patch TO Environmentally Significant Area; and,
- iv) change Map 5- Natural Heritage TO add Unevaluated Wetlands and Unevaluated Vegetation Patches;

c) the ~~attached~~, revised, proposed by-law (Appendix "C") BE INTRODUCED at the Municipal Council meeting to be held on May 4, 2021 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan as amended in part a) above), to change the zoning of the subject property FROM an Urban Reserve (UR3) Zone TO an Open Space (OS5) Zone and FROM an Urban Reserve (UR2) Zone and Urban Reserve (UR3) Zone, TO an Environmental Review (ER) Zone; it being noted that the proposed Official Plan and Zoning By-law amendment for the lands located at 2065 Kilally Road will be returned to the Planning and Environment Committee for consideration no later than July 1, 2021;

it being pointed out that the Planning and Environment Committee reviewed and received communications dated April 15, 2021 and April 16, 2021, from S. Stapleton, Auburn Developments, with respect to these matters;

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

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

- the proposed amendments are consistent with the Provincial Policy Statement 2020 as diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features;
- the proposed amendments conform to the policies of the 1989 Official Plan; and
- the proposed amendments conform to the policies of The London Plan.

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

Motion Passed (15 to 0)

8.5 7th Report of the Planning and Environment Committee

Motion made by: P. Squire

That the 7th 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, P. Squire, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelozza, A. Kayabaga, and S. Hillier

Motion Passed (15 to 0)

1. Disclosures of Pecuniary Interest

Motion made by: P. Squire

That it BE NOTED that no pecuniary interests were disclosed

Motion Passed

2. (2.2) 3700 Colonel Talbot Road and 3645 Bostwick Road - W-3 Farms Subdivision - Phase 1 - Special Provisions (39T-17503-1)

Motion made by: P. Squire

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to entering into a Subdivision Agreement between The Corporation of the City of London and W-3 Lambeth Farms Inc., for the subdivision of lands bounded by Bostwick Road to the east and Colonel Talbot Road to the west; mid-block between Pack Road and the planned Kilbourne Road extension; it being noted that the subject sites, approximately 53.0 ha (130.9 ac) in size, are generally described as Part of Lots 74 and 75, Concession East of the North Branch of Talbot Road (Westminster):

- a) the Special Provisions, to be contained in a Subdivision Agreement between The Corporation of the City of London and W-3 Lambeth Farms Inc., for the W-3 Farms Subdivision, Phase 1 (39T-17503) appended to the staff report dated April 19, 2021 as Appendix "A", BE APPROVED;

- b) the Applicant BE ADVISED that Development Finance has summarized the claims and revenues appended to the staff report dated April 26, 2021 as Appendix “B”;
- c) the financing for this project BE APPROVED as set out in the Source of Financing Report appended to the staff report dated April 26, 2021 as Appendix “C”; and,
- d) the Mayor and the City Clerk BE AUTHORIZED to execute this Agreement, any amending agreements and all documents required to fulfill its conditions.

Motion Passed

- 3. (2.3) 3493 Colonel Talbot Road (H-9284) (Relates to Bill No. 222)

Motion made by: P. Squire

That, on the recommendation of the Director, Development Services, with respect to the application by York Developments, relating to the property located at 3493 Colonel Talbot Road, the proposed by-law appended to the staff report dated April 26, 2021 as Appendix “A” BE INTRODUCED at the Municipal Council meeting to be held on May 4, 2021 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a Holding Residential R1 Special Provision (h*h-100*R1-8(5)/R1-8(8)) Zone TO a Residential R1 Special Provision (R1-8(5)/R1-8(8)) Zone to remove the “h and h-100” holding provisions.

Motion Passed

- 4. (2.4) 1635 Commissioners Road East and 2624 Jackson Road - Extension of Draft Plan Approval (39T-06507)

Motion made by: P. Squire

That, on the recommendation of the Director, Development Services, with respect to the application by Drewlo Holdings Inc., relating to the lands located at 1635 Commissioners Road East and 2624 Jackson Road, the Approval Authority BE ADVISED that the Municipal Council supports issuing a three (3) year extension to Draft Plan Approval for the residential plan of subdivision SUBJECT TO the conditions appended to the staff report dated April 26, 2021 as Appendix “A” (File No. 39T-06507).

Motion Passed

- 5. (2.5) 2015 Shore Road - Removal of Holding Provisions (H-9251) (Relates to Bill No. 223)

Motion made by: P. Squire

That, on the recommendation of the Director, Development Services, based on the application by Sifton Properties Limited, relating to lands located at 2015 Shore Road, the proposed by-law appended to the staff report dated April 26, 2021 as Appendix “A” BE INTRODUCED at the Municipal Council meeting to be held on May 4, 2021 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM

a Holding Residential R6 Special Provision/ Residential R7 Special Provision (h•h-206• R6-5(42)/R7(22)• D115•H30) Zone TO a Residential R6 Special Provision/Residential R7 Special Provision (R6-5(42)/R7(22)•D115•H30) Zone to remove the h and h-206 holding provisions.

Motion Passed

6. (2.6) 3924 - 4138 Colonel Talbot Road - Heathwoods Subdivision - Phase 2 -Special Provisions (39T-12503-2)

Motion made by: P. Squire

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to entering into a Subdivision Agreement between The Corporation of the City of London and Auburn Developments Inc., for the subdivision of land over situated on the east side of Colonel Talbot Road, north of Lambeth Walk, municipally known as 3924-4128 Colonel Talbot Road:

- a) the Special Provisions, to be contained in a Subdivision Agreement between The Corporation of the City of London and Auburn Developments Inc., for the Heathwoods Subdivision, Phase 2 (39T-12503) appended to the staff report dated April 26, 2021 as Appendix "A", BE APPROVED;
- b) the Applicant BE ADVISED that Development Finance has summarized the claims and revenues appended to the staff report dated April 26, 2021 as Appendix "B";
- c) the financing for this project BE APPROVED as set out in the Source of Financing Report appended to the staff report dated April 26, 2021 as Appendix "C"; and,
- d) the Mayor and the City Clerk BE AUTHORIZED to execute this Agreement, any amending agreements and all documents required to fulfill its conditions.

Motion Passed

7. (2.1) 420 Fanshawe Park Road East (H-9320) (Relates to Bill No. 221)

Motion made by: P. Squire

That, on the recommendation of the Director, Development Services, with respect to the application by 2431602 Ontario Limited, relating to the property located at 420 Fanshawe Park Road East, the proposed by-law appended to the staff report dated April 26, 2021 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on May 4, 2021 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM a holding Residential R1 Bonus (h-5*R1-7*B42) Zone to remove the "h-5" holding provision;

it being noted that the Planning and Environment Committee reviewed and received a communication dated April 12, 2021, from F. Sun, by email. (2021-D09)

Motion Passed

8. (3.1) 3rd Report of the Environmental and Ecological Planning Advisory Committee

Motion made by: P. Squire

That, the following actions be taken with respect to the 3rd Report of the Environmental and Ecological Planning Advisory Committee, from its meeting held on April 15, 2021:

- a) the 3095 Bostwick Road Working Group comments, appended to the Environmental and Ecological Planning Advisory Committee Agenda, BE FORWARDED to the Civic Administration for a consideration
- b) the Civic Administration BE REQUESTED to consult with the Environmental and Ecological Planning Advisory Committee (EEPAC) on the location of the proposed pathway from the storm pond to White's Bridge; it being noted that the EEPAC reviewed and received mapping from S. Levin, with respect to this matter;
- c) the Civic Administration BE REQUESTED to report back at a future Planning and Environment Committee meeting with respect to the feasibility of continuing with the homeowner education package as part of Special Provisions or to replace it with a requirement to post descriptive signage describing the adjacent natural feature; it being noted that the Environmental and Ecological Planning Advisory Committee (EEPAC) was asked to undertake research on best practices of other municipalities to assist in determining the best method(s) of advising new residents as to the importance of and the need to protect, the adjacent feature; and,
- d) clauses 1.1, 2.1, 2.2, 4.1 to 4.5, inclusive, BE RECEIVED for information;

it being noted that the Planning and Environment Committee heard a verbal delegation from S. Levin and reviewed and received aerial maps relating to these matters.

Motion Passed

9. (3.2) 526 Oxford Street East (OZ-9303) (Relates to Bill No's. 185 and 224)

Motion made by: P. Squire

That, on the recommendation of the Director, City Planning and City Planner the following actions be taken with respect to the application by 2773070 Ontario Inc. and The Corporation of the City of London, relating to the property located at 526 Oxford Street East:

- a) the proposed by-law appended to the staff report dated April 26, 2021 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on May 4, 2021 to amend the Official Plan for the City of London (1989) to ADD a policy to Section 10.1.3 – "Policies for Specific Areas" to allow the site to develop with a personal service establishment with a maximum floor area of 140m²;
- b) the proposed by-law appended to the staff report dated April 26, 2021 as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on May 4, 2021 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan as amended in part a) above), to change the zoning of the subject property FROM a

Residential R3/Office Conversion (R3-1/OC5) Zone TO a Residential R3/ Office Conversion Special Provision (R3-1/OC5 (*) 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 Planning and Environment Committee reviewed and received the staff presentation with respect to this matter;

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

- the recommended amendment is consistent with the Provincial Policy Statement, 2020 which promotes an appropriate range and mix of uses in a settlement area;
- the recommended use conforms to the in-force policies of The London Plan including but not limited to, Our City, Key Directions, and City Building, and will facilitate the development of a mix use building in the Urban Corridor Place Type;
- the recommended amendment conforms to the in-force policies of the 1989 Official Plan, including but not limited to, Chapter 10 – Policies for Specific Areas, which allows Council to apply specific policies where the change in land use is site specific and located in an area where Council wishes to maintain the existing land use designation while allowing for a site-specific use: and,
- the recommended Zoning By-law Amendment implements an appropriate use and intensity for the site which is compatible with the surrounding area.

Motion Passed

10. (3.3) 1701-1737 Richmond Street (Z-9291) (Relates to Bill No. 225)

Motion made by: P. Squire

That, on the recommendation of the Director, Development Services, with respect to the application by Richmond Hyland Centre Inc. c/o Westdell Development Corporation, relating to the property located at 1701-1737 Richmond Street, the proposed by-law appended to the staff report dated April 26, 2021 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on May 4, 2021 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM an Associated Shopping Area Commercial Special Provision (ASA1(5)/ASA2(3)/ASA3) Zone and an Associated Shopping Area Commercial Special Provision (ASA1(5)/ASA2(3)/ASA3(1)) Zone TO an Associated Shopping Area Commercial Special Provision (ASA1(5)/ASA2(3)/ASA3(_)) Zone and an Associated Shopping Area Commercial Special Provision (ASA1(5)/ASA2(3)/ASA3(1)) 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 further noted that the Municipal Council approves this application for the following reasons:

- the recommended amendment is consistent with the Provincial Policy Statement, 2020, which encourages the regeneration of settlement areas and land use patterns within settlement areas that provide for a range of uses and opportunities for intensification and redevelopment;
- the recommended amendment conforms to the in-force policies of The London Plan, including but not limited to the Transit Village Place Type and Key Directions; and,
- the recommended amendment conforms to the in-force policies of the 1989 Official Plan, including but not limited to the Enclosed Regional Commercial Node designation.

Motion Passed

8.6 8th Report of the Strategic Priorities and Policy Committee

Motion made by: J. Morgan

That the 8th Report of the Strategic Priorities and Policy Committee BE APPROVED, excluding Items 4 (4.2) and 7 (5.1).

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

Motion Passed (15 to 0)

1. Disclosures of Pecuniary Interest

Motion made by: J. Morgan

Councillor S. Turner discloses a pecuniary interest with item 5.1, having to do with an update on City services during COVID-19, by indicating that he is an employee of the Middlesex-London Health Unit.

Motion Passed

2. (2.1) Update – Development of the Climate Emergency Action Plan

Motion made by: J. Morgan

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer and the Managing Director, Development and Compliance Services and Chief Building Official, the staff report with respect to the development of the City's Climate Emergency Action Plan BE RECEIVED for information.

Motion Passed

3. (4.1) RBC Place London – COVID-19 Financial Impacts

Motion made by: J. Morgan

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

- a) the staff report on RBC Place London COVID-19 Financial Impacts BE RECEIVED for information; and,
- b) RBC Place London BE REQUESTED to review their 10-year capital plan to re-assess priority needs and to mitigate potential capital budget requests through the 2022 Annual Budget Update process.

Motion Passed

5. (4.3) 2020 Year-End Capital Budget Monitoring Report and COVID-19 Financial Impacts

Motion made by: J. Morgan

That on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the following actions be taken with respect to the 2020 Year-End Capital Budget Monitoring Report:

- a) it BE NOTED that the City Treasurer, or designate, will undertake the housekeeping budget adjustments identified in the staff report dated April 27, 2021, in accordance with the Multi-Year Budget Policy adopted by By-law No. CPOL.-45-241;
- b) the following actions be taken with respect to the completed capital projects identified in Appendix “C”, as appended to the above-noted report, which have a total of \$14.4 million of net surplus funding:
 - i) the capital projects included in Appendix “C” BE CLOSED;
 - ii) the following actions be taken with respect to the funding associated with the capital projects approved for closure in c) i), above:

Rate Supported

- A) pay-as-you-go funding of \$213 thousand BE TRANSFERRED to capital receipts;
- B) authorized debt financing of \$2.5 million BE RELEASED resulting in a reduction of authorized, but unissued debt;
- C) uncommitted reserve fund drawdowns of \$5.2 million BE RELEASED back into the reserve funds which originally funded the projects;

Non-Rate Supported

- D) authorized debt financing of \$2.7 million BE RELEASED resulting in a reduction of authorized, but unissued debt;
- E) uncommitted reserve fund drawdowns of \$2.8 million BE RELEASED back into the reserve funds which originally funded the projects; and,
- F) other net non-rate supported funding sources of \$883 thousand BE ADJUSTED in order to facilitate project closings.

Motion Passed

6. (4.4) Greater London International Airport Authority (GLIAA) Board of Directors

Motion made by: J. Morgan

That the communication dated April 8, 2021 from Michelle T. Faysal, Chair, Board of Directors, Greater London International

Airport Authority (GLIAA) BE RECEIVED and the GLIAA BE AUTHORIZED to leave the aforementioned position vacant while undertaking a review of the size and composition of the board.

Motion Passed

4. (4.2) 2020 Year-End Operating Budget Monitoring Report and COVID-19 Financial Impacts

Motion made by: J. Morgan

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the following actions be taken with respect to the 2020 Year-End Operating Budget Monitoring Report:

a) the 2020 Year-End Operating Budget Monitoring Report for the Property Tax Supported Budget, Water, and Wastewater & Treatment Budgets BE RECEIVED for information. An overview of the net corporate positions are outlined below:

- i) Property Tax Supported Budget surplus of \$22.3 million prior to the recommendations listed in this report and contribution to the Operating Budget Contingency Reserve, noting a balanced budget position after factoring in these items;
- ii) Water Rate Supported Budget surplus of \$5.0 million prior to the contribution to the Water Budget Contingency Reserve;
- iii) Wastewater and Treatment Rate Supported Budget surplus of \$3.9 million prior to the contribution to the Wastewater and Treatment Budget Contingency Reserve;

b) the following contributions to reserves in accordance with Council direction from the Mid-Year Report BE RECEIVED for information, noting the contributions were endorsed as funding sources to offset potential financial impacts of COVID-19 on the City's 2021 Budget:

- i) \$12.3 million to the Operating Budget Contingency Reserve, noting the year-end contribution takes into account the contributions listed in items c) and d);
- ii) \$5.0 million to the Water Budget Contingency Reserve;
- iii) \$3.9 million to the Wastewater and Treatment Budget Contingency Reserve;

c) the Civic Administration BE AUTHORIZED to make the following contributions from the Property Tax Supported Budget surplus:

- i) an additional \$5.0 million to the Economic Development Reserve Fund to support social and economic recovery measures, it being noted the total 2020 contribution for these purposes would be equal to \$10.0 million;
- ii) Fleet Management net operational savings of approximately \$1.5 million from the Property Tax Supported Budget be contributed to the Vehicle and Equipment Replacement Reserve Fund to offset increasing vehicle costs, and to mitigate potential near-term budget increases due to these cost pressures;

d) the following allocations from the Property Tax Supported Budget surplus BE APPROVED with respect to RBC Place London:

- i) a one-time grant to support RBC Place operations for the remainder of 2021 in the amount of \$2.5 million;
- ii) a one-time contribution to the RBC Place Renewal Reserve

Fund to ensure funding for the current RBC Place capital plan in the amount of \$1.0 million;

e) the summary of anticipated COVID-19 impacts on the 2021 Budget BE RECEIVED for information, noting these represent updated forecasts and may vary as the impacts of the pandemic and recovery continues to dynamically evolve; and,

f) the presentation providing an overview of the 2020 Year-End Budget Monitoring and 2021 COVID-19 Impacts (Appendix "C" of the staff report dated April 27, 2021) BE RECEIVED for information;

it being noted that the reported year-end position is subject to completion of the financial statement audit; and,

it being further noted that the Strategic Priorities and Policy Committee received a communication dated April 22, 2021 from C. Butler with respect to this matter.

Motion made by: J. Morgan

The motion to approve clause 4.2, excluding part d)i) is put.

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

Motion Passed (15 to 0)

Motion made by: J. Morgan

Motion to approve part d) i) is put:

d) the following allocations from the Property Tax Supported Budget surplus BE APPROVED with respect to RBC Place London:
i) a one-time grant to support RBC Place operations for the remainder of 2021 in the amount of \$2.5 million;

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

Nays: (1): P. Van Meerbergen

Motion Passed (14 to 1)

7. (5.1) COVID-19 – City of London Services Update (Spring/Summer 2021)

Motion made by: J. Morgan

That, on the recommendation of the City Manager, the staff report dated April 27, 2021, entitled "Covid-19 – City of London Services Update (Spring/Summer 2021)", BE RECEIVED for information.

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

Recuse: (1): S. Turner

Motion Passed (14 to 0)

10. Deferred Matters

None.

11. Enquiries

None.

12. Emergent Motions

12.1 (ADDED) Councillor M. Cassidy - Proclamation Request - Day of Action Against Anti-Asian Racism

Motion made by: A. Hopkins
Seconded by: S. Turner

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 Maureen Cassidy of the application from Stop Asian Hate London, submitted on May 2, 2021, to proclaim May 10, 2021 "Day of Action Against Anti-Asian Racism".

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

Motion Passed (15 to 0)

At 6:01 PM, Mayor E. Holder places Deputy Mayor J. Morgan in the Chair and takes a seat at the Council Board.

At 6:05 PM, Mayor E. Holder resumes the Chair and Deputy Mayor J. Morgan takes his seat at the Council Board.

Motion made by: M. Cassidy
Seconded by: J. Morgan

That, notwithstanding Council Policy "Issuance of Proclamations Policy" which requires requests for proclamations to be submitted at least six (6) weeks in advance of the requested issuance dates, that based on the application dated May 2, 2021 from Stop Asian Hate London, May 10, 2021 BE PROCLAIMED "Day of Action Against Anti-Asian Racism" day.

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

Motion Passed (15 to 0)

13. By-laws

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

That Introduction and First Reading of Bill No's 177 to 225, inclusive, BE APPROVED, excluding Bill No. 191.

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

Motion Passed (15 to 0)

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

That Second Reading of Bill No's 177 to 225, inclusive, BE APPROVED,
excluding Bill No. 191.

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

Motion Passed (15 to 0)

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

That Third Reading and Enactment of Bill No's 177 to 225, inclusive, BE
APPROVED, excluding Bill No. 191.

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

Motion Passed (15 to 0)

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

That Introduction and First Reading of Bill No. 191, BE APPROVED.

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

Recuse: (1): S. Turner

Motion Passed (14 to 0)

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

That Second Reading of Bill No. 191, BE APPROVED.

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

Recuse: (1): S. Turner

Motion Passed (14 to 0)

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

That Third Reading and Enactment of Bill No. 191, BE APPROVED.

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

Recuse: (1): S. Turner

Motion Passed (14 to 0)

4. Council, In Closed Session

Motion made by: A. Hopkins

Seconded by: E. Pelosa

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

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

A matter pertaining to the proposed or pending acquisition of land by the municipality, including communications necessary for that purpose; advice that is subject to solicitor-client privilege; commercial and financial information, that belongs to the municipality and has monetary value or potential monetary value and a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality. (6.1/7/CSC)

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

A matter pertaining to the proposed or pending acquisition of land by the municipality, including communications necessary for that purpose; advice that is subject to solicitor-client privilege; commercial and financial information, that belongs to the municipality and has monetary value or potential monetary value and a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality. (6.2/7/CSC)

4.3 Personal Matters/Identifiable Individual

A matter pertaining to personal matters about an identifiable individual with respect to employment-related matters and advice and recommendations of officers and employees of the Corporation, including communications necessary for that purpose. (6.3/7/CSC)

4.4 Litigation/Solicitor-Client Privileged Advice

A matter pertaining to advice that is subject to solicitor-client privilege, including communications necessary for that purpose from the solicitor and officers and employees of the Corporation; the subject matter pertains to litigation or potential litigation with respect to litigation currently before the Superior Court of Justice, Court files No. 7132/12, 1235/13, 1294/13 and 2438/15 affecting the municipality and for the purpose of providing instructions and directions to officers and employees of the Corporation. (6.1/6/CWC)

Motion Passed

The Council convenes, In Closed Session at 6:11 PM, with Mayor E. Holder in the Chair and all Members participating.

At 6:38 PM, Council resumes into public session, with Mayor E. Holder in the Chair and all Members participating.

9. Added Reports

9.1 7th Report of Council in Closed Session

Motion made by: P. Squire

Seconded by: S. Lewis

1. Canadian Pacific Railway, Encroachment Agreement – West London Dyke Project

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, with the concurrence of the Division Manager, Stormwater Management, on the advice of the

Manager of Realty Services, with respect to the property owned by the Canadian Pacific Railway Company (CPR), located north of Oxford Street West at the Thames River, further described as Lots 8 and 9, PL 64(W), in the City of London, County of Middlesex, being part of PIN 08247-0154 (LT), as shown on the location map attached as Appendix “B”, for the purpose of constructing a retaining wall and pathway improvements to accommodate the West London Dyke Project, the Encroachment Agreement, substantially in the form attached as Appendix “A”, submitted by Canadian Pacific Railway Company (the “Grantor”), to grant a portion of the subject property to the City to construct the improvements BE ACCEPTED, for the sum of \$12,000.00, subject to the City holding a Commercial General Liability insurance policy with a limit of not less than Ten Million Dollars (\$10,000,000.00) for any one loss or occurrence for personal injury, bodily injury, or damage to property including loss of use thereof.

2. Offer to Purchase Industrial Land – 1649304 Alberta Ltd. – Innovation Industrial Park, Phase 1

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, on the advice of the Manager of Realty Services, with respect to industrial land located in Innovation Industrial Park, Phase I, containing an area of approximately 5.47 acres and municipally known as 2415 Innovation Drive, legally described as being Part of Block 3, Plan 33M-544, designated as Part 7, Plan 33R-20553, being all of PIN 0818970293, in the City of London, County of Middlesex, as outlined on the sketch attached hereto as Appendix “C”, the following actions be taken:

- a) the Agreement of Purchase and Sale (the “Agreement”), attached as Appendix “B”, submitted by The Corporation of the City of London (the “Purchaser”) to repurchase 5.47 acres of the subject property from 1649304 Alberta Ltd., for the sum of \$344,862.00 BE ACCEPTED, subject to the terms and conditions set out in the agreement; and,
- b) the financing for the acquisition BE APPROVED as set out in the Source of Financing Report attached hereto as Appendix “A”.

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

Motion Passed (15 to 0)

Motion made by: S. Lehman
Seconded by: E. Pelozza

That Introduction and First Reading of Bill No. 176 and Added Bill No.’s 226 to 242, inclusive, BE APPROVED.

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

Motion Passed (15 to 0)

At 6:47 PM, Councillor P. Squire leaves the meeting.

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

That Second Reading of Bill No.'s Bill No. 176 and Added Bill No.'s 226 to 242, inclusive, BE APPROVED.

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

Absent: (1): P. Squire

Motion Passed (14 to 0)

At 6:48 PM, Councillor P. Squire enters the meeting.

Motion made by: A. Hopkins

Seconded by: S. Lewis

That Third Reading and Enactment of Bill No.'s Bill No. 176 and Added Bill No.'s 226 to 242, inclusive, BE APPROVED.

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

Motion Passed (15 to 0)

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

Bill No.	By-law
Bill No. 176	By-law No. A.-8095-131 – A by-law to confirm the proceedings of the Council Meeting held on the 4th day of May, 2021. (City Clerk)
Bill No. 177	By-law No. A.-8096-132 – A by-law setting tax ratios for property classes in 2021. (2.2a/7/CSC)
Bill No. 178	By-law No. A.-8097-133 – A by-law levying tax rates for property classes in 2021. (2.2b/7/CSC)
Bill No. 179	By-law No. A.-8098-134 – A by-law levying rates for 2021 for school purposes in the City of London. (2.3/7/CSC)
Bill No. 180	By-law No. A.-8099-135 – A by-law to approve and authorize the Fire Safety Grant Transfer Payment Agreement between Her Majesty the Queen in Right of Ontario as represented by the Office of the Fire Marshal (the “Province”) and The Corporation of the City of London (the “Recipient”). (2.7/7/CPSC)
Bill No. 181	By-law No. A-54-21005 – A by-law to amend By-law No. A-54, as amended, being “A by-law to implement an Administrative Monetary Penalty System in London”. (3.2a/7/CPSC)
Bill No. 182	By-law No. A-56-21001 – A by-law to amend By-law No. A-56 being “A by-law to provide for Various Fees and Charges” by adding fees related to the London Hefty® EnergyBag® Pilot Project and the Bike Lockers Pilot Project. (3.2/6/CWC)
Bill No. 183	By-law No. B-1-21006 – A by-law to amend By-law No. B-1 referred to as Naming of Highways and Numbering of Buildings & Lots By-law, to amend Part 7. (3.2h/7/CPSC)
Bill No. 184	By-law No. C.P.-1284(vw)-136 – A by-law to amend the Official Plan for the City of London, 1989 relating 1918 to 2304 and 2005 to 2331 Kilally Road excluding 2065 Kilally Road. (3.3a/6/PEC)
Bill No. 185	By-law No. C.P.-1284(vx)-137 – A by-law to amend the Official Plan for the City of London, 1989 relating to 526 Oxford Street East. (3.2a/7/PEC)
Bill No. 186	By-law No. C.P.-1467(k)-138 – A by-law to amend C.P.-1467-175, as amended, being “A By-law to establish financial incentives for the Downtown Community Improvement Project Areas” by adding in its entirety, Schedule 3 – The Recovery Grant Program Guidelines. (2.2a/6/PEC)

Bill No. 187	By-law No. C.P.-1468(f)-139 – A by-law to amend C.P.-1468-176, as amended, being “A By-law to establish financial incentives for the Old East Village Community Improvement Project Area” by adding in its entirety, Schedule 2 – The Recovery Grant Program Guidelines. (2.2b/6/PEC)
Bill No. 188	By-law No. C.P.-1512(a)-140 – A by-law to amend C.P.- 1481-176, as amended, being “A By-law to establish financial incentives for the SoHo Community Improvement Project Area” by adding in its entirety, Schedule 2 – The Recovery Grant Program Guidelines. (2.2c/6/PEC)
Bill No. 189	By-law No. C.P.-1527(a)-141 – A by-law to amend C.P.- 1527-248, as amended, being “A By-law to establish financial incentives for the Hamilton Road Area Community Improvement Project Area” by adding in its entirety, Schedule B – The Recovery Grant Program Guidelines. (2.2d/6/PEC)
Bill No. 190	By-law No. C.P.-1539(a)-142 – A by-law to amend C.P.- 1539-220, as amended, being “A By-law to establish financial incentives for the Lambeth Area Community Improvement Project Area” by adding in its entirety, Schedule 2 – The Recovery Grant Program Guidelines. (2.2e/6/PEC)
Bill No. 191	By-law No. F-9 – A by-law to provide for the regulation of open air burning in the City of London and to repeal By-law F-7. (2.6/7/CPSC)
Bill No. 192	By-law No. L.-130(b)-143 – A by-law to amend By-law No. L.-130-71 referred to as Vehicle for Hire By-law, to amend Part 18. (3.2m/7/CPSC)
Bill No. 193	By-law No. L.S.P.-3491-144 – A by-law to enact a Heritage Easement Agreements of the property at 39 Carfrae Street, pursuant to the provision of the Ontario Heritage Act. (Heritage Easement)
Bill No. 194	By-law No. PH-3-21016 – A by-law to amend By-law No. PH-3 referred to as Animal Control By-law, to amend Part 15. (3.2c/7/CPSC)
Bill No. 195	By-law No. PH-4-21029 – A by-law to amend By-law No. PH-4 referred to as Dog Licensing and Control By-law, to amend Part 9. (3.2d/7/CPSC)
Bill No. 196	By-law No. PH-7-21005 – A by-law to amend By-law No. PH-7 referred to as Dog Off-leash Areas By-law, to amend Section 7. (3.2e/7/CPSC)
Bill No. 197	By-law No. PH-12-21004 – A by-law to amend By-law No. PH-12 referred to as Pit Bull Dog Licensing By-law, to amend Part 6. (3.2b/7/CPSC)

Bill No. 198	By-law No. PH-18-21005 – A by-law to amend By-law No. PH-18 referred to as Public Nuisance By-law, to amend Part 7. (3.2i/7/CPSC)
Bill No. 199	By-law No. PR-2-21005 – A by-law to amend By-law No. PR-2 referred to as Parks and Recreation Area By-law, to amend Part 7. (3.2k/7/CPSC)
Bill No. 200	By-law No. PS-113-21064 – A by-law to amend By-law PS-113 entitled, “A by-law to regulate traffic and the parking of motor vehicles in the City of London. (2.17/5/CWC)
Bill No. 201	By-law No. PS-113-21065 – A by-law to amend By-law PS-113 entitled, “A by-law to regulate traffic and the parking of motor vehicles in the City of London. (2.17/5/CWC)
Bill No. 202	By-law No. PS-113-21066 – A by-law to amend By-law PS-113 entitled, “A by-law to regulate traffic and the parking of motor vehicles in the City of London (2.4/6/CWC)
Bill No. 203	By-law No. PS-113-21067 – A by-law to amend By-law PS-113 entitled, “A by-law to regulate traffic and the parking of motor vehicles in the City of London (2.4/6/CWC)
Bill No. 204	By-law No. PS-113-21068 – A by-law to amend By-law PS-113 entitled, “A by-law to regulate traffic and the parking of motor vehicles in the City of London (2.4/6/CWC)
Bill No. 205	By-law No. PS-113-21069 – A by-law to amend By-law PS-113 entitled, “A by-law to regulate traffic and the parking of motor vehicles in the City of London (2.6/6/CWC)
Bill No. 206	By-law No. PS-5-21006 – A by-law to amend By-law PS-5 entitled “A by-law to provide for the owners of privately-owned outdoor swimming pools to erect and maintain fences.” (3.1/7/CPSC)
Bill No. 207	By-law No. PS-5-21007 – A by-law to amend By-law No. PS-5 referred to as Swimming Pool Fence By-law, to amend Part 7. (3.2g/7/CPSC)
Bill No. 208	By-law No. PS-6-21003 – A by-law to amend By-law No. PS-6 referred to as Fence By-law, to amend Part 17. (3.2f/7/CPSC)
Bill No. 209	By-law No. PW-2-21002 – A by-law to amend By-law No. PW-2 referred to as Abandoned Refrigerator, Freezer & Containers By-law, to amend Part 3 (3.2n/7/CPSC)
Bill No. 210	By-law No. PW-12-21005 – A by-law to amend By-law No. PW-12 referred to as Sound By-law, to amend Part 7 (3.2j/7/CPSC)

Bill No. 211	By-law No. S-1-21015 – A by-law to amend By-law No. S-1 referred to as Streets By-law, to amend Part 9. (3.2p/7/CPSC)
Bill No. 212	By-law No. S.-5868(b)-145 – A by-law to amend By-law No. S.-5868-183 referred to as Sign By-law, to amend Section 3.12. (3.2l/7/CPSC)
Bill No. 213	By-law No. S.-6123-146 – A by-law to rename a portion of “Blackwater Road” from “Sunningdale Road East”, northward to Block 5, Part of Lot 13 Concession 6, on Registered Plan 33M-764, and northward to Block 11, Part of Lot 13 Concession 6, on Registered Plan 33M-787 to “Appletree Gate”. (3.1/6/CWC)
Bill No. 214	By-law No. S.-6124-147 – A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as part of Paulpeel Avenue) (Chief Surveyor – plan of subdivision requiring 0.3m reserve on abutting plan, 33M-691, for unobstructed legal access through a subdivision)
Bill No. 215	By-law No. S.-6125-148 – A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Fanshawe Park Road East, east of Jennifer Road) (Chief Surveyor – for road widening purposes, registered as ER1354410, pursuant to SPA20-029 and in accordance with Zoning By-law Z.-1)
Bill No. 216	By-law No. W.-5672-149 – A by-law to authorize the Dearness Home Auditorium Expansion (Project No. DH1100) (2.5/6/CPSC)
Bill No. 217	By-law No. W.-5673-150 – A by-law to authorize the Road Networks Improvements (Main) (Project No. TS144621) (2.5d/5/CWC)
Bill No. 218	By-law No. WM-12-21017 – A by-law to amend By-law No. WM-12 referred to as Municipal Waste & Resource Materials Collection By-law, to amend Part 12. (3.2o/7/CPSC)
Bill No. 219	By-law No. Z.-1-212924 – A by-law to amend By-law No. Z.-1 to remove holding provision from the zoning for lands located at 3392 Wonderland Road South. (2.1/6/PEC)
Bill No. 220	By-law No. Z.-1-212925 – A by-law to amend By-law No. Z.-1 to rezone 1918 to 2304 and 2005 to 2331 Kilally Road, excluding 2065 Kilally Road. (3.3c/6/PEC)
Bill No. 221	By-law No. Z.-1-212926 – A by-law to amend By-law No. Z.-1 to remove holding provision from the zoning for lands located at 420 Fanshawe Park Road East. (2.1/7/PEC)

Bill No. 222	By-law No. Z.-1-212927 – A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at 3493 Colonel Talbot Road. (2.3/7/PEC)
Bill No. 223	By-law No. Z.-1-212928 – A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at 2015 Shore Road. (2.5/7/PEC)
Bill No. 224	By-law No. Z.-1-212929 – A by-law to amend By-law No. Z.-1 to rezone an area of land located at 526 Oxford Street East. (3.2b/7/PEC)
Bill No. 225	By-law No. Z.-1-212930 – A by-law to amend By-law No. Z.-1 to rezone an area of land located at 1701-1737 Richmond Street. (3.3/7/PEC)
Bill No. 226	(ADDED) By-law No. A.-8100-151 – A by-law to authorize and approve an Encroachment Agreement between The Corporation of the City of London and Canadian Pacific Railway Company, with respect to the property legally described as Lots 8 and 9, Plan 64(W), in the City of London, County of Middlesex, being part of PIN 08247-0154 (LT), for the West London Dyke Project, and to authorize the Mayor and the City Clerk to execute the Agreement (6.1/7/CSC)
Bill No. 227	(ADDED) By-law No. A.-8101-152 – A by-law to authorize and approve an Agreement of Purchase and Sale between The Corporation of the City of London and 1649304 Alberta Ltd. for the purchase of industrial land located in Innovation Industrial Park, Phase I, containing an area of approximately 5.47 acres and municipally known as 2415 Innovation Drive, legally described as being Part of Block 3, Plan 33M-544, designated as Part 7, Plan 33R-20553, being all of PIN 0818970293, in the City of London, County of Middlesex, and to authorize the Mayor and the City Clerk to execute the Agreement. (6.2/7/CSC)
Bill No. 228	(ADDED) By-law No. A.-8102-153 – A by-law to repeal By-law No. A.-7499-37 entitled “A by-law to appoint Barry Card as Managing Director, Corporate Services and City Solicitor” and to appoint Barry Card as Deputy City Manager, Legal Services. (City Clerk)
Bill No. 229	(ADDED) By-law No. A.-8103-154 – A by-law to appoint Kevin Dickins as Deputy City Manager, Social and Health Development. (City Clerk)
Bill No. 230	(ADDED) By-law No. A.-8104-155 – A by-law to appoint George Kotsifas as Deputy City Manager, Planning and Economic Development. (City Clerk)

Bill No. 231	(ADDED) By-law No. A.-8105-156 – A by-law to repeal By-law No. A.-7563-166 entitled “A by-law to appoint Anna Lisa Barbon as the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer of The Corporation of the City of London” and to appoint Anna Lisa Barbon as Deputy City Manager, Finance Supports. (City Clerk)
Bill No. 232	(ADDED) By-law No. A.-8106-157 – A by-law to repeal By-law No. A.-7488-14 entitled “A by-law to appoint Kelly Scherr as Managing Director, Environmental Services and City Engineer” and to appoint Kelly Scherr as Deputy City Manager, Environment and Infrastructure. (City Clerk)
Bill No. 233	(ADDED) By-law No. A.-8107-158 – A by-law to repeal By-law No. A.-7899-285 entitled “A by-law to appoint Cheryl Smith as Managing Director, Neighbourhood, Children and Fire Services” and to appoint Cheryl Smith as Deputy City Manager, Neighbourhood and Community-Wide Services. (City Clerk)
Bill No. 234	(ADDED) By-law No. A.-8108-159 – A by-law to repeal By-law No. A.-7631-514 entitled “A by-law to appoint Scott Stafford as Managing Director, Parks and Recreation”. (City Clerk)
Bill No. 235	(ADDED) By-law No. A.-8109-160 – A by-law to repeal By-law No. A.-6627-82 entitled “A by-law to appoint John M. Fleming as City Planner”. (City Clerk)
Bill No. 236	(ADDED) By-law No. A.-8110-161 – A by-law to delegate to the Deputy City Manager, Social and Health Development or their written designate, to undertake all the administrative, financial and reporting acts, including approval of Registered Early Child Educator Service Provider Exemptions and approval for Serious Incident reporting, with respect to the approval processes under the EarlyON and Family Centre Program under the Child Care and Early Years Act, 2014. (City Clerk)
Bill No. 237	(ADDED) By-law No. A.-8111-162 – A by-law to appoint Shirley Glover, Director, Life Stabilization, as Administrator pursuant to the Ontario Works Act, 1997. (City Clerk)
Bill No. 238	(ADDED) By-law No. A.-8112-163 – A by-law to appoint Barry Card as the City Solicitor. (City Clerk)
Bill No. 239	(ADDED) By-law No. A.-8113-164 – A by-law to appoint Anna Lisa Barbon as the City Treasurer. (City Clerk)

Bill No. 240	(ADDED) By-law No. A.-8114-165 – A by-law to appoint Peter Kokkoros as the Chief Building Official. (City Clerk)
Bill No. 241	(ADDED) By-law No. B.-98-166 – A by-law to appoint the Chief Building Official and Inspectors under the Building Code Act, 1992, S.O. 1992, c.23, as amended for the purposes of enforcement of said Act. (City Clerk)
Bill No. 242	(ADDED) By-law No. A.-8115-167 – A by-law to transfer delegated authority to reflect organizational changes. (City Clerk)

14. Adjournment

At 6:49 PM, Councillor S. Lewis leaves the meeting.

Motion made by: P. Squire

Seconded by: S. Turner

That the meeting BE ADJOURNED.

Motion Passed

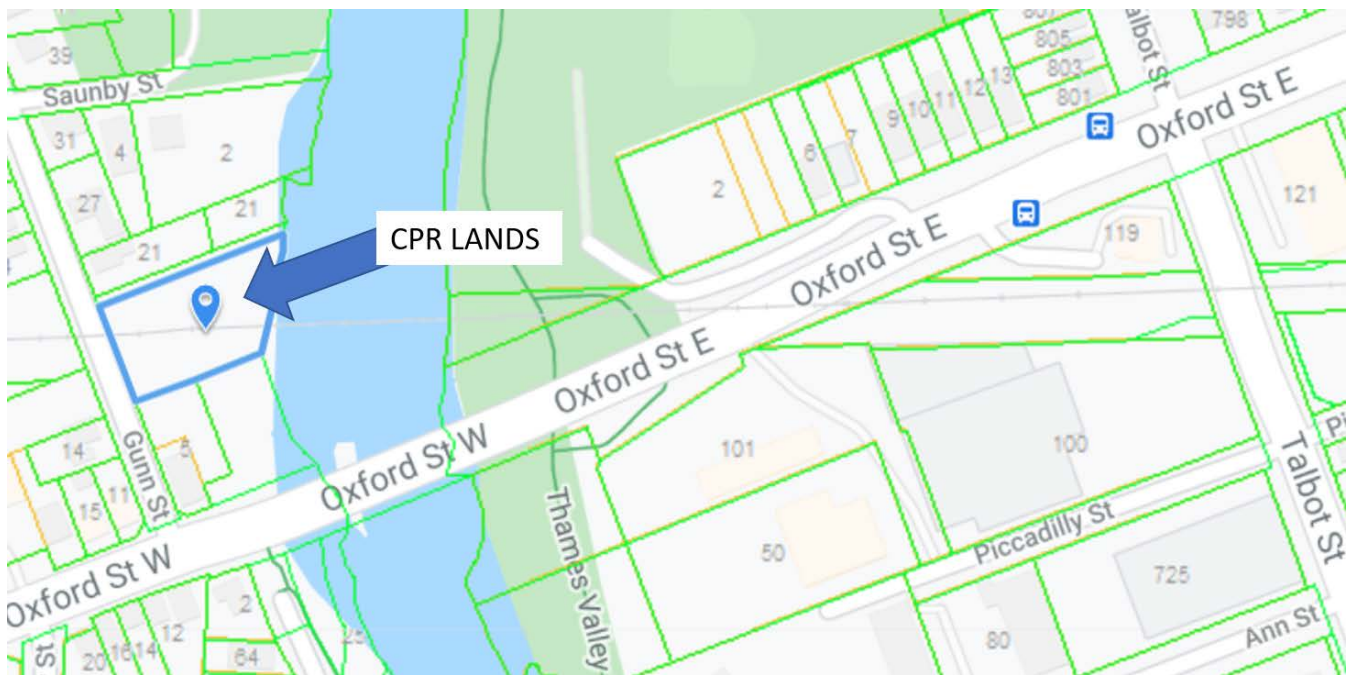
The meeting adjourned at 6:50 PM.

Ed Holder, Mayor

Catharine Saunders, City Clerk

Appendix B – Location Map

Canadian Pacific Railway Lands



Aerial Location Map



For Illustration Purposes Only – Not to Scale

File: _____

Encroachment Agreement

THIS AGREEMENT made this 31 day of March, 2021.

BETWEEN:

CANADIAN PACIFIC RAILWAY COMPANY

a body corporate with an office at the
City of Calgary in the Province of Alberta

(the "Grantor")

- and -

The Corporation of the City of London

(the "Grantee")

RECITALS:

A. The Grantor is the registered owner in fee simple of the following lands:

As per the attached Schedule "A"

(the "CPR Lands")

Legal Description: LTS 8 & 9 PL 64(W) LONDON

B. The Grantee is the registered owner in fee simple of the following lands:

AS PER ATTACHED SCHEDULE "A"

(the "Grantee's Lands").

**Legal Description: PT LTS 10 & 11 PL 64(W) AS IN YB36007; EXCEPT 782946;
"DESCRIPTION IN YB36007 MAY NOT BE ACCEPTABLE IN FUTURE" LONDON**

C. A portion of the West London Dyke Project – Phase 7 (the "Encroachment") to be constructed on the Grantor's Lands as shown shaded in red on the plan attached as Schedule "A" (the "Encroachment Area") and made a part hereof.

D. The Grantee has requested that the Grantor consent to the construction of the Encroachment on the Encroachment Area and the parties have agreed to allow the Encroachment to remain on the Encroachment Area on the CPR Lands, subject to the covenants, terms and conditions as set out in this Agreement. This Agreement shall be effective as of March 31, 2021.

Appendix A Cont'd – Encroachment Agreement

IN CONSIDERATION of a one-time fee in the sum of Twelve Thousand Dollars (\$12,000.00) plus HST paid by the Grantee to the Grantor, and the covenants and terms contained in this Agreement, the parties hereto agree as follows:

1. The Grantor hereby grants to the Grantee a revocable license for the construction, maintenance and continued existence of the Encroachment on the CPR Lands, subject to the Grantee complying with the covenants, terms and conditions of this Agreement.
2. The license granted shall be for as long a period as the Encroachment on the Encroachment Area exists and this license shall automatically terminate as soon as the Encroachment no longer exists or the Grantor provides 90 day notice to the Grantee that the Encroachment Area is required for the Grantor's railway operations. The Grantee hereby, on behalf of itself and its successors and assigns agrees release and discharge the license upon receipt of notice to the Grantee that the Encroachment Area is required for the Grantor's railway operations.
3. The Grantee covenants and agrees that it shall not build any additional structures or improvements on the Encroachment Area. The Grantee shall exercise the rights granted in a careful and skillful manner so as to not interfere with the Grantor's operations or use of the CPR Lands. The Grantee further covenants and agrees that it shall keep the Encroachment maintained in a proper and safe condition during the term of the license. The Grantee shall not permit any builders' liens to be registered against the CPR Lands, and if any are filed the Grantee shall discharge same within 30 days of the date of registration, however this shall not imply consent or agreement on the part of the Grantor to allowing any construction on the Encroachment Area.
4. The Grantor agrees that it, its successors and assigns shall be responsible for all rates, assessments, real property taxes, school taxes or similar taxes which are assessed against the Encroachment Area portion of the CPR Lands due to the Encroachment being on the Encroachment Area.
5. The Grantee agrees that it shall not register any encumbrance against the CPR Lands with respect to this Agreement. This license is not an interest in land which runs with the Land.
6. Indemnification:
 - a) The Grantee shall indemnify and save harmless the Grantor from and against any and all claims, actions, judgments, liabilities and expenses (including legal expenses on a solicitor and client basis) whomsoever made, in respect of loss, damage or destruction of property, or personal injuries, including death arising from or out of any occurrence upon the Encroachment Area; or the use of the Encroachment Area (or any portion) by the Grantee or its employees or agents; or occasioned wholly or in part by an act or omission of the Grantee, its employees, and agents, or by anyone permitted by the Grantee to be upon the Encroachment Area.
 - b) The Grantee hereby releases and discharges the Grantor from and against all losses, costs, injuries including death, expenses, damages, claims and liabilities whatsoever, direct or consequential, incurred or suffered by the Grantor by reason of the entry upon the Encroachment Area by the Grantee or its employees, agents or contractors or by anyone permitted by the Grantee to be upon the Encroachment Area (notwithstanding that permission may have been granted by the Grantor) and any other matter or occurrence whatsoever, including any act, omission or negligence of the Grantor, its

Appendix A Cont'd – Encroachment Agreement

employees, agents or contractors or arising from or in connection with the use, maintenance or existence of the Encroachment on the Encroachment Area. The parties agree that the covenants and provisions in Section 6 shall survive expiration or termination of this Agreement.

- c) The Grantee shall indemnify and save harmless the Grantor from any fines, penalties or expenses levied or charged against the Grantor or the Grantee by any governmental authority, court or board pursuant to any law, by-law or regulation for the protection of the environment as a result of the business or activities of the Grantee on the Encroachment Area during the term of this Agreement.
7. The Grantee shall, for as long a period as the Encroachment on the Encroachment Area exists, at its cost and expense, take out and keep in full force and effect the following insurance:
- a) Commercial General Liability insurance policy with a limit of not less than Ten Million Dollars (\$10,000,000) for any one loss or occurrence for personal injury, bodily injury, or damage to property including loss of use thereof. This policy shall, by its wording or by endorsement include but not be limited to the following:
 - i. include the Grantor, and its associated or affiliated subsidiaries (and the directors, officers, employees, agents and trustees of all of the foregoing) as an additional insured with respect to obligations of the Grantee under this Agreement and incidental thereto;
 - ii. include a "cross liability" clause which shall have the effect of insuring each person, firm or corporation named in the policy as an insured in the same manner and to the same extent as if a separate policy had been issued to each;
 - iii. include blanket contractual liability including the insurable liabilities assumed by the Grantee under this Agreement;
 - iv. include broad form products and completed operations;
 - v. provide non-owned auto liability coverage;
 - vi. include contingent employer's liability;
 - vii. include sudden and accidental pollution liability;
 - viii. include tenants legal liability; and
 - ix. shall not exclude operations on or in the vicinity of the railway right of way.
 - b) "All Risks" insurance upon property of every kind and description owned by the Grantee or in its care, custody and control including, without limitation, rolling stock, stock in trade, furniture, fittings, installations, alterations, additions, partitions, fixtures, plate glass, Grantee's Encroachment, other approved improvements, and all parts of the facilities which the Grantee is obligated to keep in repair under this Agreement. All of the foregoing shall be valued on a replacement cost basis.

If requested by Grantor, or by a third party acting on Grantor's behalf, the Grantee is to provide written advice from the Workers' Compensation Board of the Province for which the contract will be executed, evidencing that the Grantee has complied in all respects with the Workers' Compensation Act of that province.

The Grantee agrees that the insurance requirements set out herein shall not limit or restrict its liabilities under this Agreement.

Appendix A Cont'd – Encroachment Agreement

The Grantee agrees that the insurances it maintains are primary and not excess of any other insurance that may be available. Unless otherwise provided above, all insurance coverage shall take place in the form of an occurrence basis policy and not a claims made policy.

Grantee shall waive any and all subrogation in the event of injury, death, losses, incidents, claims and potential claims where permissible under the insurance policies required under this Insurance Section. Grantee shall, prior to the commencement of this Agreement, and upon the insurance renewal date thereafter, furnish to Grantor a copy of the certificate(s) of insurance evidencing the above insurance coverage. Such certificate of insurance shall be sent by email to cprail@ebix.com. Grantor shall have no obligation to examine such certificate(s) or to advise the Grantee if its insurance coverage is not in compliance with this Agreement. Acceptance of any certificate(s) which are not compliant with the stipulated coverage set out herein shall in no way whatsoever imply that Grantor has waived its insurance requirements.

The Grantee shall provide Grantor with written notice and all reasonable particulars and documents related to any damages, losses, incidents, claims and potential claims concerning this Agreement as soon as practicable after the damage, loss, incident or claim has been discovered. The Grantee is responsible for any deductible and excluded loss under the insurance. The deductible in any insurance policy shall not exceed such maximum amount that a reasonably prudent business person would consider reasonable.

The policies shall be endorsed to provide Grantor with not less than thirty (30) days written notice in advance of cancellation. Such notice shall be sent by email to cprail@ebix.com.

Grantor reserves the right to maintain the insurance coverage in good standing at Grantee's expense and to require Grantee to obtain additional insurance where, in Grantor's reasonable opinion, the circumstances so warrant. If the Grantee fails to maintain the insurances required under this Agreement, Grantor may, at its option, terminate this Agreement without notice.

8. The Grantee covenants that it will not bring, keep or store upon the Encroachment Area any Hazardous Substances (as hereinafter defined).
 - a) "**Hazardous Substances**" for the purposes of this Agreement means any substance, which is hazardous to persons or property and includes, without limiting the generality of the foregoing:
 - i) radioactive, explosive, poisonous, or toxic substances;
 - ii) any substance that if added to any water, would degrade or alter the quality of the water to the extent that it is detrimental to its use by man or by any animal, fish or plant;
 - iii) any solid, liquid, gas or odor or combination of any of them that, if emitted into the air, would create or contribute to the creation of a condition of the air that endangers the health, safety, or welfare of persons or the health of animal life or causes damage to plant life or to property;
 - iv) substances declared to be hazardous, toxic or dangerous under any law or regulation now or hereafter enacted by any governmental authority having jurisdiction over the Grantor, Grantee or the Encroachment Area.
9. This Agreement shall extend to, be binding upon and enure to the benefit of the successors and assigns of the Grantor and the Grantee respectively.

Appendix A Cont'd – Encroachment Agreement

10. This Encroachment and throughout the term of this license, shall be subject to the requirements of any governmental authority, including but not limited to the Canadian Transportation Agency, Transport Canada, or any other authority having jurisdiction over the Grantee or its operations. If this Encroachment becomes contrary to any law, regulation, order or other direction of such authority at any time the Encroachment shall immediately terminate.
11. This Encroachment sets forth the entire agreement between the parties and the Grantee agrees that there are no representations or warranties affecting the granting of the Encroachment other than as herein set out.
12. The Grantee shall upon the discontinuance of use of the Encroachment on the Encroachment Area, demolish and remove at its own expense, from the Encroachment Area, the Encroachment within 90 days of such discontinuance. The Grantee shall vacate and leave the Encroachment Area in a neat, clean and level condition, free and clear of all waste material and Hazardous Substances of any kind whatsoever all to the satisfaction of the Grantor and in compliance with all applicable environmental laws, regulations, directives and orders. If requested by the Grantor, the Grantee shall obtain, at the Grantee's sole cost and expense, a report from an independent consultant approved by the Grantor verifying that the Grantee has complied with the provisions of the Section, or if that is not the case, reporting the extent and nature of failure to comply with the provisions of this Section. If the Grantee fails to promptly obtain the report, the Grantor may at its sole option, obtain such report from an independent consultant of its choice, and Grantee will immediately pay to Grantor all costs and expenses incurred with respect to the report. Should the Grantee fail to carry out such work as required to comply with the provisions of this section, the Grantor may carry out such work and the Grantee shall immediately pay to the Grantor all costs and expenses incurred by the Grantor in so doing. The parties agree that the provisions of Section 11 shall survive termination of this Agreement.
13. This Agreement shall be construed in accordance with the laws of the Province of Alberta.
14. The parties hereto have executed this Agreement as of the date first above written.

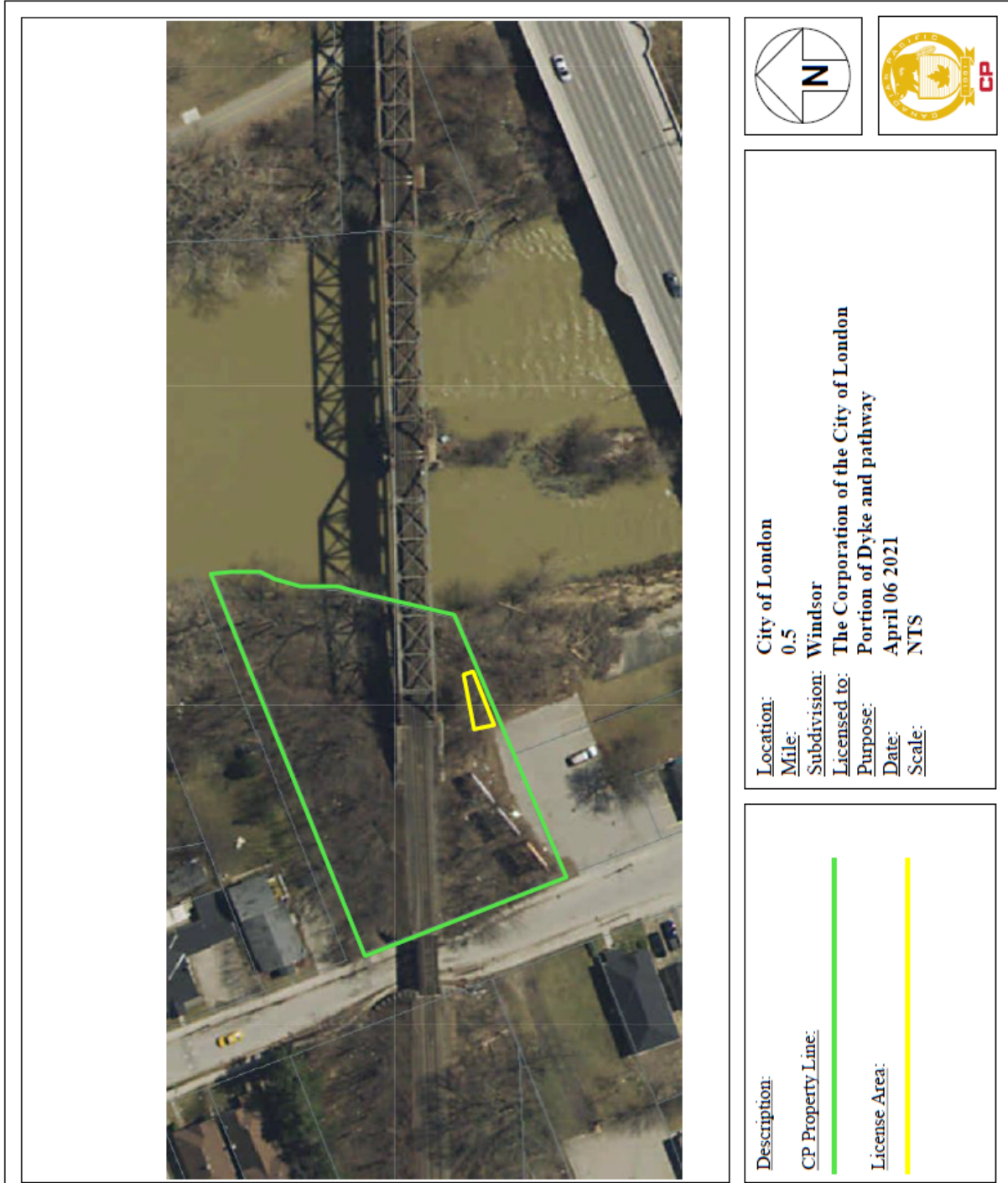
CANADIAN PACIFIC RAILWAY COMPANY

Frank Gulas
Manager, Real Estate Ontario & Manitoba

THE CORPORATION OF THE CITY OF LONDON

Name:
Title:

SCHEDULE "A"



Appendix C – Location Map and Aerial



For illustration purposes



Sketch shown for illustration purposes

Appendix B – Agreement of Purchase and Sale

AGREEMENT OF PURCHASE AND SALE

PURCHASER: THE CORPORATION OF THE CITY OF LONDON

VENDOR: 1649304 ALBERTA LTD.

REAL PROPERTY:

Address 2415 INNOVATION DRIVE

Location WEST SIDE OF INNOVATION DRIVE

Measurements IRREGULAR, 528.40 ft x 474.38 ft x 268.49 ft x 320.31 ft x 344.51 ft
(5.47 ACRES)

Legal Description:

Being Part Block 3 in Plan 33M-544, Designated as Part 7 in 33R- 20553 being all of PIN 018970293 located in the City of London, County of Middlesex, as shown on Schedule "A" (the "Property"),

1. **OFFER TO PURCHASE:** The Purchaser agrees to purchase the Property from the Vendor in accordance with the terms and conditions as set out in this Agreement.
2. **SALE PRICE:** The purchase price shall be Three Hundred and Forty-Four Thousand Eight Hundred and Sixty Two Dollars CDN (\$344,862.00) payable as follows:
 - a) a deposit of Two Dollars (\$2.00) cash or cheque on the date hereof as a deposit; and
 - b) the balance of the sale price, subject to adjustments, in cash or by cheque on completion of this Agreement.
3. **ADJUSTMENTS:** Any unearned fire insurance premiums, rents, mortgage interest, realty taxes including local improvements rates and unmetered public or private utility charges and unmetered cost of fuel, as applicable, shall be apportioned and allowed to the day of completion, the day of completion itself to be apportioned to the Purchaser.
4. **SCHEDULE(S):** The following Schedule(s) form(s) part of this Agreement:
 - Schedule "A" Description of the Property
 - Schedule "B" Additional Terms and Conditions
5. **IRREVOCABILITY:** This Offer shall be irrevocable by the Vendor until considered by the Council of the Corporation of the City of London at a meeting to be held no later than **May 31st 2021**, after which date, if not accepted, this Offer shall be null and void and the deposit shall be returned to the Purchaser in full without interest or deduction.
6. **TITLE SEARCH:** The Purchaser shall be allowed until 4:30 p.m. on **June 7th 2021** (Requisition Date) to examine the title to the Property and at its own expense and to satisfy itself that there are no outstanding work orders or deficiency notices affecting the Property, that its present use may be lawfully continued and that the principal building may be insured against risk of fire.
7. **COMPLETION DATE:** This Agreement shall be completed by no later than 4:30 p.m. on **June 18th 2021**. Upon completion, vacant possession of the Property shall be given to the Purchaser unless otherwise provided for in this Agreement.
8. **NOTICES:** Any notice relating to or provided for in this Agreement shall be in writing.
9. **HST:** If this transaction is subject to Harmonized Sales Tax (HST) then such HST shall be in addition to and not included in the sale price, and HST shall be collected and remitted in accordance with applicable legislation. If this transaction is not subject to HST, the Vendor agrees to provide, on or before completion, to the Purchaser's solicitor, a certificate in a form satisfactory to the Purchaser's solicitor certifying that the transaction is not subject to HST.
10. **FUTURE USE:** Vendor and the Purchaser agree that there is no representation or warranty of any kind that the future intended use of the Property by the Purchaser is or will be lawful except as may be specifically provided for in this Agreement.
11. **TITLE:** Provided that the title to the Property is good and free from all encumbrances. If within the specified times referred to in paragraph 6 any valid objection to title or to any outstanding work order or deficiency notice, or to the fact the said present use may not lawfully be continued, or that the principal building may not be insured against risk of fire is made in writing to the Vendor and which Vendor is unable or unwilling to remove, remedy or satisfy and which the Purchaser will not waive, this Agreement notwithstanding any intermediate acts or negotiations in respect of such objections, shall be at an end and any deposit paid shall be returned without

Appendix B – Agreement of Purchase and Sale Cont'd

interest or deduction and Vendor shall not be liable for any costs or damages. Save as to any valid objection so made by such day and except for any objection going to the root of the title, the Purchaser shall be conclusively deemed to have accepted Vendor's title to the Property .

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

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

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

_____ of the Council of The Corporation of the City of London passed the
_____ day of _____, 2021

THE CORPORATION OF THE CITY OF LONDON

Ed Holder, Mayor

Catharine Saunders, City Clerk

Appendix B – Agreement of Purchase and Sale Cont'd

GIVEN UNDER MY/OUR HAND AND SEAL, (OR, IN WITNESS WHEREOF THE VENDOR HERETO HAS
HEREUNTO CAUSED TO BE AFFIXED ITS CORPORATE SEAL ATTESTED BY THE HANDS OF ITS PROPER
SIGNING OFFICERS, as the case may be) this _____ day of _____ 2021.

SIGNED, SEALED AND DELIVERED
In the Presence of

1649304 ALBERTA LTD.

Per: 

Name: Manfred Schmidt

Title: Principal, 1649304 Alberta Ltd.

Per: 

Name: Norman Rust

Title: Principal, 1649304 Alberta Ltd.

I/We Have the Authority to Bind the Corporation

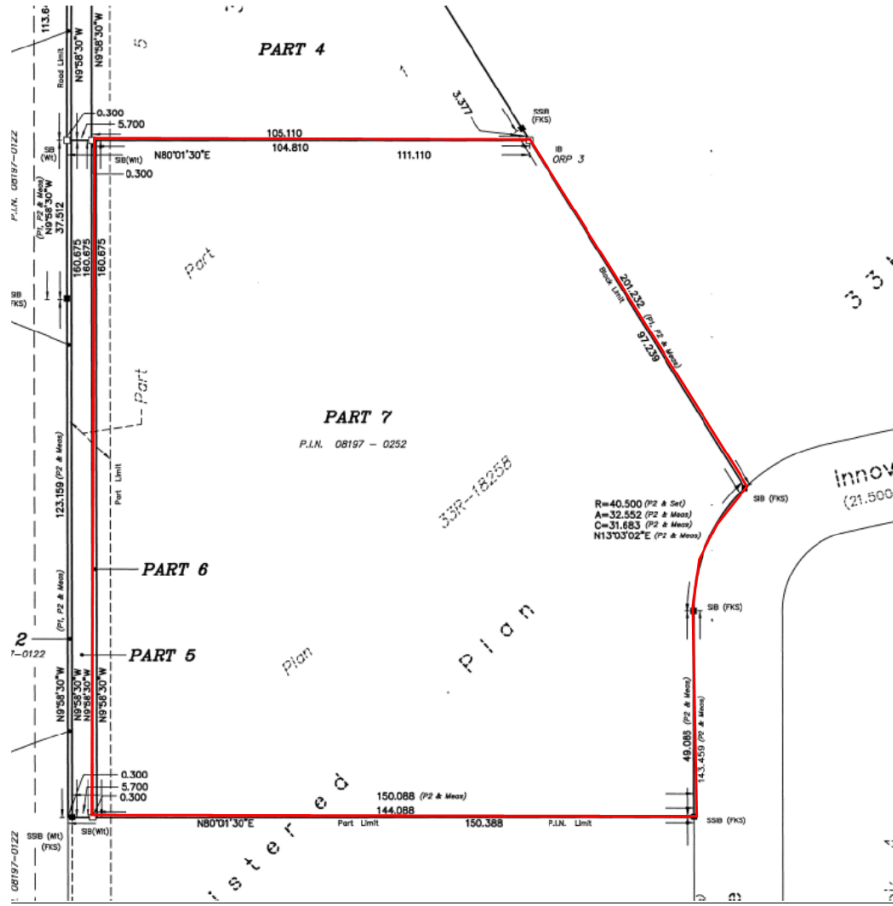
VENDOR'S LAWYER: Max P. Cheng Barrister & Solicitor, Notary Public 420 Highway 7 east, suite 201, Richmond Hill, Ontario, L4B 3K2 (905) 707-8808 Fax (905) 707-8809

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

Appendix B – Agreement of Purchase and Sale Cont'd

SCHEDULE "A"

Property Shown as Part 7 In Plan 33R-20553



Appendix B – Agreement of Purchase and Sale Cont'd

SCHEDULE B

1. **LEGAL FEES:** The Purchaser agrees to reimburse the Vendor's reasonable legal fees associated with the preparation and closing of this transaction which shall be up to a maximum of Two Thousand Dollars (\$2,000.00) CDN (excluding tax).
2. **FARM LEASE:** If applicable, the Vendor agrees to terminate any existing farm lease for the property on or before the Closing of this transaction.
3. **STATEMENT OF ADJUSTMENTS:** The Vendor shall provide the Purchaser with the Statement of Adjustments and fully executed copies of any further final and irrevocable directions and re-directions regarding payment of the balance of the Purchase Price (as defined in Section 2 of this Agreement) as the Vendor may require (collectively, the "Direction re: Funds"), by no later than 4:00 p.m. on the 6th business day that precedes the Completion Date (as defined in Section 7 of this Agreement or otherwise agreed upon by the parties), failing which, at the sole option of the Purchaser, the Completion Date may be extended to a date up to ten (10) business days after the Purchaser's receipt of the Direction re: Funds.

Appendix A – Source of Financing Report

Appendix "A" Confidential

#21055

April 19, 2021
(Property Acquisition)

Chair and Members
Corporate Services Committee

RE: Offer to Purchase Industrial Land, 1649304 Alberta Ltd.
Innovation Industrial Park, Phase 1
(Subledger LD190028)
Capital Project ID1145 - Future Industrial Land Acquisition
1649304 Alberta Ltd.

Finance and Corporate Services Report on the Sources of Financing:

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

Estimated Expenditures	Approved Budget	Committed To This Date	This Submission	Balance for Future Work
Land Acquisition	36,061,690	35,290,525	356,615	414,550
City Related Expenses	26,591	26,591	0	0
Total Expenditures	\$36,088,281	\$35,317,116	\$356,615	\$414,550

Sources of Financing

Capital Levy	1,100,000	1,100,000	0	0
Debenture By-law No. W.-1716(f)-146	10,200,000	10,200,000	0	0
Drawdown from Industrial Land Reserve Fund	9,588,281	8,817,116	356,615	414,550
Debenture By-law No. W.-1716(f)-146 (Serviced through Industrial Land Reserve Fund)	15,200,000	15,200,000	0	0
Total Financing	\$36,088,281	\$35,317,116	\$356,615	\$414,550

Financial Note:

Purchase Cost	\$344,862
Add: Legal Fees etc.	2,000
Add: Land Transfer Tax	3,648
Add: HST @13%	45,092
Less: HST Rebate	-38,987
Total Purchase Cost	\$356,615

Jason Davies
Manager of Financial Planning & Policy