



London
CANADA

COUNCIL MINUTES 16TH MEETING

October 1, 2013

The Council meets in Regular Session in the Council Chambers this day at 4:02 PM.

PRESENT: Mayor J.F. Fontana, B. Polhill, B. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, J.P. Bryant, S.E. White and C. Saunders (City Clerk).

ALSO PRESENT: A. Zuidema, G. Belch, J. Braam, B. Coxhead, S. Datars Bere, J.M. Fleming, M. Hayward, G.T. Hopcroft, G. Kotsifas, L. Livingstone, L. Marshall, V. McAlea Major, D. O'Brien, R. Paynter, D. Popadic, L.M. Rowe, R. Sharpe, B. Warner and B. Westlake-Power.

At the beginning of the Meeting all Members are present except Councillors P. Hubert and H.L. Usher.

I DISCLOSURES OF PECUNIARY INTEREST

Councillor J.B. Swan discloses a pecuniary interest in discussions that were attempted to be initiated at the September 30, 2013 meeting of the Investment and Economic Prosperity Committee, related to the establishment of a Performing Arts Centre, but were postponed for procedural reasons. The City Clerk indicates that there is no reference to the attempt to initiate those discussions at that meeting as the Committee could not discuss any matters other than those for which the Special Meeting was called.

Councillor J.P. Bryant discloses a pecuniary interest in clauses 2 and 3 of the 10th Report of the Investment and Economic Prosperity Committee having to do with Western University's Research Park and the Medical Innovation and Commercialization Network, respectively, by indicating that her spouse sits on the faculty of Western University. Councillor J.P. Bryant also discloses a pecuniary interest in clause 2 of the 11th Report of the Investment and Economic Prosperity Committee having to do with Western University's Research Park by indicating that her spouse sits on the faculty of Western University.

Councillor M. Brown discloses a pecuniary interest in clause C-1 of the Confidential Appendix to the 25th Report of the Corporate Services Committee having to do with a matter pertaining to the purpose of instructions and directions to officers and employees of the Corporation pertaining to a proposed acquisition and/or disposition of land; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; reports or advice or recommendations of officers and employees of the Corporation pertaining to a proposed acquisition and/or disposition of land; commercial and financial information supplied in confidence pertaining to the proposed acquisition and/or disposition the disclosure of which could reasonably be expected to, prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of the Corporation, result in similar information no longer being supplied to the Corporation where it is in the public interest that similar information continue to be so supplied, and result in undue loss or gain to any person, group, committee or financial institution or agency; commercial, information relating to the proposed acquisition and/or disposition that belongs to the Corporation that has monetary value or potential monetary value; information concerning the proposed acquisition and/or disposition whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or its competitive position; information concerning the proposed acquisition and/or disposition whose disclosure could reasonably be expected to be injurious to the financial interests of the Corporation; and instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the Corporation concerning the proposed acquisition and/or disposition, by indicating that he is employed by the Thames Valley District School Board.

Councillor S.E. White discloses a pecuniary interest in clause 4 of the 16th Report of the Civic Works Committee, as it relates to the 6th Report of the Transportation Advisory Committee, particularly as it relates to clause 3 of that Report, by indicating that she lives in proximity to the subject property located at 1030 Coronation Drive.

II REVIEW OF CONFIDENTIAL MATTERS TO BE CONSIDERED IN PUBLIC

None.

III ADDED REPORTS

1. 11th Report of the Investment and Economic Prosperity Committee

IV COMMITTEE OF THE WHOLE, IN CAMERA

MOTION FOR IN CAMERA SESSION

Motion made by Councillor D. Brown and seconded by Councillor N. Branscombe to Approve that Council rise and go into Committee of the Whole, in camera, for the purpose of considering the following:

- a) A matter pertaining to the purpose of instructions and directions to officers and employees of the Corporation pertaining to a proposed acquisition and/or disposition of land; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; reports or advice or recommendations of officers and employees of the Corporation pertaining to a proposed acquisition and/or disposition of land; commercial and financial information supplied in confidence pertaining to the proposed acquisition and/or disposition the disclosure of which could reasonably be expected to, prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of the Corporation, result in similar information no longer being supplied to the Corporation where it is in the public interest that similar information continue to be so supplied, and result in undue loss or gain to any person, group, committee or financial institution or agency; commercial, information relating to the proposed acquisition and/or disposition that belongs to the Corporation that has monetary value or potential monetary value; information concerning the proposed acquisition and/or disposition whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or its competitive position; information concerning the proposed acquisition and/or disposition whose disclosure could reasonably be expected to be injurious to the financial interests of the Corporation; and instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the Corporation concerning the proposed acquisition and/or disposition. (C1/25/CSC)
- b) A matter pertaining to litigation currently in the Ontario Court of Justice for the Province of Ontario affecting the municipality, and advice that is subject to solicitor-client privilege, including communications necessary for that purpose. (C2/25/CSC)
- c) A matter pertaining to litigation or potential litigation with respect to the application of Liahn Farms Limited to the Ontario Superior Court of Justice, Divisional Court, in connection with By-law C.P.-1466-249, the Tree Conservation By-law; advice that is subject to solicitor-client privilege, including communications necessary for that purpose, in connection with the application of Liahn Farms Limited to the Ontario Superior Court of Justice, Divisional Court, in connection with By-law C.P.-1466-249, the Tree Conservation By-law; and give instructions or directions giving directions or instructions to officers or employees of the municipality in connection with an application filed in the Ontario Superior Court of Justice, Divisional Court, by Liahn Farms Limited. (C1/21/PEC)
- d) A matter pertaining to advice that is subject to solicitor-client privilege, including communications necessary for that purpose, and for the purpose of giving directions or instructions to officers, employees or agents of the municipality, as necessary, with respect to the proposed agreement between Extendicare (Canada) Inc. and the City including without limitation to the legal rights, duties and obligations of the parties

and the interpretation of provisions in the proposed agreement. (ADDED)

Motion Passed

YEAS: J.F. Fontana, B. Polhill, B. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, D.G. Henderson, P. Van Meerbergen, D. Brown, J.P. Bryant, S.E. White (13)

The Council rises and goes into Committee of the Whole, in camera, at 4:20 PM, with Mayor J.F. Fontana in the Chair and all Members present except Councillors P. Hubert and H.L. Usher.

The Committee of the Whole rises at 4:48 PM and Council resumes in regular session at 5:03 PM, with all Members present except Councillor H.L. Usher.

V RECOGNITIONS

1. His Worship the Mayor presents a certificate for "London's Featured Community Organization" to Museum London.
2. His Worship the Mayor recognizes the 250th Anniversary of the Royal Proclamation of 1763, the foundational document in the relationship between the First Nations people and the Crown.

VI CONFIRMATION AND SIGNING OF THE MINUTES OF THE FIFTEENTH MEETING HELD ON SEPTEMBER 17, 2013

Motion made by Councillor B. Polhill and seconded by Councillor P. Van Meerbergen to Approve the Minutes of the 15th Meeting.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, B. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, J.P. Bryant, S.E. White (14)

VII COMMUNICATIONS AND PETITIONS

Motion made by Councillor D. Brown and seconded by Councillor P. Van Meerbergen to Approve referral of the following Communications, as noted:

1. 6th Report of the Transportation and Advisory Committee (Refer to the Civic Works Committee Stage for Consideration with Clause 4 of the 16th Report of the Civic Works Committee.)
 - a) J. Bird, 608 Maitland Street; and
 - b) S. Adamsson, Citizen Corps London
2. Property located at 1103 Adelaide Street North (Refer to the Planning and Environment Committee Stage for Consideration with Clause 12 of the 21st Report of the Planning and Environment Committee.)
 - a) A. Soufan, York Developments; and
 - b) D.S. Bryant, McKenzie Lake Lawyers

Motion Passed

YEAS: J.F. Fontana, B. Polhill, B. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, J.P. Bryant, S.E. White (14)

VIII MOTIONS OF WHICH NOTICE IS GIVEN

None.

IX REPORTS

25th Report of the Corporate Services Committee
Councillor J.P. Bryant presents.

Motion made by Councillor J.P. Bryant to Approve clauses 1 to 10.

1. Disclosures of Pecuniary Interests

That it BE NOTED that no pecuniary interests were disclosed.

2. Engaging Post-Secondary Students in Local Government

That, on the recommendation of the City Manager, the report dated September 24, 2013 with respect to engaging post-secondary students in local government BE RECEIVED for information.

3. Increased Engagement of Post-Secondary Students in Local Government - Advisory Committee Participation

That, on the recommendation of the City Clerk, the following actions be taken with respect to increased engagement of post-secondary students in local government through participation on advisory committees:

- a) the terms of reference for the following advisory committees BE AMENDED to include a post-secondary student representative as a non-voting resource member, to be appointed on an annual basis:

- Accessibility Advisory Committee
- Advisory Committee on the Environment
- Community Safety and Crime Prevention Advisory Committee
- Creative City Committee
- London Advisory Committee on Heritage
- London Diversity & Race Relations Advisory Committee
- London Housing Advisory Committee
- Transportation Advisory Committee;

it being noted that while the Municipal Council's current advisory committee structure already permits many individuals who are post-secondary students to participate on advisory committees as voting or non-voting members, this amendment will allow those students who would might not otherwise be eligible for membership on an advisory committee to participate as a non-voting member, in addition to any existing youth non-voting members;

- b) the Fanshawe Student Union and the University Students' Council, Western University BE REQUESTED to:

- i) advise the City Clerk who their nominees are for the above-noted advisory committee positions for the term ending February 28, 2014; and
- ii) advise the City Clerk who the contact will be for the Fanshawe Student Union and the University Students' Council, Western University, for providing the City Clerk with future nominees to fill any vacancies as they arise.

4. 2012 Investment Report

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

- a) the 2012 Investment Report BE RECEIVED for information; and
- b) the proposed by-law (Appendix "B") appended to the staff report dated September 24, 2013 BE INTRODUCED at the Municipal Council meeting on October 1, 2013 to repeal and replace the Municipal Council's current Investment Policy 8(12), in order to reflect current best practices.

5. 2012 Annual Report - Development Charges Reserve Funds

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

- a) the annual statement of the City Treasurer (Appendix A and Appendix B appended to the staff report dated September 24, 2013) with respect to the operation of the City Services Reserve Funds and Urban Works Reserve Funds for the year ended December 31, 2012 BE RECEIVED for information; and
- b) a copy of this statement BE FORWARDED to the Minister of Municipal Affairs and Housing in compliance with Section 43(3) of the Development Charges Act, 1997.

6. London Health Sciences Centre - South Street Campus Decommissioning

That, on the recommendation of City Solicitor's Office, the following actions be taken with respect to the South Street Campus lands under lease to the London Health Sciences Centre (LHSC):

- a) the Agreement substantially in the form of Schedule "A" to the by-law appended to the staff report dated September 24, 2013, being a Steam Heat Supply Agreement between the City of London and Veresen Energy Infrastructure Inc. doing business as London District Energy ("LDE") with respect to the South Street Campus lands under lease to LHSC BE AUTHORIZED AND APPROVED; and
- b) the proposed by-law appended to the staff report dated September 24, 2013 BE INTRODUCED at the Municipal Council meeting to be held on October 1, 2013 to approve the Agreement noted in a), above, in a final form acceptable to the City Solicitor's Office and to authorize the Mayor and the City Clerk to execute the Agreement.

7. Canada Caribbean Local Economic Development Program

That, on the recommendation of the Director of Intergovernmental and Community Liaison, the report dated September 24, 2013 on the Canada Caribbean Local Economic Development Program BE RECEIVED.

8. City of London - Website Modernization Project

That the following actions be taken with respect to the website modernization project:

- a) the staff report dated September 24, 2013 BE RECEIVED for information;
- b) the Director, Corporate Communications, BE DIRECTED to report back to the Corporate Services Committee with a marketing plan for the new website, after the transitional period for implementation of the new website;

it being noted that the Corporate Services Committee heard a verbal delegation from the Managing Director, Corporate Services and Chief Human Resources Officer and the Director, Corporate Communications with respect to the new website.

9. Tax Adjustment Agenda

That the recommendations contained in the Tax Adjustment Agenda dated September 24, 2013 BE APPROVED; it being noted that there were no members of the public in attendance to speak to the Corporate Services Committee, at the public hearing associated with the Tax Adjustment Agenda.

10. Appointment to the London Advisory Committee on Heritage

That Carson Rennick BE APPOINTED to the London Advisory Committee on Heritage as a Voting Member-at-Large, for the term ending February 28, 2015.

Pursuant to section 12.3 of the Council Procedure By-law, Councillor B. Armstrong calls for a separate vote on clause 8.

The motion to Approve clauses 1 to 10, excluding clause 8, is put.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, B. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, J.P. Bryant, S.E. White (14)

The motion to Approve clause 8 is put.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, B. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, J.P. Bryant, S.E. White (14)

16th Report of the Civic Works Committee
Councillor P. Van Meerbergen presents.

Motion made by Councillor P. Van Meerbergen to Approve clauses 1 to 5.

1. Disclosures of Pecuniary Interest

That it BE NOTED that Councillor S. White disclosed a pecuniary interest in clause 3 of Item 4 pertaining to an application submitted by The Tricar Group, relating to the property located at 1030 Coronation Drive, as her primary residence is in proximity to the subject property.

2. Leak Detection Through District Metered Areas EW3772-13

That, on the recommendation of the Director of Water and Wastewater, with the concurrence of the Managing Director, Environmental and Engineering Services and City Engineer, the staff report dated September 23, 2013, with respect to the Water Efficiency Program pilot project on City-wide district metered areas for active leak detection BE RECEIVED; it being noted that a business case for expanding the pilot project will be included in the 2014 Water Budget submission.(2013-E08)

3. Contract Award: Elgin Middlesex Pumping Station Upgrades (Tender No. T13-73)

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the award of contracts for the Elgin Middlesex Pumping Station Upgrades Project (EW3540):

- a) the bid submitted by Baseline Constructors Inc., 550 Conestogo Rd, Waterloo, ON, N2L 4E3, at its tendered price of \$1,340,067.00 (excluding H.S.T.), for the Elgin Middlesex Pumping Station Upgrades project, BE ACCEPTED; it being noted that the bid submitted by Baseline Constructors Inc. was the lowest of eight bids received and meets the City's specifications and requirements in all areas;
- b) AECOM (AECOM), 250 York Street, Citi Plaza, Suite 410 London, ON, N6A 6K2, BE AUTHORIZED to carry out the resident inspection and contract administration for the said project in accordance with the estimate, on file, at an upset amount of \$120,389.50 (excluding H.S.T.), based upon the Fee Guideline for Professional Engineering Services recommended by the Ontario Society of Professional Engineers, and in accordance with Section 15.2 (g) of the City of London's Procurement of Goods and Services Policy; it being noted that this firm completed the engineering design;
- c) future additional annual operating cost savings of \$50,000 BE RECOGNIZED as a result of this project; it being noted that these costs are a result of replacing older maintenance-prone pumps and equipment with new more energy efficient pumps and equipment, and will be considered within future Water Operating Budgets;
- d) the financing for this project BE APPROVED as set out in the Sources of Financing Report appended to the staff report dated September 23, 2013;
- e) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project;

- f) 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 13-73); and,
- g) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations;

it being noted that the Civic Administration has made an application to the Ontario Power Authority (OPA) in order to be eligible for funding for this project for the Energy Efficiency Improvements under the SaveONEnergy Retrofit Program. (2013-L04A)

4. 6th Report of the Transportation Advisory Committee

That the following actions be taken with respect to the 6th Report of the Transportation Advisory Committee (TAC), from its meeting held on September 3, 2013:

- a) the Civic Administration BE REQUESTED to determine the feasibility of implementing a Cycling Advisory Committee to provide advice to the Municipal Council specific to cycling issues, similar to the committees established in Hamilton and Kitchener;
- b) the Municipal Council BE REQUESTED to acknowledge the efforts of two newly-formed, citizen-led groups that are focused on active transportation; the LTC Bus People and the London Cycle Link; and,
- c) clauses 2 to 7, inclusive, BE RECEIVED;

it being noted that the Civic Works Committee heard a verbal presentation from M. Marsman, Transportation Advisory Committee, with respect to this matter.

5. Southwest Economic Alliance Regional Transportation Advocacy Initiative

That the following resolution BE ADOPTED and BE FORWARDED to the Southwest Economic Alliance (SWEA), appropriate Ministries, local Members of Parliament, local Members of the Legislative Assembly of Ontario, the Association of Municipalities Ontario, the Federation of Canadian Municipalities (for information), and any other stakeholders that the Civic Administration feels should be made aware of this position:

WHEREAS the communities of Southwestern Ontario, including London, are alarmed at the declining level of passenger transportation options available in the region;

AND WHEREAS the Southwest Economic Alliance Regional Transportation Advocacy Initiative Committee held a meeting on Thursday, August 8, 2013, at which it developed an Action Plan for the Initiative and its key objectives;

NOW THEREFORE BE IT RESOLVED THAT London City Council endorses the following:

- a) Cutbacks to VIA Rail passenger service in Southwestern Ontario is a central and critical issue and SWEA, on behalf of the communities of the region, should:
 - i) demand re-investments and service enhancements in the short term;
 - ii) advocate, for a renewed commitment to passenger rail services across Canada; and,
- b) The lack of inter-community transportation options within the region is an equally critical issue. The following are the key requests that SWEA should make to the Provincial Government on behalf of the communities of the region:
 - i) the Provincial Government should support demands to improve VIA Rail services along both main lines;
 - ii) the Provincial Government should immediately address regional passenger transportation issues, beyond the Greater Toronto/Hamilton Area focus, including the City of London; and,

- iii) the Provincial Government should support the establishment of an all-party committee of the Ontario Legislature to immediately study regional transportation needs in Southwestern Ontario. (2013-M16)

Pursuant to section 12.3 of the Council Procedure By-law, Councillor P. Hubert calls for a separate vote on clause 4.

The motion to Approve clauses 1 to 5, excluding clause 4, is put.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, B. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, J.P. Bryant, S.E. White (14)

The motion to Approve clause 4 is put.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, B. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, J.P. Bryant (13)

RECUSED: S.E. White (1)

21st Report of the Planning and Environment Committee
Councillor B. Polhill presents.

Motion made by Councillor B. Polhill to Approve clauses 1 to 13, excluding clause 12.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. 8th Report of the Advisory Committee on the Environment

That the 8th Report of the Advisory Committee on the Environment from its meeting held on September 4, 2013 BE RECEIVED.

3. Property located at 1140 Southdale Road West (H-8220)

That, on the recommendation of the Senior Planner, based on the application of Zelinka Priamo Ltd., relating to the property located at 1140 Southdale Road West, the proposed by-law, as appended to the staff report dated September 24, 2013, BE INTRODUCED at the Municipal Council meeting to be held on October 1, 2013, 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 Neighbourhood Shopping Area (h-5.NSA1/NSA2/NSA5) Zone TO a Neighbourhood Shopping Area (NSA1/NSA2/ NSA5) Zone to remove the h-5 holding provision. (2013-D14B)

4. Properties located at 3189, 3197 Jinnes Street and 3397 Jinnies Way (H-8214)

That, on the recommendation of the Senior Planner, Development Planning, based on the application of Sifton Properties Ltd., relating to a portion of the properties located at 3189 and 3197 Jinnies Street and 3397 Jinnies Way, the proposed by-law, as appended to the staff report dated September 24, 2013, BE INTRODUCED at the Municipal Council meeting to be held on October 1, 2013, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a Holding Residential R1 (h-82.R1-5) Zone TO a Residential R1 (R1-5) to remove the h-82 holding provision. (2013-D14B)

5. Property located on the North Side of North Routledge Park West of Hyde Park Road (39T-78066)

That, on the recommendation of the Senior Planner, Development Planning, the following actions be taken with respect to the application of Doman Developments Inc., relating to the property located on the north side of North Routledge Park, west of Hyde Park Road:

- a) the Approval Authority BE REQUESTED to approve the request for a three (3) year extension to Draft Plan Approval for the residential plan of subdivision, submitted by Doman Developments Inc. (File No. 39T-78066), prepared by Holstead & Redmond Limited (Drawing No.78-0315L), as red-line amended, which shows 10 Blocks, served by an extension of Blue Heron Drive and one (1) new internal road SUBJECT TO the revised conditions appended as Schedule "A" to the associated staff report, dated September 24, 2013; and,
- b) the financing for this project BE APPROVED in accordance with the "Related Estimated Costs and Revenues" appended as Schedule "B" to the associated staff report, dated September 24, 2013. (2013-D12)

6. Properties located at 1311, 1363 and 1451 Wharncliffe Road South

That, on the recommendation of the Manager, Development Services and Planning Liaison, in response to letters of appeal to the Ontario Municipal Board, dated July 25 and 26, 2013, respectively, submitted by Wood Bull, on behalf of Greenhills SC Ltd. and Stikeman Elliott, on behalf of York Developments, relating to Official Plan Amendment No. 554 and Zoning By-law No. Z.-1-132211, as it relates to the properties located at 1311, 1363 and 1451 Wharncliffe Road South, the following actions be taken:

- a) the Ontario Municipal Board BE ADVISED that the Municipal Council has reviewed its decision relating to this matter and sees no reason to alter it; and,
- b) the City Solicitor BE REQUESTED to represent the Municipal Council's interests in these matters and retain outside expert witnesses in support of the Municipal Council's position. (2013-L01)

7. Properties located at 3313-3405 Wonderland Road South and 1789 Wharncliffe Road South (OZ-7072/OZ-7073)

That, on the recommendation of the Managing Director, Planning and City Planner, in response to letters of appeal to the Ontario Municipal Board, dated July 25 and 26, 2013, submitted by Wood Bull, LLP, on behalf of Greenhills SC Ltd. and Aird & Berlis, LLP, on behalf of Sifton Properties Limited, relating to Official Plan Amendment No. 553 and Zoning By-law No. Z.-1-132210, as it relates to the properties located at 3313-3405 Wonderland Road South and 1789 Wharncliffe Road South, the following actions be taken:

- a) the Ontario Municipal Board BE ADVISED that the Municipal Council has reviewed its decision relating to this matter and sees no reason to alter it;
- b) the City Solicitor BE REQUESTED to represent the Municipal Council's interests in these matters and retain outside expert witnesses in support of the Municipal Council's position; and,
- c) the Ontario Municipal Board BE ADVISED that the Municipal Council recommends that Official Plan Amendment No. 553 and Zoning By-law Z.-1-132210 be consolidated with the hearing of PL130020, relating to approval of the Southwest Area Secondary Plan. (2013-L01)

8. Environmental Review Lands Study

That, on the recommendation of the Managing Director, Planning and City Planner, the report dated September 24, 2013, with respect to the Environmental Review Lands Study BE RECEIVED. (2013-E20)

9. Properties located at 611-619 Oxford Street East (O-8213)

That, on the recommendation of the Managing Director, Planning and City Planner, based on the Official Plan review relating to the properties located at 611, 613, 615, 617 and 619 Oxford Street East, the proposed by-law, as appended to the staff report dated September 24, 2013, BE INTRODUCED at the Municipal Council meeting to be held on October 1, 2013, to amend the Official Plan to apply a commercial land use designation on the subject lands FROM a Low Density Residential designation TO a Main Street Commercial Corridor designation, to permit a range of mixed-use and street-oriented commercial uses;

it being pointed out that there were no oral submissions made at the public participation meeting associated with this matter. (2013-D08)

10. Property located at 699 Wonderland Road North (Z-8210)

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of ESAM Construction Ltd., relating to the property located at 699 Wonderland Road North:

- a) the proposed by-law, as appended to the staff report dated September 24, 2013, BE INTRODUCED at the Municipal Council meeting to be held on October 1, 2013, 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 (ASA3/ASA4/ASA8) Zone, which permits a range of retail, convenience, personal service and community facility uses TO an Associated Shopping Area Commercial (ASA3/ASA4/ASA5/ASA8) Zone, to permit automobile repair garages, restricted automotive uses and taxi establishments, in addition to the existing permitted uses generally described above; and,
- b) the Site Plan Approval Authority BE REQUESTED to consider the inclusion of a landscape wall, along the Horizon Street frontage, in order to define the street edge and screen the large asphalt area associated with the gas bar use, from the street;

it being pointed out that there were no oral submissions made at the public participation meeting associated with this matter. (2013-D14A)

11. Property located at 2290 Torrey Pines Way (39CD-13510)

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the Vacant Land Plan of Condominium application by Sunningdale Developments Inc., relating to the property located at 2290 Torrey Pines Way:

- a) the Approval Authority BE ADVISED that there were no issues raised at the public participation meeting of the Planning and Environment Committee with respect to the application for draft plan of vacant land condominium; and,
- b) the Approval Authority BE REQUESTED to utilize, if possible, one agreement, instead of a separate development agreement and a separate condominium agreement, to address the development of this site. (2013-D07)

13. 9th Report of the London Advisory Committee on Heritage and Property located at 275 Thames Street

That, the following actions be taken with respect to the 9th Report of the London Advisory Committee on Heritage (LACH) from its meeting held on September 11, 2013:

- a) the Civic Administration BE ADVISED that the LACH endorses a project to create a digital map of intangible cultural assets in downtown London, as presented to the LACH at its meeting held on September 11, 2013; it being noted that the LACH heard a delegation from R. C. Santoro, University of Guelph and R. Armistead, Manager, Culture and Municipal Policy, with respect to this matter;
- b) notwithstanding the recommendation of the Managing Director, Planning and City Planner with respect to the Heritage Alteration Permit Application of K. Millson, requesting permission for a sign related to the establishment of a new business at the designated heritage property located at 300 Dundas Street, the Civic Administration BE ADVISED that the LACH supports the sign being located on the upper left front of the building, lighted, as proposed, with additional lighting provided by the owner to highlight the name plaque, subject to the diamond shape feature of the plaque not being damaged; it being noted that the LACH heard a verbal delegation from T. Hranka, Applicant, with respect to this matter;
- c) on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the Heritage Alteration Permit Application of C. Thompson, requesting permission for a window alteration to the designated heritage property located at 855 Waterloo Street BE APPROVED; it being noted that the Heritage Planner has reviewed the proposed change and has advised that the impact of such alteration on the heritage features of the property identified in the reasons for designation is negligible; it being further noted that LACH heard a verbal delegation from J. Lyons, with respect to this matter;

- d) notwithstanding the recommendation of the LACH, the Heritage Alteration Permit Application of R. Leach, requesting permission for a main floor window alteration to the designated heritage property located at 366 Central Avenue BE APPROVED; it being noted that the Heritage Planner has reviewed the proposed change and has advised that the impact of such alteration on the heritage features of the property identified in the reasons for designation is negligible; it being further noted that the LACH's recommendation relates only to the window feature of the application as other elements in the planner's report were withdrawn by the applicant;
- e) that clauses 5 to 12, inclusive, of the 9th Report of the LACH BE RECEIVED;
- f) the Municipal Council BE REQUESTED to issue a Notice of Intention to designate the property located at 275 Thames Street under Section 29.(1.1) of the Ontario Heritage Act as a property of cultural heritage value or interest for the reasons provided to the LACH at its meeting held on September 11, 2013; and,
- g) the Civic Administration BE DIRECTED to review the current risks and barriers related to the long-term conservation of this building and its historic significance and report back to a future Planning and Environment Committee meeting with respect to the following:
 - i) the completion of the archaeological work;
 - ii) the removal of the chapel building to its proposed new site;
 - iii) the securing and stabilizing the chapel on its new site;
 - iv) the interpretation of the site at 275 Thames Street and the historic neighbourhood; and,
 - v) the identification of the costs associated with items i) to iv), above, including community contributions;

it being pointed out that the Planning and Environment Committee heard verbal presentations from W. Kinghorn, Chair, LACH and R. Leach, 366 Central Avenue, with respect to these matters.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, B. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, J.P. Bryant, S.E. White (14)

Motion made by Councillor B. Polhill to Approve clause 12.

12. Property located at 1103 Adelaide Street North

That on the recommendation of the Manager of Development Services & Planning Liaison, the following actions be taken with respect to the site plan approval application for a commercial building submitted by 2261531 Ontario Limited (York Developments), relating to the property located at 1103 Adelaide Street North:

- a) pursuant to section 13.7 of the Council Procedure By-law, the actions of the Municipal Council taken at its meeting of April 30, 2013, related to the adoption of clause 4 of the 9th Report of the Planning and Environment Committee, concerning the property located at 1103 Adelaide Street North BE RECONSIDERED;
- b) the Approval Authority BE ADVISED that there were no issues raised at the public participation meeting of the Planning and Environment Committee with respect to the Site Plan application for the commercial building at 1103 Adelaide Street North;
- c) the Approval Authority BE ADVISED that the Municipal Council supports the Site Plan application for the commercial building at 1103 Adelaide Street North, with the removal of the prohibition of the entrance/exit onto Huron Street and the road widening to be consistent with the property located at 1135 Adelaide Street North, which is 6.1 metres off the property line;
- d) the Civic Administration BE ASKED to review their request for enhanced landscaping;
- e) the London Transit Commission BE REQUESTED to improve the two subpar bus stops on Huron Street;

- f) the Civic Administration BE DIRECTED to undertake, as a 2014 Capital Project, improvements to Huron Street, including, but not limited to, curbs, gutters, sidewalks, traffic calming measures and a delineation between the road and private property;
- g) the Civic Administration BE DIRECTED to assist York Developments to proceed with a minor variance for the rear yard setback; and,
- h) the Civic Administration BE DIRECTED to proceed with a minor variance application for the property located at 1135 Adelaide Street North;

it being noted that it was the intent of the Municipal Council to interpret the 3.4 metre rear yard setback as the side yard setback; and,

it being further noted that the developer and the community are in agreement with respect to the 3.4 metre side yard setback;

it being pointed out that at the public participation meeting associated with this matter, the following individuals made oral submissions in connection therewith:

- Ali Soufan, York Developments Limited, applicant – indicating that this proposal has been two years in the process; indicating that, when he first started the process, he did not think that, two years later, he would still be talking about the redevelopment of an existing building; noting that the application is for the redevelopment of the former Harry's Automotive; advising that the building was originally 10,000 square feet when they purchased it and, with the demolition of a portion of the building, the building is now 8,500 square feet; indicating that there are four key components that they feel are necessary to have this proposal be successful; advising that one of their concerns is the road widening dedication; noting that there are three road widening lines, the 19.5 metres, as identified in the Transportation Master Plan, the 18 metres as outlined in the existing by-law and their neighbours to the north, the Z Group building located at 1135 Adelaide Street North, which has a smaller set back; advising that the distance between the parking stalls on the east side of the property from the west side of the property is 6.7 metres, which is the minimum distance needed for an access lane for emergency vehicles or two way traffic; advising that the City's proposed widening would eliminate not only the parking spots along Adelaide Street North, but also the drive aisle access; noting that this renders the site non-usable and would put him in contravention of the Act; advising that, what they are proposing is the blue line on his drawing; noting that the blue line represents the same widening as their neighbours to the north; indicating that the 24 spots that are in question, along Adelaide Street, have not been considered in their parking ratio so they meet the test under the Parking by-law; advising that this is a Tim Horton's proposal, and, at certain peak hours, Tim Horton's needs all the parking spots they can get on the site; leading into his next comment relating to the landscaped areas; requesting that the Committee look at the 3D renderings that they have put together; advising that the landscaped areas that they have proposed meet and/or exceed the landscaped open space coverage under the by-law, which is 15%; indicating that their plan outlines tree plantings wherever we can fit the trees in, as well as, planting beds along Adelaide Street North and along the three boundaries, south east and north; indicating that they have made arrangements with their neighbours to the west to do plantings on their property as well as beefing up their plantings; noting that this creates a 360 degree buffer; indicating that, between pedestrian connections and lush landscape implementations, they think that they have met the test; advising that, to increase the landscape coverage on this site and taking away eight or nine parking spots does not meet the test of reasonableness; indicating that the third point has been a little touchy through the process and he can candidly admit that; indicating that the access onto Huron Street was a thought that may have made sense at the time; advising that he thinks that some of the language in the Council resolution talked about considering prohibiting the access onto Huron Street; noting that the word consider tells him that maybe he should study this access a little bit more; advising that they hired Paradym Transportation Solutions who studied many of the intersections in the vicinity and, more specifically, the intersection at Adelaide Street North and Huron Street; advising that Paradym Transportation came up with a summary of findings that could improve the existing situation; indicating that this site has four full access points; noting that they plan on closing two of the four; further noting that the two access points to remain are the two that are the furthest away from the intersection; advising that the access from Adelaide Street North will be restricted to a rights in/rights out access by the construction of a centre median along Adelaide Street North; indicating that Adelaide Street North carries 36,000+ cars a day; reiterating that, to have a full movements access there does not make sense; however,

if you limit the site to one restricted rights in/rights out access, you create a very unsafe situation because you will have people pulling u-turns in the middle of Adelaide Street North to get in and out; noting that this does not make a lot of sense, which is why they prepared the transportation study which has been submitted to the Transportation Department; noting that the Transportation Department has indicated that they feel that it met all the requirements; advising that the fourth item, that he was not really prepared to speak to today, is the 3.4 metre rear yard setback; advising that, based on their interpretation of the Council resolution from March, 2012, they always assumed that the rear yard was the rear yard; noting that the rear yard is located on the west side of the building, which is where their loading doors are located; further noting that the front doors will continue to be where they are currently located; also noting that this is what the Council of the day interpreted as well; advising that when he submitted his site plan application, Mr. Henry, in his wisdom, brought this to his attention; noting that he did not agree with Mr. Henry; indicating that he filed for the variance that Mr. Henry requested in protest; noting that there was a cover letter to the Committee of Adjustment outlining that he was applying for a variance in protest; advising that the Committee of Adjustment hearing was yesterday; indicating that, the Committee, in their respectful right, denied the application; noting that, in all honestly, the application was not denied based on the merits of the variances required; further noting that the discussion got out of control and the Committee of Adjustment started talking about other things on the site; reiterating that this is an infill redevelopment site of an existing building; noting that the City is promoting infill development; advising that this site is currently vacant, raising approximately \$20,000 in taxpayers revenue for the City; noting that, once this site is fully developed, it will the revenue will be increased to approximately \$80,000; advising that they have commitments from Tim Horton's and other companies; indicating that they are about a year behind and the companies are being very patient in working with them; respectfully requesting that the site plan be tailored to render this a useful site; advising that the entire west boundary is a composite wall structure; noting that sometimes the City does not like to see a solid wall go right to the property line because of the visual impact with cars pulling in and out so there is typically a five metre or three metre stretch which they taper down to black wrought iron fencing; further noting that this does not impact any of the noise conclusions in the noise report; advising that he has worked with area residents and understands their concerns; noting that they are living on a subpar urban street with no curbs, no gutters, no sidewalks on one side of the street, gravel shoulders and people treat it like a rural road; advising that he can only do what he can on his property; and indicating that it is up to the City to either step up or not step up to try to work with the residents.

- Chris McDonnell, 525 Huron Street – advising that he lives a few doors to the west of the development, on the south side of the street; expressing concern with the current state of Huron Street, a residential street with an interesting collection of neighbours; advising that he is not concerned with the site plan; advising that his concerns are long standing about the safety issues on the street; indicating that he thinks that the Councillors will recall quite a bit of discussion about the existing traffic problems on Huron Street; noting that Councillor Henderson once mused aloud that Huron Street should be turned into a cul-de-sac, which was a wonderful idea; noting that they are not proposing that; advising that they have worked very hard with the applicant to try to come up with a workable solution for the development; noting that they have received some assurance; indicating that it was the developers' suggestion that they come to the City to see if they can find a win-win for Huron Street to address some of the issues on Huron Street; noting that these concerns include establishing proper curbs, gutters, sidewalks and some traffic calming measures; advising that, currently, it is a free for all, particularly in the latter part of the afternoon and into the evening; advising that, because there are no curbs or sidewalks on the south side of the street, traffic drives onto their lawns to make an extra lane on the road; noting that there is nothing to impede them; advising that they have met with representatives from the Traffic Department, Mr. Soufan, Councillor Nancy Branscombe and have had some input from Mayor J.F. Fontana, that there would be some expedition to correct the flaws on Huron Street; noting that they undertook these steps to allow the withdrawal of their appeal to the Ontario Municipal Board; advising that they spent one day with the Ontario Municipal Board and provided compelling evidence; noting that the continuance of the appeal was several months away and, in that time, Mr. Soufan had the great idea that they all go together to the City to see if they could get some assurances that their concerns on Huron Street could be addressed, which they were glad to do; advising that they are generally quite satisfied with the site plan for the development, but they are really dissatisfied with what is happening on Huron Street; indicating that they did receive a letter from the Traffic Department, on September 16, 2013, suggesting that the neighbours might wish to put some speed cushions on the street; noting that,

without proper curbs or sidewalks, he thinks that gives drivers another reason to drive on their lawns to avoid the speed cushions because there is nothing to define them staying on the roadway and the speed cushions would do nothing to encourage that; further noting that he is agreeable to traffic calming measures; indicating that, when they met with representatives from the Traffic Department, they could not get anything in writing because the Traffic Department needs to consult the other neighbours; advising that nothing had happened until they received a letter last week, which was very disappointing because their discussion was held in early April or possibly May and they did not hear anything until last week; reiterating that the it was just a letter asking the neighbours if they wanted these traffic calming measures; indicating that the letter suggested that you might want the traffic calming measures, but keep in mind that you are going to have to drive over them every day and it implies that you can have these if you want them but I would not if I were you; reiterating that there was no consultation and that it was a very discouraging letter; advising that he thinks that the neighbourhood will still accept the traffic calming measures; indicating that he thought that it was interesting that Mayor Fontana thought that maybe Council should take the extra step to address what the rear side yard of the development is; advising that he does not object to that and he thinks that it makes sense; advising that he also thinks that, at the same time, it is very helpful to the development and to the developer to give something to the neighbours on Huron Street who are accepting that this drive through is going to go through; advising that this is going to increase the amount of traffic onto our street and make our street less safe; indicating that Council voted not to consider prohibiting, and there has been a lot of debate about that, but the vote was to prohibit access to Huron Street; recognizing that Huron Street has a problem that needs to be dealt with; reiterating that he is not here to speak to the site plan, which he does not have a problem with, but to request that the needs of Huron Street be addressed at the same time, not six months, a year or never; indicating that some of their older neighbours were actually told, when the curbs were taken out in the late 1970's, that it was only temporary and here we are in 2013, and it has not happened yet, so you can understand why some of them are not too motivated to show up to a City Council meeting to push this along as they have long given up; hoping that we can advocate for the street and that Council can recognize that, as part of this development going through, Huron Street will not suffer because of that, but that we can actually get the improvements and the City agrees that the improvements are needed and are valid concerns; noting that it is only a question of timing; hoping that, because the development has to put in curbs and sidewalks, in tandem with the development, the work could be done on Huron Street; and reiterating that that is why he is here today.

- Beth Hickey, 541 Huron Street – indicating that she lives five houses west of Adelaide Street; advising that if she looks out her front window and turns her head, she can see the Tim Horton's drive through; indicating that there will also be a bus stop in front of her house; indicating that she is here for the same reason as Mr. McDonnell; reiterating that they have been working very hard with the developer; advising that they have compromised quite a bit in accepting that there will be a drive through restaurant on their street; indicating that they have never disagreed with having a commercial development in this location; indicating that they are only opposing the drive through, but they are now accepting that a drive through will be located on that property; advising that they were given very strong assurances that there would be something done to improve the safety of their street as well as the visual beautification of their street, which is what they are here today asking for; and advising that she would like to see safety measures put into place before a Tim Horton's opens because as soon as it opens, they are going to have a lot of traffic.
- Alon Shatil, Or Shalom Synagogue, 534 Huron Street – advising that they have worked with, and had several meetings with, the applicant; advising that they have made arrangements that would mitigate the impact to their property and they are pleased with that; noting that this includes the zero setback that has been discussed today; enquiring about the durawall on the site plan; noting that the durawall is quite clearly written at eight feet high; enquiring about the other aspects of the wall that are just listed as sound wall; requesting clarification as to whether the durawall is length of the west end of the property or if it changes from one wall to another wall; and indicating that they have no objection to the site plan which is in line with what they had discussed previously.

Secretary's Note: In accordance with section 13.7 of the Council Procedure By-law, the reconsideration of this matter requires the approval of at least two-thirds of the whole Council. (2013-D11)

Motion made by Councillor B. Polhill and seconded by Councillor N. Branscombe to Approve that pursuant to section 13.7 of the Council Procedure By-law, the actions of the Municipal Council taken at its meeting of April 30, 2013, related to the adoption of clause 4 of the 9th Report of the Planning and Environment Committee, concerning the property located at 1103 Adelaide Street North BE RECONSIDERED.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, B. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, J.P. Bryant, S.E. White (14)

Motion made by Councillor B. Polhill and seconded by Councillor N. Branscombe to Amend clause 12 so that part c) reads as follows:

“c) the Approval Authority BE ADVISED that the Municipal Council supports the Site Plan application for the commercial building at 1103 Adelaide Street North, with the removal of the prohibition of the entrance/exit onto Huron Street and a road widening of 6.1 metres from the Adelaide Street North property line;”.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, B. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, J.P. Bryant, S.E. White (14)

Motion made by Councillor B. Polhill and seconded by Councillor S. Orser to Approve clause 12, as amended.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, B. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, J.P. Bryant, S.E. White (14)

Motion made by Councillor B. Polhill to Approve clauses 14 and 15.

14. Properties located at 2250 Blackwater Road and 660 and 670 Garibaldi Avenue (Z-8190)

That, notwithstanding the recommendation of the Managing Director, Planning and City Planner, the application of Drewco Development Corporation, relating to the property located at 2250 Blackwater Road, 660 & 670 Garibaldi Avenue BE REFERRED back to the Civic Administration for consultation with the developer and the community on issues related to, but not limited to, height, density and setbacks;

15. Stoney Creek Open Space System

That, the following actions be taken with respect to the City-owned property known as the Stoney Creek Open Space System:

- a) lands described as Block 26, Plan M-249, Part 'A', being a triangular shaped parcel at the rear of 25 and 29 Stoneycreek Crescent, containing approximately 1,050 square feet, the subject property referred to as Part 'A', as appended to the staff report dated September 24, 2013, BE DECLARED surplus;
- b) the subject property referred to as Part 'A', as appended to the staff report dated September 24, 2013, BE OFFERED for sale to the abutting property owners at fair market value in accordance with the Sale and Other Disposition of Land City Policy;
- c) the Civic Administration BE DIRECTED to work with the Upper Thames River Conservation Authority and area residents on potential land acquisition relating to the lands along the south side of the Stoney Creek Open Space System;
- d) the Pathway Options Study presented in this report BE RECEIVED;

- e) the Civic Administration BE DIRECTED to proceed with a 'consult' level public engagement process, as outlined in the City of London Community Engagement Policy, to present the path options study and seek input into the preferred option for extending the Stoney Creek pathway system east of Trossacks Avenue, ensuring that there is no pathway along the properties located at 25 to 57 Stoneycreek Crescent; and,
- f) the Civic Administration BE DIRECTED to report back at a future meeting of the Planning and Environment Committee with options for a potential pathway on the north side of Stoneycreek;

it being noted that the Planning and Environment Committee reviewed and received the ~~attached~~ presentation from S. Evoy, 29 Stoneycreek Crescent and J. Mederios, 25 Stoneycreek Crescent, with respect to this matter. (2013-R04)

Motion Passed

YEAS: J.F. Fontana, B. Polhill, B. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, J.P. Bryant, S.E. White (14)

18th Report of the Community and Protective Services Committee
Councillor D. Brown presents.

Motion made by Councillor D. Brown to Approve clauses 1 to 3.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. 9th Report of the London Housing Advisory Committee

That the 9th Report of the London Housing Advisory Committee, from its meeting held on September 11, 2013, BE RECEIVED.

3. 3rd Report of the Town and Gown Committee

That the 3rd Report of the Town and Gown Committee, from its meeting held on September 12, 2013, BE RECEIVED.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, B. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, J.P. Bryant, S.E. White (14)

Motion made by Councillor B. Armstrong to Approve clause 4.

4. Long Term Care and Adult Day Program, Management Consulting and Administrator Services Contract

That, on the recommendation of the Managing Director, Housing, Social Services and Dearness Home, with the concurrence of the City Manager, the following actions be taken with respect to the implementation of a Management Consulting Services and Administrator Services Contract for the Dearness Home:

- a) the ~~attached~~, revised, proposed by-law (Schedule "A") BE INTRODUCED at the Municipal Council meeting of October 1, 2013 to:
 - i) approve the Agreement substantially in the form ~~attached~~, with a proposed effective date of November 1, 2013 between The Corporation of the City of London and Extendicare (Canada) Inc., 3000 Steeles Ave., Markham, Ontario, L3R 9W2 for:
 - A) operational management consulting services for the Dearness Home at a cost of \$28,500 per month plus HST; and,
 - B) Administrator services for the Dearness Home at a cost of \$14,500 per month plus HST;

- C) operational management consulting services for the Dearness Home's Adult Day Program service at a cost of \$2,000 per month plus HST; and,
 - D) disbursements for out of pocket expenses that Extendicare expends in carrying out said Agreement, limited to reasonable travel, meals, telephone, and accommodation expenses up to a maximum of \$2,500 per month, exclusive of applicable taxes,
- ii) delegate authority to the Mayor and the City Clerk to execute the Agreement;
 - iii) delegate authority to the Managing Director, Housing, Social Services and Dearness Home to act as the "City Representative" in the Agreement; and
 - iv) delegate authority to the City Manager to provide written notice of the termination for the Agreement pursuant to the termination provisions of the Agreement;
- b) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with the above-noted Agreement; and
 - c) the source of financing for the above-noted Agreement, estimated at a total annual maximum cost of \$570,000 plus HST, BE APPROVED as a drawdown from the Operating Budget Contingency Reserve; it being noted that on-going costs and funding for this Agreement will be submitted as part of the 2014 Draft Long Term Care Operating Budget submission. (2013-L04)

At 6:00 PM His Worship the Mayor places Councillor P. Hubert in the Chair and takes a seat at the Council Board.

At 6:01 PM Councillor S. Orser leaves the meeting.

At 6:06 PM Councillor S. Orser enters the meeting.

At 6:10 PM His Worship the Mayor resumes the Chair, and Councillor P. Hubert takes his seat at the Council Board.

The motion to Approve clause 4 is put.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, J.P. Bryant, S.E. White (12)

NAYS: B. Armstrong, J.B. Swan (2)

10th Report of the Investment and Economic Prosperity Committee
Councillor J.B. Swan presents.

Motion made by Councillor J.B. Swan to Approve clauses 1 and 4.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

4. Thames River Reach Study Update

That the verbal update from the Director of Corporate Investments and Partnerships, with respect to the Thames River Reach Study, BE RECEIVED for information.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, B. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, J.P. Bryant, S.E. White (14)

Motion made by Councillor J.B. Swan to Approve clauses 2 and 3.

2. Western University's Research Park Progress Update and Future Plans

That the ~~attached~~ presentation from P. Paolatto, Executive Director, WORLDDiscoveries and Western Research Parks, with respect to progress and future plans for the Discovery Park in North London and the new Advanced Manufacturing Park near Highway 401, BE SUPPORTED IN PRINCIPLE and BE REFERRED to the Civic Administration for review and specific recommendations related to the Western University Research Park's (non-financial) requests to be considered at a special Investment and Economic Prosperity Committee (IEPC) meeting, in advance of the Municipal Council Meeting of October 1, 2013.

3. London's Medical Innovation and Commercialization Network Update

That the verbal update from D. Ross, London Health Sciences Foundation and M. Campbell, St. Joseph's Health Care London, with respect to the London's Medical Innovation and Commercialization Network, BE RECEIVED for information.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, B. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, S.E. White (13)

RECUSED: J.P. Bryant (1)

11th Report of the Investment and Economic Prosperity Committee
Councillor J.B. Swan presents.

Motion made by Councillor J.B. Swan to Approve clauses 1 and 3.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

3. Various Status Updates

That the Civic Administration BE REQUESTED to report back at the October 15, 2013 meeting of the Investment and Economic Prosperity Committee, with respect to the status of the proposed Municipal Service Corporation, the creation of the Community Improvement Program (Veterans Memorial Parkway along the 401 corridor), and other economic development projects currently underway.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, B. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, J.P. Bryant, S.E. White (14)

Motion made by Councillor J.B. Swan to Approve clause 2 .

2. Western University Research Parks

That the following actions be taken with respect to the Western Research Parks:

- a) the report dated September 30, 2013, from the Managing Director, Development and Compliance and Chief Building Official, with respect to the progress and future plans for the Discovery Park in North London and the Advanced Manufacturing Park near Highway 401, BE RECEIVED for information;
- b) the Director of Business Liaison BE IDENTIFIED as the City of London point person for projects related to the Western University Research Parks; and,
- c) the Civic Administration BE DIRECTED to report back to the Investment and Economic Prosperity Committee on a quarterly basis, with respect to timelines and progress reports associated with proposed projects, project data and other updates.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, B. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, S.E. White (13)

RECUSED: J.P. Bryant (1)

At 6:24 PM Councillor B. Armstrong leaves the meeting.

At 6:29 PM Councillor S.E. White leaves the meeting.

16th Report of the Committee of the Whole
Councillor M. Brown presents.

PRESENT: Mayor J.F. Fontana, B. Polhill, B. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, J.P. Bryant, S.E. White and C. Saunders (City Clerk).

ALSO PRESENT: A. Zuidema, G. Belch, J. Braam, B. Coxhead, S. Datars Bere, M. Hayward, L. Marshall, V. McAlea Major, D. Popadic, L.M. Rowe and B. Warner.

Motion made by Councillor M. Brown and seconded by Councillor P. Hubert to Approve:

- a) that, on the recommendation of the Solicitor II, the Minutes of Settlement with respect to a proposed settlement of the application by Liahn Farms Limited, to the Ontario Superior Court of Justice, Divisional Court, in connection with By-law C.P.-1466-249, the Tree Conservation By-law BE APPROVED; and
- b) progress on the balance of the in camera matters as noted on the public Agenda.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, B. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, J.P. Bryant (13)

X DEFERRED MATTERS

None.

XI ENQUIRIES

None.

XII EMERGENT MOTIONS

Motion made by Councillor J.L. Baechler and seconded by Councillor M. Brown to Approve leave to introduce a motion related to correspondence issued by the Mayor regarding the imprisonment of Mr. John Greyson and Dr. Tarek Loubani.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, J.P. Bryant (12)

Motion made by Councillor B. Polhill and seconded by Councillor M. Brown to Approve that the attached letter issued by Mayor J.F. Fontana on September 30, 2013, to The Right Honourable Stephen Harper, PC, MP, with respect to the imprisonment of Mr. John Greyson and Dr. Tarek Loubani, BE ENDORSED by the Municipal Council.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, J.P. Bryant (12)

Motion made by Councillor J.L. Baechler and seconded by Councillor D. Brown to Approve leave for the introduction of a motion by Councillor J.L. Baechler, related to Deep Geological Repositories.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, J.P. Bryant (12)

At 6:38 PM Councillor S.E. White enters the meeting.

Motion made by Councillor J.L. Baechler and seconded by Councillor D. Brown to Approve that:

WHEREAS the Great Lakes are a connected water system;

AND WHEREAS the Great Lakes Basin is home to 90% of Ontario's population;

AND WHEREAS the Great Lakes contribute an estimated \$180 billion to Canada-U.S. trade;

AND WHEREAS the Great Lakes support 45% of Canada's industrial capacity;

AND WHEREAS the Great Lakes sustain a \$100 million commercial fishing industry;

AND WHEREAS the Great Lakes sustain a \$350 million recreational fishing industry;

AND WHEREAS the Municipal Council, on January 29, 2013, requested further information and consultation which has not been forthcoming, nor has a consultative approach been taken regionally, though the Joint Water Boards;

AND WHEREAS the City of London is concerned that the proposal for a nuclear waste repository near Kincardine, Ontario may set a precedent for possible future expansion of Deep Geological Repositories (DGR) for high level nuclear waste, without full engagement and consultation with Great Lakes Basin municipalities;

AND WHEREAS the Clean Water Act of Ontario demands that Municipal Councils uphold a high standard of care in order to protect water quality;

NOW THEREFORE BE IT RESOLVED that the Municipal Council of The Corporation of the City of London, in order to protect the Great Lakes and its tributaries, urges that neither this proposed nuclear waste repository near Kincardine, Ontario, nor any other underground nuclear waste repository, be constructed in the Great Lakes Basin, in Canada, in the United States, or on any First Nations property.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, J.P. Bryant, S.E. White (13)

XIII BY-LAWS

BY-LAWS TO BE READ A FIRST, SECOND AND THIRD TIME:

Motion made by Councillor B. Polhill and seconded by Councillor P. Van Meerbergen to Approve Introduction and First Reading of Bill No.s 416 to 427.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, J.P. Bryant, S.E. White (13)

Motion made by Councillor D. Brown and seconded by Councillor P. Van Meerbergen to Approve Second Reading of Bill No.s 416 to 427.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, J.P. Bryant, S.E. White (13)

Motion made by Councillor D. Brown and seconded by Councillor P. Van Meerbergen to Approve Third Reading and Enactment of Bill No.s 416 to 427.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, J.P. Bryant, S.E. White (13)

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

Bill No. 416 By-law No. A.-7019-298	A by-law to confirm the proceedings of the Council Meeting held on the 1 st day of October, 2013. (City Clerk)
Bill No. 417 By-law No. A.-7020-299	A by-law to repeal and replace Council Policy 8(12) entitled "Investment Policy".(4/25/CSC)
Bill No. 418 By-law No. A.-7021-300	A By-law to authorize an Agreement between The Corporation of the City of London and Veresen Energy Infrastructure Inc. cob as London District Energy, and to authorize the Mayor and City Clerk to execute the Agreement. (6/25 /CSC)
Bill No. 419 By-law No. A.-7022-301	A By-law to approve an agreement between The Corporation of the City of London and Extendicare (Canada) Inc. for the provision of consulting services and administrator services to the Dearness Home. (4/18/CPSC)
Bill No. 420 By-law No. A.-5896(u)-302	A by-law to amend By-law No. A.-5896-233 entitled, "A by-law to appoint Municipal Law Enforcement Officers for the purpose of enforcing the by-laws of The Corporation of the City of London. (Manager of By-Law Enforcement)
Bill No. 421 By-law No. A.-5709(g)-303	A by-law to amend By-law No. A.-5709-40 entitled, "A by-law to appoint Municipal Law Enforcement Officers as Weed Inspectors in the City of London." (Manager of By-Law Enforcement)
Bill No. 422 By-law No. C.P.-1284(tl)-304	A by-law to amend the Official Plan for the City of London, 1989 relating to 611, 613, 615, 617 and 619 Oxford Street East. (9/21/PEC)
Bill No. 423 By-law No. S.-5599-305	A by-law to lay out, constitute, establish and assume certain reserves in the City of London as public highway. (as widening to White Oak Road) (City Surveyor)
Bill No. 424 By-law No. S.-5600-306	A by-law to lay out, constitute, establish and assume certain reserves in the City of London as public highway. (as widening to Highbury Avenue North, north of Cheapside Street). (City Surveyor)
Bill No.425 By-law No. Z.-1-132235	A by-law to amend By-law No. Z.-1 to remove the holding provision from the zoning for the lands located at 1140 Southdale Road West. (3/21/PEC)

Bill No. 426 By-law No. Z.-1-132236	A by-law to amend By-law No. Z.-1 to remove the holding provision from the zoning for a portion of land located at 3189, 3197 Jinnies Street and 3397 Jinnies Way. (4/21/PEC)
Bill No. 427 By-law No. Z.-1-132237	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 699 Wonderland Road North. (10/21/PEC)

V RECOGNITIONS (continued)

3. The Municipal Council recognizes City of London Employees who have achieved 25 years of service during 2012:

Engineering Services - Bruce Abram, Darrell Barber, Brandon Birrell, David J. Brown, Richard Cosby, William Dark, Ian Gilmore, Robert Horton, Stephen Irwin, Scott Jones, Paul Kozachuk, Doug Lee, Kathy Lee, Mark Albano Lourenco, John Lucas, Edward McLean, Henry Michielsen, Christine Preece, Don Purchase, Dave J. Rutherford, Rick Sevier, Ralph Thornton, Greg Traquair, Gord Wach, Ron Woods

Parks and Recreation - Scott Ball, Richard Cadwallader, Lina D'Oria, Perry Davie, Mark Donahue, Judith Dunleavy, Thomas Edie, James Kovacs, Victoria Wilson

Planning - Mark Boulger

Fire - Kevin Austin, Bridget A. Bond, Kevin Dash, Kimberly Gough, Steve Hardy, Andrew Henshall, Nick Hewetson, Philip Steven Oliva, Peter Sheriff, Scott Turnbull.

XIV ADJOURNMENT

Motion made by Councillor P. Hubert and seconded by Councillor S. Orser to Adjourn.

Motion Passed

The meeting adjourns at 6:45 PM.

Joe Fontana, Mayor

Catharine Saunders, City Clerk