



London
CANADA

COUNCIL MINUTES 17TH MEETING

October 22, 2013

The Council meets in Regular Session in the Council Chambers this day at 4:08 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, H.L. Usher, J.P. Bryant, S.E. White and C. Saunders (City Clerk).

ALSO PRESENT: A. Zuidema, J.P. Barber, G. Belch, J. Braam, B. Coxhead, S. Datars Bere, J.M. Fleming, M. Hayward, G.T. Hopcroft, G. Kotsifas, L. Livingstone, D. MacRae, V. McAlea Major, D. O'Brien, J. Parsons, R. Paynter, D. Popadic, M. Ribera, L.M. Rowe, E. Soldo and B. Westlake-Power.

At the beginning of the Meeting all Members are present except Councillors B. Armstrong, J.B. Swan and S.E. White.

I DISCLOSURES OF PECUNIARY INTEREST

At 4:09 PM, Councillor B. Armstrong enters the meeting.

At 4:10 PM, Councillor J.B. Swan enters the meeting.

Councillor J.B. Swan discloses a pecuniary interest in clause 8 of the 12th Report of the Investment and Economic Prosperity Committee, having to do with a request from Councillor D. Henderson for permission to draft a performance centre proposal, by indicating that his employer, Orchestra London, could be affected.

Councillor J.P. Bryant discloses a pecuniary interest in clauses 2 and 7 of the 12th Report of the Investment and Economic Prosperity Committee, having to do with an update on the Fraunhofer Project Centre and London's Medical Innovation and Commercialization Network, respectively, by indicating that her husband is a faculty member at Western University.

Councillor P. Hubert discloses a pecuniary interest in clause 5 of the 12th Report of the Investment and Economic Prosperity Committee, having to do with updates on the Employment Sector Council London Middlesex and the London Middlesex Immigrant Employment Council, by indicating that he is the Executive Director of a social services agency with membership on those Councils and which is part of a job developer network.

Councillor B. Polhill discloses a pecuniary interest in clause 3 of the 22nd Report of the Planning and Environment Committee, having to do with the property located at 613 Sovereign Road, by indicating that his business is located within the circulation area.

Councillor M. Brown discloses a pecuniary interest in clause 2 of the 17th Report of the Committee of the Whole and the related added confidential item, 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.

II REVIEW OF CONFIDENTIAL MATTERS TO BE CONSIDERED IN PUBLIC

None.

III ADDED REPORTS

1. 13th Report of the Strategic Priorities and Policy Committee
2. 14th Report of the Strategic Priorities and Policy Committee

IV COMMITTEE OF THE WHOLE, IN CAMERA

MOTION FOR IN CAMERA SESSION

Motion made by Councillor B. Polhill and seconded by Councillor P. Hubert to Approve that Council rise and go into Committee of the Whole, in camera, at 4:16 PM for the purpose of considering the following:

- a) A matter pertaining to advice that is subject to solicitor-client privilege, including communications necessary for that purpose with respect to the provincial minimum maintenance standards, as amended. (C1/18/CWC)
- b) A matter pertaining to the security of the property of the Corporation as it contains commercial and financial information supplied in confidence to the Corporation, the disclosure of which could be reasonably expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons or organization, 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 and matters related to the personal information about identifiable individuals, including municipal or local board employees related to the potential provision of internal audit services for the City of London, by an external organization. (C2/6/AC)
- c) A matter pertaining to personal information about identifiable individuals, including municipal employees, with respect to employment related matters, including employee negotiations, advice or recommendations of officers and employees of the Corporation, including communications necessary for that purpose regarding succession planning. (C1/6/AC)
- d) A matter pertaining to employee negotiations; personal matters, including information regarding identifiable individuals, including municipal employees, with respect to employment related matters, including advice or recommendations of officers and employees of the Corporation, including communications necessary for that purpose and for the purpose of providing instructions and directions to officers and employees of the Corporation. (C3/6/AC)

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, J.P. Bryant (12)

The Council rises and goes into Committee of the Whole, in camera, at 4:19 PM, with Mayor J.F. Fontana in the Chair and all Members present except Councillors H.L. Usher, P. Van Meerbergen and S.E. White.

At 4:22 PM Councillor P. Van Meerbergen enters the meeting.

At 4:24 PM Councillor H.L. Usher enters the meeting.

At 4:28 PM Councillor S.E. White enters the meeting.

The Committee of the Whole rises at 4:38 PM and Council resumes in regular session at 4:49 PM, with all Members present.

V RECOGNITIONS

1. His Worship the Mayor presents a certificate for "London's Featured Community Organization" to the SoHo Community Association.

VI CONFIRMATION AND SIGNING OF THE MINUTES OF THE SIXTEENTH MEETING HELD ON OCTOBER 1, 2013

Motion made by Councillor B. Polhill and seconded by Councillor P. Van Meerbergen to Approve the Minutes of 16th meeting held on October 1, 2013.

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, H.L. Usher, J.P. Bryant, S.E. White (15)

VII COMMUNICATIONS AND PETITIONS

1. Deputy City Treasurer - Supplemental Information - Corporate Asset Management System Assessment and Program Pilot Trials (Refer to the Corporate Services Committee Stage for Consideration with Clause 2 of the 26th Report of the Corporate Services Committee.)

Motion made by Councillor B. Polhill and seconded by Councillor D. Brown to Approve that, on the recommendation of the Deputy City Treasurer, the staff report dated October 22, 2013 with respect to the Corporate Asset Management System Assessment and program pilot trials BE RECEIVED and BE REFERRED to clause 2 of the 26th Report of the Corporate Services Committee.

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, H.L. Usher, J.P. Bryant, S.E. White (15)

VIII MOTIONS OF WHICH NOTICE IS GIVEN

None.

IX REPORTS

17th Report of the Civic Works Committee
Councillor P. Van Meerbergen presents.

Motion made by Councillor P. Van Meerbergen to Approve clause 9.

9. Veterans Memorial Parkway Noise Study

That, on the recommendation of the Director, Roads and Transportation, the following actions be taken with respect to Veterans Memorial Parkway Noise Improvements:

- a) the Civic Administration BE DIRECTED to complete berm improvements along Simpson Crescent by increasing the height of the berm by up to 1 m and at the south ends of the development near Admiral Drive & Trafalgar Street, through a combination of soil berm and noise wall panels as necessitated by property constraints, at a total cost of \$300,000; it being noted that these improvements meet the current noise attenuation requirements and the City level of service; and,

- b) the Civic Administration BE DIRECTED to introduce a 2014 Service Improvement budget item for the Veterans Memorial Parkway Noise Improvements;

it being noted that the Civic Works Committee received the ~~attached~~ presentation from D. MacRae with respect to this matter.

At 5:24 PM, His Worship the Mayor places Councillor P. Hubert in the Chair and takes a seat at the Council Board.

At 5:33 PM His Worship the Mayor takes the Chair and Councillor P. Hubert takes his seat at the Council Board.

Motion made by Councillor P. Hubert and seconded by Councillor H.L. Usher to Approve that clause 9 BE REFERRED back to the Director, Roads and Transportation to take the following actions related to noise abatement along the Veterans Memorial Parkway:

- a) investigate new materials that may be available for the purpose of noise abatement on Veterans Memorial Parkway, between Simpson Crescent and Trafalgar Street, at an up-set limit of \$500,000, with noise abatement measures to be completed in 2014; and,
- b) after the completion of the works noted in a), above, undertake a review of the noise levels in the area to ensure that they are below 60 decibels.

Motion Passed

YEAS: J.F. Fontana, J.B. Swan, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher (8)

NAYS: B. Polhill, B. Armstrong, S. Orser, J.L. Baechler, N. Branscombe, J.P. Bryant, S.E. White (7)

At 6:00 PM Councillor B. Armstrong leaves the meeting.

Pursuant to section 17.2 of the Council Procedure By-law, Councillor M. Brown calls for a separate vote on clause 2.

Motion made by Councillor P. Van Meerbergen to Approve clause 1, clauses 4 to 7 and clauses 10 to 14.

1. Disclosure of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

4. Local Improvement Initiation Hyde Park Industrial Subdivision

That, on the recommendation of the Managing Director - Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the construction of a sanitary sewer and water main as part of the Local Improvement Program, on initiation, for the Hyde Park Industrial Subdivision:

- a) the Local Improvement Report, as appended to the staff report dated October 7, 2013 as Appendix A, dated Monday October 7, 2013 for the construction, on initiation, of a Sanitary Sewer at the said location, BE ADOPTED;
- b) the City Clerk BE AUTHORIZED to proceed under the provisions of the Municipal Act, 2001, Ontario Regulation 119/03 with the publishing and the serving of Notice of Municipal Council's intention to undertake these works in accordance with the following:

Location	Owners' Share	Corporation's Share	Gross Cost
Hyde Park Industrial Subdivision	\$372,226.09	\$ 123,220.23	\$495,486.32

- c) the Local Improvement Report, as appended to the staff report dated October 7, 2013 as Appendix B, dated Monday October 7, 2013 for the construction, on initiation, of a watermain at the said location, BE ADOPTED;
- d) the City Clerk BE AUTHORIZED to proceed under the provisions of the Municipal Act,

2001, Ontario Regulation 119/03 with the publishing and the serving of Notice of Municipal Council's intention to undertake these works in accordance with the following:

Location	Owners' Share	Corporation's Share	Gross Cost
Hyde Park Industrial	\$211,572.08	\$ 165,111.91	\$376,638.99

- e) all administrative acts necessary for the implementation of this project BE AUTHORIZED subject to approval of financing, where required. (2013-D24)

5. Amendments to the Traffic and Parking By-law

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 October 7, 2013, BE INTRODUCED at the Municipal Council meeting to be held on October 22, 2013 for the purpose of amending the Traffic and Parking By-law (P.S. 111). (2013-C01)

6. Update on Corporate Energy Management and Report Requirements

That, on the recommendation of the Director, Environment, Fleet and Solid Waste, the following actions be taken with respect to the update on Corporate Energy Management and Reporting Requirements:

- a) the above-noted report BE RECEIVED; it being noted that the update included the following companion documents:
- Past and Current Energy Management Activities;
 - Culture of Conservation – The Next Steps;
 - 2011 Corporate Energy Consumption Report;
 - 2011 Energy Consumption and Greenhouse Gas Emissions (Ministry of Energy); and,
 - 2012 Corporate Energy Consumption Report; and,
- b) the City of London Boards and Commissions BE REQUESTED to report back with respect to their actions with respect to Energy Management Systems. (2013-E17)

7. Transportation Infrastructure Gap

That, on the recommendations of the Managing Director, Environmental and Engineering Services and City Engineer and Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the following actions be taken with respect to the Transportation Infrastructure Gap:

- a) the Civic Administration BE DIRECTED to develop a long-term financial implementation strategy to address the transportation infrastructure gap as part of the overall Corporate Asset Management Strategy;
- b) the Province of Ontario BE REQUESTED to enable additional revenue tools for municipalities to fund transportation and transit infrastructure over and above existing funding programs; and,
- c) the Government of Canada BE REQUESTED to enable additional revenue tools for municipalities to fund transportation and transit infrastructure over and above existing funding programs;

it being noted that the Civic Works Committee received the ~~attached~~ presentation from E. Soldo, Director, Roads and Transportation and the ~~attached~~ communication and delegation J. Kennedy, London Development Institute, with respect to this matter. (2013-T11)

10. Railway Pedestrian Crossing Safety

That, on the recommendation of the Director, Roads and Transportation, the following actions be taken with respect to a proposed Railway Pedestrian Crossing Safety Program:

- a) the Civic Administration BE DIRECTED to liaise with the railway companies regarding opportunities to increase public awareness of rail safety issues;
- b) the Civic Administration BE AUTHORIZED to continue discussions with the respective railway companies and Transport Canada to refine and jointly implement the draft program of engineering crossing safety treatments, appended to the staff report dated

October 7, 2013 as Appendix "B" under appropriate cost sharing and utilizing any federal rail safety funding programs that are available; and,

- c) a new two-year project BE INTRODUCED for consideration in the 2014 budget for the implementation of engineering crossing safety treatments, with priority to be given to all items under Transport Canada requirements included in the above- noted Appendix B. (2013-T08)

11. Removal of Fluoride from London's Drinking Water

That the communication dated October 7, 2013 from Councillor S. Orser, with respect to the removal of fluoride from London's drinking water BE RECEIVED. (2013-E08)

12. Active Transportation (AT) and Transportation Demand Management (TDM) - Updates and the Next Steps

That, on the recommendation of the Director, Environment, Fleet and Solid Waste, the report dated October 7, 2013 with respect to Active Transportation (AT) and Transportation Demand Management (TDM) Updates and the Next Steps, BE RECEIVED. (2013-T11)

13. Provincial Minimum Maintenance Standards 2013 Update

That, on the recommendation of the Managing Director of Environmental and Engineering Services and City Engineer the following actions be taken with respect to the Minimum Maintenance Standards:

- a) the revised Minimum Maintenance Standards (January 2013) as per Regulation 239/02 BE ADOPTED for use on City of London roadways; and,
- b) the additional operating costs to meet the above-noted minimum maintenance standard requirements, in the amount of \$335,000, BE APPROVED as a commitment from available assessment growth in 2014, subject to final budget approval. (2013-T04)

14. Meadowlily Bridge

That the following actions be taken with respect to a verbal request from Councillor White related to undesirable activity at Meadowlily Bridge:

- a) additional lighting BE INSTALLED;
- b) trees causing security issues BE REMOVED; and,
- c) standard parking lot signage BE INSTALLED.

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, H.L. Usher, J.P. Bryant, S.E. White (14)

Motion made by Councillor P. Van Meerbergen to Approve clause 2.

2. Traffic Calming Program - 10 Year Annual Plan

That, on the recommendation of the Director, Roads and Transportation, the following actions be taken with respect to the Traffic Calming Program:

- a) the Traffic Calming Program - 10 Year Annual Plan BE APPROVED as the basis for implementation of traffic calming measures; and,
- b) the priorities and schedule of the Traffic Calming Program BE REVIEWED on an annual basis to incorporate new locations, subject to annual funding approvals;

it being noted that the Civic Administration will provide a standard response fact sheet for the Members of Council and prepare a list identifying the status of all past, current and future locations with respect to this matter.

Motion made by Councillor H.L. Usher and seconded by Councillor J.P. Bryant to Amend clause 2 by adding a new part c) as follows:

- “c) the Director, Roads and Transportation BE DIRECTED to review and report back at a future meeting of the Civic Works Committee on the potential for a two-tier Traffic Calming Program which would provide an opportunity for addressing smaller street projects within a \$25,000 budget envelope, together with a proposed source of financing for the associated funding requirements;”.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (12)

NAYS: D.G. Henderson, P. Van Meerbergen (2)

At 6:12 PM Councillor B. Armstrong returns to the meeting.

Motion made by Councillor H.L. Usher and seconded by Councillor J.P. Bryant to Approve clause 2, as amended.

Motion Passed

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

NAYS: M. Brown, D.G. Henderson (2)

Clause 2, as amended, reads as follows:

That, on the recommendation of the Director, Roads and Transportation, the following actions be taken with respect to the Traffic Calming Program:

- a) the Traffic Calming Program - 10 Year Annual Plan BE APPROVED as the basis for implementation of traffic calming measures;
- b) the priorities and schedule of the Traffic Calming Program BE REVIEWED on an annual basis to incorporate new locations, subject to annual funding approvals; and,
- c) the Director, Roads and Transportation BE DIRECTED to review and report back at a future meeting of the Civic Works Committee on the potential for a two-tier Traffic Calming Program which would provide an opportunity for addressing smaller street projects within a \$25,000 budget envelope, together with a proposed source of financing for the associated funding requirements;

it being noted that the Civic Administration will provide a standard response fact sheet for the Members of Council and prepare a list identifying the status of all past, current and future locations with respect to this matter. (2013-T08)

Motion made by Councillor P. Van Meerbergen to Approve clause 3.

3. Sidewalk Maintenance Program

That the report dated October 7, 2013 from the Director, Roads and Transportation with respect to the Sidewalk Maintenance Program BE RECEIVED. (2013-T06)

Motion made by Councillor M. Brown and seconded by Councillor J.L. Baechler to Approve that clause 3 BE AMENDED by adding the following to the end of the clause:

“it being noted that the Civic Administration will bring forward the following as part of the 2014 budget process:

- a) a business case for one time funding to address the current maintenance gap; and,
- b) a business case to address incremental funding that would be required to eliminate future gaps.”

Motion Failed

YEAS: B. Armstrong, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, J.P. Bryant (7)

NAYS: J.F. Fontana, B. Polhill, J.B. Swan, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, S.E. White (8)

The motion to adopt clause 3 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, H.L. Usher, J.P. Bryant, S.E. White (15)

Motion made by Councillor P. Van Meerbergen to Approve clause 8.

8. Bus Rapid Transit Strategy

That, on the recommendations of the Managing Director, Environmental and Engineering Services and City Engineer and Managing Director, Corporate Service and City Treasurer, Chief Financial Officer, the following actions be taken with respect to the Bus Rapid Transit Strategy:

- a) the ~~attached~~ Bus Rapid Transit Strategy Business Case, presented by the London Transit Commission, BE RECEIVED;
- b) the Civic Administration BE DIRECTED to initiate an Environmental Assessment in 2014 for the Rapid Transit Corridors identified in the Transportation Master Plan to:
 - i) confirm the preferred form of rapid transit;
 - ii) detail the corridor improvements required to accommodate it; and,
 - iii) work toward implementation within a 12 year period; it being noted that the cost of the Environmental Assessment study will be included in the draft 2014 Capital Budget for Council consideration;
- c) the Financial Plan for Constrained Implementation Plan of the Bus Rapid Transit Strategy BE RECEIVED; it being noted that the financial plan will be subject to revision as a result of the Environmental Assessment process, commitment from senior levels of government for funding and the finalization of the 2014 Development Charges; and,
- d) working in conjunction with the London Transit Commission, the Civic Administration BE AUTHORIZED to make immediate representation to the Provincial and Federal governments with respect to London's Bus Rapid Transit Strategy with the objective of gaining approval and commitment for investment in London's Bus Rapid Transit Strategy; it being noted that the Environmental Assessment will confirm the technical aspects of rapid transit and provide more detailed cost and implementation timing information for inclusion into a revised Financial Plan as noted in c), above;

it being noted that the Civic Works Committee received the ~~attached~~ presentation from E. Soldo, Director, Roads with respect to this matter. (2013-T03)

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, H.L. Usher, J.P. Bryant, S.E. White (15)

22nd Report of the Planning and Environment Committee
Councillor B. Polhill presents.

Motion made by Councillor B. Polhill to Approve clause 11.

That, on the recommendation of the Managing Director, Land Use Planning and City Planner, the following actions be taken with respect to the application of Romlex International Inc., relating to the properties located at 1057, 1059 and 1061 Richmond Street:

- a) the Ontario Municipal Board BE ADVISED that Municipal Council recommends that Zoning By-law No. Z.-1 BE AMENDED as Appendix "A" attached, (in conformity with the Official Plan), FROM a Neighbourhood Facility (NF1) Zone and a Residential R2 Special Provision (R2-2(9)) Zone TO a Holding Neighbourhood Facility Special Provision Bonus (h-5*Nf1()*B()) Zone to permit churches, elementary schools, and day care centres, one (1) residential dwelling unit within the existing church building, located at 1061 Richmond Street, and a Bonus Zone to allow for increased residential density to permit a maximum total of eleven (11) residential dwelling units at the subject property, to be located within the existing building at 1061 Richmond Street, with regulations that permit a maximum of three (3) bedrooms within nine (9) of the dwelling units and a maximum of two (2) bedrooms within two (2) of the dwelling units, a maximum density (61 units per hectare), a minimum of 13 parking spaces, a minimum parking area setback from the east lot line of 0 metres, a minimum parking area setback from the west and south lot line of 1.5 metres and a minimum landscaped open space coverage (30%), in return for heritage preservation by designating 1061 Richmond Street, under Section 29(1) of the *Ontario Heritage Act*, and also in return for enhanced landscaping and site design, by constructing a masonry wall, of no more than 1 metre (3.28 ft) in height, matching the materials and architectural character of the existing building located at 1061 Richmond Street, to provide for screening and the creation of a built street edge along the majority of the Richmond Street frontage and by allowing for no vehicular access to the site from the municipal laneway adjacent to the west and subject to a holding provision which requires a public site plan review;
- b) the Site Plan Approval Authority BE REQUESTED to include the attached, revised, conceptual site plan, in the bonusing clause of any development agreement for this site;
- c) the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject property FROM a Neighbourhood Facility (NF1) Zone, which permits churches, elementary schools, community centres, day care centres, libraries, private schools, fire stations, private club, police station and a Residential R2 Special Provision (R2-2(9)) Zone, which permits single detached dwellings, semi-detached dwellings, duplex dwellings and converted dwellings (maximum 4 dwelling units) TO a Neighbourhood Facility Bonus (NF1*B()) Zone, to permit the same range of uses in the Neighbourhood Facility (NF1) Zone on the entire site except police stations and fire stations as the base zoning and adding a bonus zone to permit 14 residential dwelling units subject to special zoning regulations to permit a minimum landscaped open space coverage (10%), a minimum parking area setback from the interior/rear property line of 0 metres and a parking area setback from the front/exterior side lot lines of 0.5 metres BE REFUSED for the following reasons:
 - i) the requested amendment is not consistent with the Policies for Near-Campus Neighbourhoods of the Official Plan;
 - ii) the requested amendments implement a form of development which is not consistent with the site plan agreement registered to the lands at 1059 Richmond Street; and,
 - iii) the number of special provisions required and the extent to which they deviate from the requirements of the Zoning By-law are indicative of a development that is too intense for the subject site;
- d) the notice of the Municipal Council's intention to designate the property located at 1061 Richmond Street to be of cultural heritage value or interest **BE GIVEN**, for the attached reasons, under the provisions of Section 29(1) of the *Ontario Heritage Act*, R.S.O. 1990, c. O.18; it being noted that that the owner, Romlex International Inc., has not concurred with the designation;
- e) unrestricted access on Richmond Street BE PERMITTED; and,
- f) the developer BE ASKED to work with the City to repair the lane;

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

- a communication, dated September 26, 2013, from M.G. Mann, President & CEO, Statesman; and,
- the ~~attached~~ communication, dated October 8, 2013, from D. Bartlett;

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

- Greg Priamo, Zelinka Priamo Ltd., on behalf of the applicant – indicating that staff has done a good job providing the Committee with the information that has been presented in the staff report; expressing agreement with the Manager, Planning and City Planner's observation that this is a rare situation; noting that he has been in business for 25 years and has not seen this kind of revision in the recommendation before; advising that they are certainly perplexed by it; indicating that he listened very carefully to Mr. Tomazincic's presentation and has read the report very carefully; advising that they continue to believe that the original report, which was presented to the Committee and the Municipal Council twice, is actually the best and most fair assessment of this situation on a balanced basis; indicating that, in the new report, there seems to be a great deal of weight placed on two things; advising that one of them is the Near Campus Neighbourhood policies, when they were approved and how they were applied to this application; advising that the other item is the existing site plan for this property; indicating that it has been his experience, in the City of London and in many municipalities, that, when Council approves a policy document, whether or not it is subject to Ontario Municipal Board proceedings, it is considered by staff when they are considering applications that are relevant to these policies; indicating that the Committee was advised by Mr. Tomazincic this evening that, because they were not approved by the Ontario Municipal Board, even though they had long since been approved by the Municipal Council, they were not considered in the original reports; indicating that even a cursory review of the original reports clearly shows sections of the reports that deal specifically with the Near Campus Neighbourhood policies; noting that there is an explicit determination that the development, as proposed, complies with the Near Campus Neighbourhood policies; indicating that he is perplexed by the notion that somehow a further review turned that all around; advising that he is also perplexed because he is unable to find anything in the new report, from an informational standpoint, that staff did not have when they wrote the report, their first report, but that they dealt with in a comprehensive and effective way; advising that their site plan was available to staff; noting that staff they said that their site plan was fine, now staff say that it is not; indicating that the Near Campus Neighbourhood Policy was available to them in Council approved status and, as Mr. Tomazincic stated, the Ontario Municipal Board approved the Policy exactly how the Municipal Council approved it; advising that the policies were there and, in his submission, staff did consider them; advising that he is unable to determine what actually happened that resulted in the change in recommendation because the policies existed; indicating that they have two recommendations that rely, in his submissions, on the exact same body of information; indicating that they met with the neighbours before the first report came to the Committee and they met with the neighbours before it came back to the Committee the second time; indicating that there were submissions from the public, but they were the same submissions; reiterating that there was no new information provided at that time; advising that a review of the reports would indicate that they responded to the concerns that were raised; indicating that they agreed to not use the laneway, they agreed to drop the Sherwood property from the application and we are surprised by much of this; indicating that they acquired another property, for parking, because they were advised, and certainly believed, that compelling concerns of the neighbourhood were two things: one, that significant off-site parking would be generated on this site regardless of the land use and there was concern about the diversity of the tenants that may occupy the building; advising that they went to the extraordinary measure to acquire enough land to provide the required number of parking spaces for the units that they were proposing to ensure that they could attract a diversity of tenants to this site and to ensure that they minimized the potential impacts of off-site parking; indicating that they have now been advised that now it is more appropriate to have half the number of the parking spaces and less diversity in the number of bedrooms in the units; advising that they are struggling with this, but in my submissions to you tonight, he is not looking for a rationalization; suggesting to the Committee that, in their opinion, they have reviewed the two documents and they think staff got it right the first time; indicating that the first report provides a much more balanced, comprehensive assessment and, in my submissions, their original conclusions were the right; reiterating that he urges the Committee to consider that very carefully because they believe that their proposal is well thought out, is a balance between the concerns of the neighbourhood and the economics of

this project and it is going to result in the preservation of a culturally significant and a neighbourhood significant building without change; commenting on some of the zoning issues that were raised in the analysis; noting that this is an existing building, they are not creating yards; further noting that the zero yard on the south side, exists today, the parking for the church in that condition exists today; indicating that it is not a new condition that they are proposing; advising that the existing site plan agreement, while it may be instructive, is not regulation; noting that there is no obligation; reiterating that the site plan agreement is for a church and the removal of a manse, not a site plan agreement that is reflective of a converted church building for residential purposes; indicating that a site plan agreement will be required to effect this development and they will go through the process; reiterating that he urges the Committee to consider, very carefully, a balanced approach to this development and to look favourably on the original recommendation; requesting the Committee to instruct, through staff, to the Ontario Municipal Board, that the original report is the preferred solution in this regard; advising that, even prior to this staff report, they agreed that access would be entirely off of Richmond Street and to not use the laneway as part of their access arrangement; advising that they filed an urban design brief with their application; indicating that a component of the urban design brief is a compatibility report that is entrenched in the urban design; advising that the direction that was referred to by Council in part e) of your previous resolution was to revise the urban design brief to address the revised project proposal; reiterating that that was the direction; noting that it was not a direction to provide a compatibility report; reiterating that the compatibility analysis was filed in the urban brief, in the original application and, at the direction of the Council, they provided a revised version to staff; indicating that this information is available; advising that their determination may be different from others, but their analysis is there and they stand behind it; and advising that it meets the criteria in the Official Plan policies.

- Sid Noel, 196 Sherwood Avenue – commending the Planning Department staff for this very thoughtful report; indicating that it is clearly based on research and presents a clear rationale for the recommendations; requesting clarification on one aspect of the report, involving the traffic in and out of the parking lot for the development; realizing that access to the laneway is not part of the proposal; noting that this has been clearly stated; advising that there has been some discussion of permitting only right turns in and right turns out into the parking lot for the development; advising that this would be a mistake in many respects; indicating that he believes that it would lessen the chance of the owner of the property having an economically viable development because it would inconvenience those who must use the parking lot as well as the residents of Sherwood Avenue; noting that, if that was the case, a resident of the complex arriving from South London would not be able to turn left into the parking lot, the driver would have to turn left onto Sherwood Avenue, which is a narrow street and try to do a three-point turn because the street is too narrow to do a u-turn; indicating that this is difficult enough to do in good weather, but it is doubly difficult to do when there are cars parked on the side and in winter when there is snow piled up; noting that this is unnecessary for this project and he hopes that it is off the table; indicating that, at the last meeting, there was unanimous agreement that this should not be permitted; indicating that the idea of putting a pork chop barrier in the center of Richmond Street really ought to be a non-starter; seeking confirmation that this is so; noting that he is not speaking on the developers behalf but this is a common interest for the developer and the residents of Sherwood Avenue; expressing support for the report in its entirety, with this important confirmation; advising that the report does not meet all of the wish list of the area residents but it goes a long way to meeting their concerns; and urging the Committee members to support the staff report.

- Steve Harris, 201 Sherwood Avenue – expressing a number of concerns with the intensity of the project; believing that the reduced density would mitigate many of the deficiencies in the proposal for the church site; wishing to speak about two specific matters; indicating that, as they reside two doors west of Richmond Street, the demolition of the home at 1057 Richmond Street will create a serious noise problem for them from the volume of traffic on Richmond Street; noting that all of the Officials present are aware of the cost of noise barriers for neighbourhoods; further noting that the least expensive option for all parties stands currently at 1057 Richmond Street and it would be demolished as part of the proposal; indicating that their most serious worry has been addressed in the new report; expressing appreciation to Council and to the Planner for their concerns for the neighbourhood around the church, for listening to the public and letting democracy work; advising that half of the families on the street have school age children and their safety is their primary concern; advising that the laneway on the west side of the church is their pathway to school; indicating that the Municipal Council agreed unanimously that the narrow lane should not be part of the redevelopment of the church; advising that, regardless of other planning rationale, to argue to the contrary is to argue that children's safety is not a baseline value for the community; and advising that he speaks on behalf of all of the families on the street when he says that they are most grateful to Council and the Planning Department when you agree that children's safety should be at the top of the list.

- Michael Backx, 192 Sherwood Avenue – expressing appreciation to the staff for the revised report as it is a major improvement from where they were at with the first report; advising that their biggest concern has always been the density; indicating that the applicant has never provided a character statement or a compatibility report showing how his development will fit in with the neighbourhood; advising that the residents were left with not many options and ultimately they ended up getting the advice of another Planner who gave them a recommendation which was compatible with the neighbourhood; noting that that recommendation was six units in the church with three bedrooms, leaving the home on Richmond Street which would preserve the landscape and the beautiful gateway that the Council has talked about entering the City of London, which would have worked out for everyone; advising that the applicant has a different idea; indicating that he wanted to rip down the house and create all parking there; reiterating that he did not show any compatibility with the neighbourhood; reiterating that this report is a major improvement; raising that, in comparing the first staff report, with 14 units and 34 bedrooms, with the second report, where they have nine units and 27 bedrooms; noting that, on a proportionate basis, the reduction in units is 36% while the reduction in bedrooms is only 20%; indicating that, in order to be consistent with this new report, then of 36% reduction, the maximum number of bedrooms should be 21, which is more in line with what the neighbourhood suggested and also more in line with the recommendation that the Council referred back to the Planners; advising that, if he remembers correctly, at the last Council meeting, the Civic Administration, asked specific guidance on what Council wanted staff to consider; indicating that Council was very clear in its response, indicating that they will have the maximum target goal density of 45 units per hectare; noting that this was based on six units in the church, with two bonus units in the church, the house remaining with one unit with the existing number of bedrooms in it; further noting that this would bring it up to 45 units per hectare; reiterating that the Civic Administration asking the question, but he has not heard from them this evening, the rationale for going from 45 units per hectare to 50 units per hectare; reiterating that there has never been anything from the applicant outlining how this is going to fit in with the neighbourhood; and indicating that all the parameters required in the Official Plan have not been provided by the applicant and therefore, this application was deficient.
- Mary Ann Colihan, 191 Sherwood Avenue – see attached presentation.
- Paul Adams, 191 Sherwood Avenue - see attached presentation. (2013D14A)

11. Properties located at 1057, 1059 and 1061 Richmond Street (Z-8106)

Motion made by Councillor B. Polhill and seconded by Councillor S. Orser to Approve amending clause 11 in the first line by removing the words “on the recommendation of the Managing Director, Land Use Planning and City Planner,”; and by adding a new part g) as follows:

- “g) pursuant to Section 34(17) of the Planning Act, as determined by the Municipal Council, no further notice BE GIVEN in respect of the proposed by-law as the number of units proposed in the by-law is less than the 14 proposed units that was advertised.”

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, H.L. Usher, J.P. Bryant, S.E. White (15)

At 6:45 PM His Worship the Mayor places Councillor P. Hubert in the Chair and takes a seat at the Council Board.

At 6:58 PM, His Worship the Mayor resumes the Chair and Councillor P. Hubert takes his seat at the Council Board.

At 6:59 PM Councillor H.L. Usher leaves the meeting.

At 7:04 PM Councillor H.L. Usher returns to the meeting.

Motion made by Councillor B. Polhill and seconded by Councillor S. Orser to Approve clause 11, as amended, excluding part e).

Motion Failed

YEAS: J.F. Fontana, B. Polhill, S. Orser, P. Van Meerbergen, S.E. White (5)

NAYS: B. Armstrong, J.B. Swan, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, D. Brown, H.L. Usher, J.P. Bryant (10)

Motion made by Councillor N. Branscombe and seconded by Councillor P. Hubert to Approve that, on the recommendation of the Managing Director, Land Use Planning and City Planner, the following actions be taken with respect to the application of Romlex International Inc. relating to the properties located at 1057, 1059 and 1061 Richmond Street:

- (a) the Ontario Municipal Board BE ADVISED that Municipal Council RECOMMENDS that Zoning By-law No. Z.-1 BE AMENDED as ~~attached~~ hereto as Appendix "A", in conformity with the Official Plan, FROM a Neighbourhood Facility (NF1) Zone and a Residential R2 Special Provision (R2-2(9)) Zone TO a Holding Neighbourhood Facility Special Provision Bonus (h-5*NF1(_)*B(_)) Zone to permit churches, elementary schools, and day care centres, one (1) residential dwelling unit within the existing church building, and a Bonus Zone to allow for increased residential density to permit a maximum total of nine (9) residential dwelling units within the existing building located at 1061 Richmond Street with regulations that permit: a maximum number of bedrooms per dwelling unit (3); a maximum density (50 units per hectare); a minimum parking standard (1.2 parking spaces per dwelling unit); a minimum parking area setback from the east side lot line (6m); a minimum parking area setback from the west and south lot line (1.5m); and, a minimum landscaped open space coverage (30%); in return for heritage preservation by designating 1061 Richmond Street, under Section 29(1) of the Ontario Heritage Act, and also in return for enhanced landscaping and site design, by constructing a masonry wall, of no more than 1 metre (3.28 ft) in height, matching the materials and architectural character of the existing building located at 1061 Richmond Street, to provide for screening and the creation of a built street edge along the majority of the Richmond Street frontage and by allowing for no vehicular access to the site from the municipal laneway adjacent to the west and subject to a holding provision which requires a public site plan review.
- (b) the Site Plan Approval Authority BE REQUESTED to include the conceptual site plan, ~~attached~~ as Appendix "B", in the bonusing clause of any development agreement for this site.
- (c) the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject property FROM a Neighbourhood Facility (NF1) Zone which permits Churches; Elementary schools; Community centres; Day care centres; Libraries; Private schools; Fire stations; Private club; Police station and a Residential R2 Special Provision (R2-2(9)) Zone which permits Single detached dwellings; Semi-detached dwellings; Duplex dwellings; and, Converted dwellings (maximum 4 dwelling units) TO a Neighbourhood Facility Bonus (NF1*B(_)) Zone to permit the same range of uses in the Neighbourhood Facility (NF1) Zone on the entire site except Police stations and Fire stations as the base zoning and adding a bonus zone to permit 14 residential dwelling units subject to special zoning regulations to permit: a minimum landscaped open space coverage (10%); a minimum parking area setback from the interior/rear property line of 0 metres; and, a parking area setback from the front/exterior side lot lines of 0.5 metres BE REFUSED for the following reasons:
 - i) The requested amendment is not consistent with the Policies for Near-Campus Neighbourhoods of the Official Plan.
 - ii) The requested amendments implement a form of development which is not consistent with the site plan agreement registered to the lands at 1059 Richmond Street.
 - iii) The number of special provisions required and the extent to which they deviate from the requirements of the Zoning By-law are indicative of a development that is too intense for the subject site.
- (d) with the advice of the Heritage Planner, the Municipal Council BE REQUESTED to issue a Notice of Intention to designate the property located at 1061 Richmond Street under Section 29(1) of the Ontario Heritage Act, as a property of cultural heritage value or interest for the reasons recommended by the London Advisory Committee on Heritage as ~~attached~~ in Appendix C, IT BEING NOTED THAT that the owner, Romlex International Inc., has not concurred with such designation; and,
- (e) unrestricted access on Richmond Street BE PERMITTED;

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

- a communication, dated September 26, 2013, from M.G. Mann, President & CEO, Statesman; and,
- the attached communication, dated October 8, 2013, from D. Bartlett;

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

- Greg Priamo, Zelinka Priamo Ltd., on behalf of the applicant – indicating that staff has done a good job providing the Committee with the information that has been presented in the staff report; expressing agreement with the Manager, Planning and City Planner's observation that this is a rare situation; noting that he has been in business for 25 years and has not seen this kind of revision in the recommendation before; advising that they are certainly perplexed by it; indicating that he listened very carefully to Mr. Tomazincic's presentation and has read the report very carefully; advising that they continue to believe that the original report, which was presented to the Committee and the Municipal Council twice, is actually the best and most fair assessment of this situation on a balanced basis; indicating that, in the new report, there seems to be a great deal of weight placed on two things; advising that one of them is the Near Campus Neighbourhood policies, when they were approved and how they were applied to this application; advising that the other item is the existing site plan for this property; indicating that it has been his experience, in the City of London and in many municipalities, that, when Council approves a policy document, whether or not it is subject to Ontario Municipal Board proceedings, it is considered by staff when they are considering applications that are relevant to these policies; indicating that the Committee was advised by Mr. Tomazincic this evening that, because they were not approved by the Ontario Municipal Board, even though they had long since been approved by the Municipal Council, they were not considered in the original reports; indicating that even a cursory review of the original reports clearly shows sections of the reports that deal specifically with the Near Campus Neighbourhood policies; noting that there is an explicit determination that the development, as proposed, complies with the Near Campus Neighbourhood policies; indicating that he is perplexed by the notion that somehow a further review turned that all around; advising that he is also perplexed because he is unable to find anything in the new report, from an informational standpoint, that staff did not have when they wrote the report, their first report, but that they dealt with in a comprehensive and effective way; advising that their site plan was available to staff; noting that staff they said that their site plan was fine, now staff say that it is not; indicating that the Near Campus Neighbourhood Policy was available to them in Council approved status and, as Mr. Tomazincic stated, the Ontario Municipal Board approved the Policy exactly how the Municipal Council approved it; advising that the policies were there and, in his submission, staff did consider them; advising that he is unable to determine what actually happened that resulted in the change in recommendation because the policies existed; indicating that they have two recommendations that rely, in his submissions, on the exact same body of information; indicating that they met with the neighbours before the first report came to the Committee and they met with the neighbours before it came back to the Committee the second time; indicating that there were submissions from the public, but they were the same submissions; reiterating that there was no new information provided at that time; advising that a review of the reports would indicate that they responded to the concerns that were raised; indicating that they agreed to not use the laneway, they agreed to drop the Sherwood property from the application and we are surprised by much of this; indicating that they acquired another property, for parking, because they were advised, and certainly believed, that compelling concerns of the neighbourhood were two things: one, that significant off-site parking would be generated on this site regardless of the land use and there was concern about the diversity of the tenants that may occupy the building; advising that they went to the extraordinary measure to acquire enough land to provide the required number of parking spaces for the units that they were proposing to ensure that they could attract a diversity of tenants to this site and to ensure that they minimized the potential impacts of off-site parking; indicating that they have now been advised that now it is more appropriate to have half the number of the parking spaces and less diversity in the number of bedrooms in the units; advising that they are struggling with this, but in my submissions to you tonight, he is not looking for a rationalization; suggesting to the Committee that, in their opinion, they have reviewed the two documents and they think staff got it right the first time; indicating that the first report provides a much more balanced, comprehensive assessment and, in my submissions, their original conclusions were the right; reiterating that he urges the

Committee to consider that very carefully because they believe that their proposal is well thought out, is a balance between the concerns of the neighbourhood and the economics of this project and it is going to result in the preservation of a culturally significant and a neighbourhood significant building without change; commenting on some of the zoning issues that were raised in the analysis; noting that this is an existing building, they are not creating yards; further noting that the zero yard on the south side, exists today, the parking for the church in that condition exists today; indicating that it is not a new condition that they are proposing; advising that the existing site plan agreement, while it may be instructive, is not regulation; noting that there is no obligation; reiterating that the site plan agreement is for a church and the removal of a manse, not a site plan agreement that is reflective of a converted church building for residential purposes; indicating that a site plan agreement will be required to effect this development and they will go through the process; reiterating that he urges the Committee to consider, very carefully, a balanced approach to this development and to look favourably on the original recommendation; requesting the Committee to instruct, through staff, to the Ontario Municipal Board, that the original report is the preferred solution in this regard; advising that, even prior to this staff report, they agreed that access would be entirely off of Richmond Street and to not use the laneway as part of their access arrangement; advising that they filed an urban design brief with their application; indicating that a component of the urban design brief is a compatibility report that is entrenched in the urban design; advising that the direction that was referred to by Council in part e) of your previous resolution was to revise the urban design brief to address the revised project proposal; reiterating that that was the direction; noting that it was not a direction to provide a compatibility report; reiterating that the compatibility analysis was filed in the urban brief, in the original application and, at the direction of the Council, they provided a revised version to staff; indicating that this information is available; advising that their determination may be different from others, but their analysis is there and they stand behind it; and advising that it meets the criteria in the Official Plan policies.

- Sid Noel, 196 Sherwood Avenue – commending the Planning Department staff for this very thoughtful report; indicating that it is clearly based on research and presents a clear rationale for the recommendations; requesting clarification on one aspect of the report, involving the traffic in and out of the parking lot for the development; realizing that access to the laneway is not part of the proposal; noting that this has been clearly stated; advising that there has been some discussion of permitting only right turns in and right turns out into the parking lot for the development; advising that this would be a mistake in many respects; indicating that he believes that it would lessen the chance of the owner of the property having an economically viable development because it would inconvenience those who must use the parking lot as well as the residents of Sherwood Avenue; noting that, if that was the case, a resident of the complex arriving from South London would not be able to turn left into the parking lot, the driver would have to turn left onto Sherwood Avenue, which is a narrow street and try to do a three-point turn because the street is too narrow to do a u-turn; indicating that this is difficult enough to do in good weather, but it is doubly difficult to do when there are cars parked on the side and in winter when there is snow piled up; noting that this is unnecessary for this project and he hopes that it is off the table; indicating that, at the last meeting, there was unanimous agreement that this should not be permitted; indicating that the idea of putting a pork chop barrier in the center of Richmond Street really ought to be a non-starter; seeking confirmation that this is so; noting that he is not speaking on the developers behalf but this is a common interest for the developer and the residents of Sherwood Avenue; expressing support for the report in its entirety, with this important confirmation; advising that the report does not meet all of the wish list of the area residents but it goes a long way to meeting their concerns; and urging the Committee members to support the staff report.
- Steve Harris, 201 Sherwood Avenue – expressing a number of concerns with the intensity of the project; believing that the reduced density would mitigate many of the deficiencies in the proposal for the church site; wishing to speak about two specific matters; indicating that, as they reside two doors west of Richmond Street, the demolition of the home at 1057 Richmond Street will create a serious noise problem for them from the volume of traffic on Richmond Street; noting that all of the Officials present are aware of the cost of noise barriers for neighbourhoods; further noting that the least expensive option for all parties stands currently at 1057 Richmond Street and it would be demolished as part of the proposal; indicating that their most serious worry has been addressed in the new report; expressing appreciation to Council and to the Planner for their concerns for the neighbourhood around the church, for listening to the public and letting democracy work; advising that half of the families on the street have school age children and their safety is their primary concern; advising that the laneway on the west side of the church is their pathway to school; indicating that the Municipal

Council agreed unanimously that the narrow lane should not be part of the redevelopment of the church; advising that, regardless of other planning rationale, to argue to the contrary is to argue that children's safety is not a baseline value for the community; and advising that he speaks on behalf of all of the families on the street when he says that they are most grateful to Council and the Planning Department when you agree that children's safety should be at the top of the list.

- Michael Backx, 192 Sherwood Avenue – expressing appreciation to the staff for the revised report as it is a major improvement from where they were at with the first report; advising that their biggest concern has always been the density; indicating that the applicant has never provided a character statement or a compatibility report showing how his development will fit in with the neighbourhood; advising that the residents were left with not many options and ultimately they ended up getting the advice of another Planner who gave them a recommendation which was compatible with the neighbourhood; noting that that recommendation was six units in the church with three bedrooms, leaving the home on Richmond Street which would preserve the landscape and the beautiful gateway that the Council has talked about entering the City of London, which would have worked out for everyone; advising that the applicant has a different idea; indicating that he wanted to rip down the house and create all parking there; reiterating that he did not show any compatibility with the neighbourhood; reiterating that this report is a major improvement; raising that, in comparing the first staff report, with 14 units and 34 bedrooms, with the second report, where they have nine units and 27 bedrooms; noting that, on a proportionate basis, the reduction in units is 36% while the reduction in bedrooms is only 20%; indicating that, in order to be consistent with this new report, then of 36% reduction, the maximum number of bedrooms should be 21, which is more in line with what the neighbourhood suggested and also more in line with the recommendation that the Council referred back to the Planners; advising that, if he remembers correctly, at the last Council meeting, the Civic Administration, asked specific guidance on what Council wanted staff to consider; indicating that Council was very clear in its response, indicating that they will have the maximum target goal density of 45 units per hectare; noting that this was based on six units in the church, with two bonus units in the church, the house remaining with one unit with the existing number of bedrooms in it; further noting that this would bring it up to 45 units per hectare; reiterating that the Civic Administration asking the question, but he has not heard from them this evening, the rationale for going from 45 units per hectare to 50 units per hectare; reiterating that there has never been anything from the applicant outlining how this is going to fit in with the neighbourhood; and indicating that all the parameters required in the Official Plan have not been provided by the applicant and therefore, this application was deficient.
- Mary Ann Colihan, 191 Sherwood Avenue – see ~~attached~~ presentation.
- Paul Adams, 191 Sherwood Avenue - see ~~attached~~ presentation.

Motion Passed

YEAS: J.F. Fontana, B. Armstrong, J.B. Swan, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, D. Brown, H.L. Usher, J.P. Bryant (11)

NAYS: B. Polhill, S. Orser, P. Van Meerbergen, S.E. White (4)

Motion made by Councillor N. Branscombe and seconded by Councillor S. Orser to Recess.

Motion Passed

The Council recesses at 7:13 PM and reconvenes at 7:56 PM with Mayor J.F. Fontana in the Chair and all Members present except Councillor J.B. Swan.

22nd Report of the Planning and Environment Committee (continued)
Councillor B. Polhill presents.

Motion made by Councillor B. Polhill to Approve clauses 1 - 13, excluding clauses 3 and 11.

1. Disclosures of Pecuniary Interest

That it BE NOTED that Councillor Polhill disclosed a pecuniary interest in clause 3 of this Report having to do with the Notice of Application by the City of London for the property located at 613 Sovereign Road, by indicating that his business is in the circulation area for this Notice.

2. Property located at 160 Sunningdale Road West (H-8230)

That, on the recommendation of the Senior Planner, Development Services, based on the application of Norquay Sunningdale Land Corp., relating to the property located at 160 Sunningdale Road West, the ~~attached~~, revised, proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on October 22, 2013, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of 160 Sunningdale Road West FROM a Holding Residential R1 (h*h-100*R1-6) Zone, a Holding Residential R1 Special Provision (h*h-100*R1-6 (4)) Zone, a Holding Residential R1 (h*h*100*R1-5) Zone, a Holding Residential R1 (h*h-82*h-94*R1-6) Zone and a Holding Residential R1 (h*h-94*h-100*R1-6) Zone TO a Residential R1 (R1-6) Zone, a Residential R1 Special Provision (R1-6 (4)) Zone, a Residential R1 (R1-5) Zone, a Holding Residential R1 (h-82*h-94*R1-6) Zone and a Holding Residential R1 (h-94*R1-6) Zone, to remove the h* and h-100 holding provisions. (2013-D14B)

4. Property located at 1331 Hyde Park Road (H-8226)

That, on the recommendation of the Senior Planner, Development Services, based on the application of Hyde Park Crossings Ltd., relating to the property located at 1331 Hyde Park Road, the ~~attached~~, revised, proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on October 22, 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 Business District Special Provision (h*BDC2 (6)) Zone TO a Business District Commercial Special Provision (BDC2 (6)) Zone, to remove the holding "h" provision. (2013-D14A)

5. Building Division Monthly Report for August 2013

That the Building Division Monthly Report for August 2013 BE RECEIVED. (2013-D00)

6. Urban Growth Boundary Inclusion Requests (O-7938)

That, on the recommendation of the Managing Director, Planning and City Planner, the report dated October 8, 2013, relating to the requests for inclusion in the Urban Growth Boundary BE RECEIVED; it being noted that the Planning and Environment Committee reviewed and received a communication from G. Smith, 141 Meadowlily Road South, with respect to this matter. (2013-D08/M16)

7. Land Needs Background Study for the 2011 Official Plan Review (O-7938)

That, on the recommendation of the Managing Director, Planning and City Planner, the report dated October 8, 2013, relating to the Land Needs Background Study for the 2011 Official Plan Review BE RECEIVED. (2013-D08/M16)

8. 9th Report of the Environmental and Ecological Planning Advisory Committee

That, the following actions be taken with respect to the 9th Report of the Environmental and Ecological Planning Advisory Committee from its meeting held on September 26, 2013:

- a) the City Clerk BE REQUESTED to review the attendance requirements for an Environmental and Ecological Planning Advisory Committee (EEPAC) representative on the Trees and Forests Advisory Committee; it being noted that current EEPAC members are unable to participate due to existing commitments; and,
- b) that clauses 2 to 11, inclusive, of the 9th Report of the EEPAC BE RECEIVED;

it being noted that the Planning and Environment Committee did not hear a verbal presentation from D. Sheppard, Chair, EEPAC, with respect to these matters.

9. 3rd Report of the Agricultural Advisory Committee

That, the following actions be taken with respect to the 3rd Report of the Agricultural Advisory Committee from its meeting held on September 18, 2013:

- a) the Civic Administration BE REQUESTED to postpone any recommendations on a neonicotinoids (a class of pesticide) seed treatment plan until the Ontario Ministry of Agriculture, Food and Rural Affairs, Ontario Bee Health Working Group

recommendations are completed by the end of November 2013; it being noted that the Agricultural Advisory Committee (AAC) received the following with respect to this matter:

- i) a communication, dated August 12, 2013, from G. Kenny, Program Coordinator, Emergency Response and International Development, the United Church of Canada, with respect to a moratorium on a class of pesticides called neonicotinoids;
 - ii) a presentation, as appended to the 3rd Report of the AAC, from T. Baute, Entomologist, Ontario Ministry of Agriculture, Food and Rural Affairs, with respect to a Working Group Study on neonicotinoids;
 - iii) a communication, as appended to the 3rd Report of the AAC, dated September 18, 2013, from M. Does, Food Not Lawns, with respect to links between the collapse of bee colonies and neonicotinoids; and,
 - iv) delegations from M. Knoester and C. Quinn, with respect to the use of neonicotinoids;
- b) that clauses 2 to 6, inclusive, of the 3rd Report of the AAC BE RECEIVED;

it being noted that the Planning and Environment Committee heard a verbal presentation from H. Fletcher, Chair, AAC, with respect to these matters.

10. Property located at 660 Sunningdale Road East (39T-09501/OZ-7638)

Recommendation: That, on the recommendation of the Senior Planner, Development Planning, the following actions be taken with respect to the Draft Plan of Subdivision, Official Plan amendment and Zoning By-law amendment applications, relating to the property located at 660 Sunningdale Road East, (legally described as the South Half of Lot 13, Concession 6, Geographic Township of London):

- a) the Approval Authority BE ADVISED that, at the public participation meeting of the Planning and Environment Committee held with respect to these matters, issues were raised with respect to the following:
- i) the wetland boundary;
 - ii) channel realignment on Adelaide Street;
 - iii) the proposed location of the parkland; and,
 - iv) the proposed road allowance;
- b) the applicant BE REQUESTED to address the issues that have been raised with respect to the Draft Plan of Subdivision, Official Plan amendment and Zoning By-law amendment applications, including the following:
- i) submit additional information that addresses the outstanding issues raised by the Upper Thames River Conservation Authority and Ministry of Natural Resources;
 - ii) submit a wetland evaluation report to the Province, in consultation with the City of London and the Upper Thames River Conservation Authority, to update the Provincially Significant Wetland (PSW) mapping within the plan;
 - iii) identify the location and delineation of required parkland and open space on the plan, in consultation with City staff;
 - iv) provide documentation that addresses the amount and location of proposed commercial development, including associated concept plans and design details;
 - v) review the proposed roadway alignments, in consultation with City staff, to confirm the location of roundabouts and ensure the width of roads meet applicable municipal standards; and,
 - vi) provide a revised plan for circulation that constitutes a complete application;
- c) the Civic Administration BE DIRECTED to consider the input received at the public participation meeting held on October 8, 2013, the comments received from the Municipal Council, undertake further dialogue with the applicant and, upon completion of the application, report back at a future statutory public participation meeting of the Planning and Environment Committee; and,
- d) the application BE CONSISTENT with the Uplands North Community Plan;

it being noted that at the public participation meeting associated with this matter, the following individual made an oral submission in connection therewith:

- Michelle Doornbosch, Zelinka Priamo Ltd., on behalf of the applicant – providing background information on the application; advising that the application was deemed complete by staff in 2009, when the applicant submitted, through a different consultant, all of the required material under the Official Plan, Zoning By-law amendment and the subdivision application requirements; indicating that Zelinka Priamo Ltd. took over the file in July, 2011, they took some time to go through all of the background material, reviewed all of the comments that were based on the 2009 and 2010 submissions and compiled a complete resubmission package in July, 2012; coming out of that, they did receive additional comments from staff and had subsequent meetings over a period of eight months; indicating that they coordinated with staff and provided staff with a resubmission in April, 2013; reiterating that all of the material that was required was included in the resubmission; indicating that they were advised in August that the applications were not circulated from April because staff did not have the fees; noting that the fees were the only item that was outstanding with respect to the information; indicating that the plan before the Committee is the plan that was submitted to the staff in April, 2013; advising that they feel that this addresses a majority of the comments; looking for some direction on the outstanding items because they have had several discussions and are at a stalemate on some of the items; indicating that, with the Provincially Significant Wetland, they are aware that the Ministry of Natural Resources wetland boundary is different than the wetland boundary that they have on their plan; indicating that they had their own qualified wetland boundary consultant go out; noting that the consultant also met with staff with respect to the wetland boundary; advising that they received confirmation from staff in August, 2013, confirming that the wetland boundary that they have identified in the subdivision is correct; reiterating that their consultant, City staff and a certified wetland qualifier have confirmed that the wetland boundary that they have shown is correct; indicating that they have asked staff to incorporate the process in terms of dealing with the wetland evaluation process so that they can deal with the Ministry of Natural Resources and have their mapping changed to reflect what the two qualified consultants have already identified; reiterating that they have requested this as a draft plan condition as they have already confirmed the limits; indicating that there are some items outstanding with the Upper Thames River Conservation Authority and their engineers will be dealing with them; noting that one of the issues relates to the channel realignment on Adelaide Street; further noting that this can be done by draft plan condition; indicating that, with respect to the parkland, staff had noted that they do have the parkland shown on the main corridor into the subdivision; advising that the parkland is in that location as they have identified it as an urban park; indicating that this is the location that the park has been identified as throughout this process; advising that the area outlined in red on the plan is intended to be a business district commercial corridor; noting that this is a new format as business district commercial corridors are typically found in existing communities; reiterating that this is a new format of business district commercial district for a new subdivision; reiterating that the intent for the park is that it is to be an urban park; advising that the park provides an extension to the commercial area; advising that they are looking to incorporate the park in this location; indicating that they are at a stalemate as their intention has always been to have the parkland in this location; noting that staff has asked it to be located in a different area (points to the map on the screen during the Planning and Environment Committee meeting); understanding that there is a higher density in the location that the staff would like to see the parkland; however, their proposed location is more centralized; indicating that, parkland dedication is required through draft plan of subdivision or site plan approval and there will be parkland areas incorporated into those developments when they go through subsequent approvals; reiterating that they disagree with staff on the location of the parkland; advising that they have advised staff, on several occasions, that they have done everything they could to try to redesign the subdivision around the priority 2 barn; pointing out that it is located in the road pattern; indicating that, given the road pattern surrounding these lands, there was no way to design the subdivision to maintain it; indicating that the priority 2 barn is intended to be demolished; noting that this will accommodate the commercial blocks in this area and the proposed roads; reiterating that they have been clear with staff on this point; advising that the neighbourhood commercial block in this application is different than the one that was before the Committee in July; reiterating that their intent is to create a business district commercial corridor; indicating that, because of the population density in this area, they have proposed a larger commercial block to provide an anchor to support the business district commercial corridor; noting that, they need the additional customers and trade area being brought in through the Neighbourhood Commercial, to provide a viable business district commercial corridor for this area; further noting that, without the larger population, they do not know if the population is there to support and maintain it; reiterating that it meets the locational criteria for appropriate sites, has good access to the rest of the subdivision and there is no commercial identified in the Uplands

North area; indicating that there is some commercial at this intersection already; however, if you look at the Uplands Area Plan, there is no commercial serving that entire area so this node will serve that entire area; indicating that staff commented on the square footage; advising that the proposed zoning that they have for these lands would contemplate approximately 60,000 square feet on the commercial block; noting that the business district commercial zone does allow for 90 percent lot coverage and that is what staff have based the square footage on; indicating that they realistically cannot develop the lots that way as there are parking requirements; indicating that, based on a 30 percent typical coverage for commercial, they would be looking at 60,000 square feet for the commercial block and approximately 30,000 to 40,000 square feet amongst the three business district commercial blocks; reiterating that the commercial that they are looking for is not to the extent of 130,000 to 180,000; noting that they would be well within 100,000 square feet and that is well within the Neighbourhood Commercial areas contemplated for this type of use; indicating that she did have a discussion with staff and staff is no longer requiring the roundabouts at the various intersections; noting that this plan reflects the removal of the roundabouts; advising that the other concern that staff had was with their 18 metre road allowances located at the top of the plan and Streets "F" and "G"; reiterating that the Official Plan does allow for road widths of 16 metres to 20 metres; noting that these roads are well within that; further noting that there are design standards that allow for 18 metre roads; advising that, throughout this process, the road widths have changed several times; indicating that they started with 17 metres, now they are at 18 metres and now staff are asking for 19 meters; indicating that they are trying to find a balance; advising that, as part of this design, they are looking for urbanism as part of this subdivision; advising that, as part of this subdivision, they have proposed zoning regulations that allow for the homes to be constructed closer to the street, along with the narrower road widths, that brings everything closer together; indicating that that is what they are looking for in terms of the subdivision; reiterating that they have come to the Committee because they are at a stalemate on a lot of these issues and are looking for direction from the Committee as to how they can proceed and hopefully come up with a solution because this application has been ongoing for so many years, they would like to bring it to an end; reiterating that they are asking the Committee to direct staff to approve the plan, that they submitted in April, 2013; indicating that this would outline that the wetland issues can be handled by way of draft plan conditions, that the parkland is in an appropriate location given the design that they are looking for for this subdivision, that the amount of commercial proposed is appropriate to serve the needs of the surrounding Uplands area and is necessary to support the viability of the business district commercial zone and that the 18 metre road allowances that are contemplated for local streets are appropriate for this development; requesting that the staff report back as soon as possible; indicating that she has had a number of meetings with staff about these same items and they have not been able to move forward which is why they are looking to the Committee for some additional input on this. (2013-D14A/D12)

12. Property located at 3493 Colonel Talbot Road

That, the Civic Administration BE DIRECTED to meet with York Developments to determine if the proposed development, located at 3493 Colonel Talbot Road, can be accommodated expediently and to report back at a November Planning and Environment Committee meeting; it being noted that the Planning and Environment Committee reviewed and received the ~~attached~~ presentation from D. Ailles, York Developments and L. Courtney, 3493 Colonel Talbot Road, with respect to the property located at 3493 Colonel Talbot Road.

13. Planning and Environment Committee Meeting - October 29, 2013

That, the start time of the October 29, 2013 Planning and Environment Committee meeting BE CHANGED to 4:30 PM.

At 7:57 PM Councillor J.B. Swan enters the 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, H.L. Usher, J.P. Bryant, S.E. White (15)

Motion made by Councillor S.E. White to Approve clause 3.

3. Property located at 613 Sovereign Road (H-8234)

That, on the recommendation of the Senior Planner, Development Services, based on the application of the City of London, relating to the property located at 613 Sovereign Road, the proposed by-law, as appended to the staff report dated October 8, 2013, BE INTRODUCED at the Municipal Council meeting to be held on October 22, 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 Light Industrial (h*h-148*LI2/LI7) Zone TO a Light Industrial (LI2/LI7) Zone, to remove the "h" and "h-148" holding provision. (2013-D14B)

Motion Passed

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

RECUSED: B. Polhill (1)

19th Report of the Community and Protective Services Committee
Councillor D. Brown presents.

Motion made by Councillor D. Brown to Approve clauses 1 to 8.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. 4th Report of the Council Housing Leadership Committee

That the 4th Report of the Council Housing Leadership Committee, from its meeting held on September 23, 2013, BE RECEIVED.

3. London CARES - Transitioning to the London Homeless Prevention System

That, on the recommendation of the Managing Director of Neighbourhood, Children & Fire Services, the staff report dated October 7, 2013, regarding transitioning London CARES to the London Homeless Prevention System, BE RECEIVED for information. (2013-S14)

4. Homeless Individuals and Families Information System (HFIS) Human Resources and Skills Development Canada (HRSDC) Contract

That, on the recommendation of the Managing Director, Neighbourhood, Children and Fire Services, the following actions be taken with respect to the Homelessness Partnering Strategy Homeless Individuals and Families Information System (HIFIS) contract with Human Resources and Skills Development Canada (HRSDC):

- a) the Homelessness Partnering Strategy Contribution Agreement, dated September 1, 2012, between Her Majesty the Queen in Right of Canada, as represented by the Minister of Human Resources and Skills Development and The Corporation of the City of London for funding under the Homelessness Partnering Strategy BE TERMINATED; and,
- b) the proposed by-law, as appended to the staff report dated October 7, 2013, being "a by-law to terminate the Homelessness Partnering Strategy Contribution Agreement, dated September 1, 2102, between Her Majesty the Queen in Right of Canada, as represented by the Minister of Human Resources and Skills Development and The Corporation of the City of London for funding under the Homelessness Partnering Strategy" BE INTRODUCED at the Municipal Council meeting of October 22, 2013 to authorize the Managing Director, Neighbourhood, Children and Fire Services to provide notice of termination in accordance with section 39 of the Agreement referenced in paragraph a), above.

5. 8th Report of the London Diversity and Race Relations Advisory Committee

That the following actions be taken with respect to the 8th Report of the London Diversity and Race Relations Advisory Committee (LDRRAC), from its meeting held on September 19, 2013:

- a) clause 1 BE REFERRED to the Civic Administration for review and comment; clause 1 reads as follows:

"1. That the London Diversity and Race Relations Advisory Committee's (LDRRAC) Terms of Reference BE AMENDED as per the red-lined document; it being noted that the LDRRAC reviewed and received its Policy and Planning Sub-committee minutes from its meetings held on August 6 and September 5, 2103"; and

- b) clauses 2 to 12 BE RECEIVED.

6. Dillon Consulting Contract

That, on the recommendation of the Managing Director of Neighbourhood, Children and Fire Services, with the concurrence of the Deputy City Treasurer, the following actions be taken with respect to the delivery of Fire Services:

- a) Dillon Consulting Ltd. (DILLON), 235 Yorkland Blvd., Suite 800, Toronto, Ontario, M2J 4Y8, BE AUTHORIZED to carry out the additional work required to complete the review and development of options for a sustainable model of service delivery at an upset total amount of \$140,000 (excluding H.S.T.); it being noted that Dillon has completed work to-date as awarded in accordance with Section 15.3 of the City of London's Procurement of Goods and Services Policy;
- b) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this purchase; and,
- c) the approval hereby given BE CONDITIONAL upon the Corporation having a purchase order relating to the subject matter of this approval. (2013-L04)

7. Call for Board Nominations - Housing Services Corporation Board

That the City Clerk BE DIRECTED to circulate the ~~attached~~ request to Council Members for nomination consideration for participation on the Housing Services Corporation Board, and to consult with the Chair of the Council Housing Leadership Committee with respect to potential nominations.

8. Amethyst Award Nomination Letter of Support

That the Mayor BE REQUESTED to provide a letter of recommendation for the London & Middlesex Local Immigration Partnership Justice and Protection Services Sub-council for the Amethyst Award, as outlined in the ~~attached~~ request, should the Mayor's Office determine it is appropriate to do so.

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, H.L. Usher, J.P. Bryant, S.E. White (15)

26th Report of the Corporate Services Committee
Councillor J.P. Bryant presents.

Motion made by Councillor J.P. Bryant to Approve clauses 1 to 5 and clauses 8 to 11.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Corporate Asset Management System Assessment and Program Pilot Trials

That, on the recommendation of the Deputy City Treasurer, on the advice of the Division Manager, Corporate Asset Management, the following actions be taken with respect to the Corporate Asset Management Process:

- a) the funding for Units 5 and 6, Corporate Asset Management System Assessment and Program Pilot Trial, based on the contract price, \$552,479, HST excluded, (RFP 11-37) BE APPROVED as set out in the Source of Financing appended to the staff report dated October 8, 2013 as Appendix "A";
- b) the Civic Administration BE DIRECTED to proceed with two pilots in Unit 6;
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with the purchase of Units 5 and 6; and
- d) approval hereby given BE CONDITIONAL upon the Corporation entering into a formal contract or having a purchase order, or contract record relating to the subject matter of this approval.

3. Ministerial Delegations, AMO Annual General Meeting, Conference and Trade Show 2013

That, on the recommendation of the Director of Intergovernmental and Community Liaison, the report dated October 8, 2013 with respect to the Ministerial delegations at the AMO Annual General Meeting, Conference and Trade Show for 2013 BE RECEIVED for information.

4. Federation of Canadian Municipalities Board of Directors Meeting - St. John's, Newfoundland - September 4-7, 2013

That the communication dated September 16, 2013 from Councillor H.L. Usher and Councillor J.L. Baechler regarding the Federation of Canadian Municipalities Board of Directors meeting held on September 4-7, 2013 in St. John's, Newfoundland BE RECEIVED for information.

5. Councillor Expense Reports

That the following actions be taken with respect to the communication dated September 19, 2013, from Councillor J.B. Swan, with respect to publishing Council Members' expenses on the City of London's website:

- a) the publishing of Council Members' expenses on the City of London's website BE APPROVED; and
- b) the City Clerk BE DIRECTED to report back with the necessary policy changes in order to implement a), above, taking into consideration any adjustments to process that may be required to accommodate this change, as well as the implications, if any, of applicable legislation such as the Municipal Freedom of Information and Protection of Privacy Act.

8. Bill 73 - *Fair and Open Tendering Act*

That the communication dated September 19, 2013, from G. Macartney, CEO, London Chamber of Commerce, with respect to Bill 73: Fair and Open Tendering Act BE RECEIVED; it being noted that the Bill was defeated at Second Reading in the Ontario Legislature, however the Civic Administration will continue to monitor this matter.

9. Appointment of Carole Dutton as a Voting Representative of an Animal Rescue Group to the Animal Welfare Advisory Committee

That Carole Dutton BE APPOINTED to the Animal Welfare Advisory Committee as a Voting Member representing an Animal Rescue Group, for the term ending February 28, 2015.

10. Appointment of Rifat Hussain as a Non-Voting Representative of the Cross Cultural Learner Centre to the London Diversity and Race Relations Advisory Committee

That Rifat Hussain BE APPOINTED to the London Diversity and Race Relations Advisory Committee as a Non-Voting Member representing the Cross Cultural Learner Centre, for the term ending February 28, 2015.

11. Appointment of Jon Ferreira as a Voting Representative of Neighbourhood Watch to the Community Safety and Crime Prevention Advisory Committee

That Jon Ferreira BE APPOINTED to the Community Safety and Crime Prevention Advisory Committee as a Voting Member representing Neighbourhood Watch, for the term ending February 28, 2015.

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, H.L. Usher, J.P. Bryant, S.E. White (15)

Motion made by Councillor J.P. Bryant to Approve clause 6.

6. Participation at Committee Meetings via Technology

That the communication dated September 26, 2013, from Councillor J.B. Swan, with respect to public participation at committee meetings via technology BE REFERRED to the City Clerk for a report back on the potential for allowing delegations via advanced technology, with an emphasis on addressing accessibility requirements.

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, H.L. Usher, J.P. Bryant, S.E. White (15)

Motion made by Councillor J.P. Bryant to Approve clause 7.

7. Allow Free Vote on Fluoride - 2014 Municipal Election Ballot (Plebiscite)

That NO ACTION BE TAKEN to place a question on the ballot for the upcoming 2014 Municipal Election with respect to water fluoridation; it being noted that the Corporate Services Committee received a communication dated October 8, 2013, from Councillor S. Orser, with respect to this matter.

Motion made by Councillor N. Branscombe and seconded by Councillor J.B. Swan to Approve that pursuant to section 11.14 of the Council Procedure By-law, the question be now put.

Motion Passed

YEAS: J.F. Fontana, J.B. Swan, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, P. Van Meerbergen, H.L. Usher, J.P. Bryant, S.E. White (10)

NAYS: B. Polhill, B. Armstrong, S. Orser, D.G. Henderson, D. Brown (5)

The motion to approve clause 7 is put.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, J.B. Swan, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, P. Van Meerbergen, H.L. Usher, J.P. Bryant, S.E. White (11)

NAYS: B. Armstrong, S. Orser, D.G. Henderson, D. Brown (4)

12th Report of the Investment and Economic Prosperity Committee
Councillor J.B. Swan presents.

Motion made by Councillor J.B. Swan to Approve clauses 1, 3 and 4.

1. Disclosures of Pecuniary Interest

That it BE NOTED that Councillor J. Swan disclosed a pecuniary interest in clause 8 of this report, having to do with a request from Councillor D. Henderson for permission to draft a performance centre proposal, by indicating that his employer, Orchestra London, is involved with a proposal for a Performing Art Centre.

3. World Figure Skating Championships

That the communication dated September 19, 2013, from J. Stell-Buckingham, Project Manager, WFSC 2013, Skate Canada Director of Events, with respect to the World Figure Skating Championships, BE RECEIVED.

4. Helping Social Enterprises Grow and Create Jobs

That the News Release dated September 26, 2013, from the Ministry of Economic Development, Trade and Employment, Province of Ontario, with respect to a new strategy that will help social enterprise grow and create jobs and attract new investment, BE REFERRED to the Managing Director, Corporate Services, City Treasurer and Chief Financial Officer, to determine a project lead and to follow up with the Province of Ontario on this initiative.

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, H.L. Usher, J.P. Bryant, S.E. White (15)

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

2. Annual Update on the Agreement between the City of London and Western University for the Fraunhofer Project Centre for Composites Research at the University of Western Ontario

That the report dated October 15, 2013, from the Managing Director, Corporate Services, City Treasurer and Chief Financial Officer, with respect to the annual update on the Agreement between the City of London and Western University for the Fraunhofer Project Centre for Composites Research at the University of Western Ontario, 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, H.L. Usher, S.E. White (14)

RECUSED: J.P. Bryant (1)

Motion made by Councillor J.B. Swan to Approve clause 5.

5. First Quarter Update on Two City-Funded Projects Under the Prosperity Initiative

That the verbal delegation and communication from A. Langille, WIL Counseling and Training, with respect to the first quarterly update on the Employment Sector Council London Middlesex (ESCLM) and the London Middlesex Immigrant Employment Council (LMIEC), two City-funded projects under the prosperity initiative, BE RECEIVED.

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, H.L. Usher, J.P. Bryant, S.E. White (14)

RECUSED: P. Hubert (1)

Motion made by Councillor J.B. Swan to Approve clause 6.

6. London Shared Space for Social Innovation

That the following actions be taken with respect to the proposal for a London shared space for social innovation, business and financial plan:

- a) the communication and the ~~attached~~ presentation from M. Baldwin, Executive Director, Pillar Nonprofit Network, with respect to a London shared space for social innovation, business and financial plan, BE ENDORSED IN PRINCIPLE; and,
- b) the Pillar Nonprofit Network requests to partner with the City of London and the questions raised relating to building ownership, governance and the business plan, in accordance with the due diligence checklist, BE REFERRED to the Civic Administration, with a report back at a future meeting of the Investment and Economic Prosperity Committee.

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, H.L. Usher, J.P. Bryant, S.E. White (15)

Motion made by Councillor J.B. Swan to Approve clause 7.

7. London's Medical Innovation and Commercialization Network - Update #1

That, on the recommendation of the Director, Corporate Investments and Partnerships and the Managing Director, Corporate Services, Chief Financial Officer and City Treasurer, the following actions be taken with respect to the development of London's Medical Innovation and Commercialization Network:

- a) the draft London Medical Innovation and Commercialization Network Governing Council Terms of Reference, as appended to the staff report dated October 15, 2013, BE ENDORSED;
- b) in collaboration with St. Joseph's Health Care Foundation, London Health Sciences Foundation, Lawson Health Research Institute, Robarts Research Institute, London Health Sciences Centre, St. Joseph's Health Care and Western University, the Civic Administration BE DIRECTED to undertake all the administrative acts that are necessary to formalize the above-noted Terms of Reference; and,
- c) in collaboration with St. Joseph's Health Care Foundation, London Health Sciences Foundation, Lawson Health Research Institute, Robarts Research Institute, London Health Sciences Centre, St. Joseph's Health Care and Western University, the Civic Administration BE DIRECTED to undertake all the administrative acts that are necessary to develop applications for additional project funding;

it being noted that the Investment and Economic Prosperity Committee heard a verbal update from D. Ross, President and CEO, London Health Sciences Foundation and D. Hill, Scientific Director, Lawson Health Research Institute, with respect to this matter.

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, H.L. Usher, S.E. White (14)

RECUSED: J.P. Bryant (1)

Motion made by Councillor M. Brown to Approve clause 8.

8. Request for Permission to Draft Performance Centre Proposal

That the communication dated October 1, 2013, from Councillor D. Henderson, with respect to a request for permission to draft a performance centre proposal, BE RECEIVED.

Motion Passed

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

RECUSED: J.B. Swan (1)

6th Report of the Audit Committee
Councillor M. Brown presents.

Motion made by Councillor M. Brown to Approve clauses 1 to 6.

1. Disclosures of Pecuniary Interest

That if BE NOTED that no pecuniary interests were disclosed.

2. Municipal Performance Measurement Program (MPMP) - Three Year Comparative Values 2010 - 2012

That, the following actions be taken regarding the Municipal Performance Measurement Program (MPMP) – Three Year Comparative Values 2010 – 2012:

- a) the staff report dated September 26, 2013 BE RECEIVED for information; and,
- b) the Civic Administration BE DIRECTED to provide additional background information in future reports with respect to the data provided.

3. Potential Amendments to the 2013 Risk-Based Audit Plan and Scoping for 2014 Risk-Based Audit Plan

That, on the recommendation of PricewaterhouseCoopers (PwC), the following actions be taken regarding potential amendments to the 2013 Risk-Based Audit Plan and scoping for the 2014 Risk-Based Audit Plan:

- a) PricewaterhouseCoopers' report dated September 26, 2013 BE RECEIVED for information; and,
- b) the proposed 2013 Risk-Based Audit Plan and scoping for the 2014 Risk-Based Audit Plan BE APPROVED.

4. Quarterly Report on Internal Audit Results - Corporate Services-Finance: Facilities and Property Utilization and Corporate Services-Finance: Property Tax Assessments and Collections

That, on the recommendation of PricewaterhouseCoopers (PwC), the following actions be taken on the Quarterly Reports on Internal Audit Results – Corporate Services/Finance - Facilities and Property Utilization and Corporate Services/Finance - Property Tax Assessments and Collections:

- a) PricewaterhouseCoopers' (PwC) report dated September 26, 2013 BE RECEIVED for information;
- b) the action plans identified in Appendix A of PricewaterhouseCoopers' (PwC) report dated September 26, 2013, BE IMPLEMENTED;
- c) the action plans identified in Appendix B of PricewaterhouseCoopers' (PwC) report dated September 26, 2013, BE IMPLEMENTED;
- d) the Quarterly Results on Internal Audit Results identified in Appendix C of PricewaterhouseCoopers' (PwC) report dated September 26, 2013, BE RECEIVED; and,
- e) PricewaterhouseCoopers (PwC) BE REQUESTED to provide an update regarding the review of Information Technology governance and risk at the next meeting of the Audit Committee.

5. Retention of Outside Consulting Services

That PriceWaterhouseCoopers (PwC) BE DIRECTED to undertake a review of the current City of London practices and policies with respect to retaining external consulting services, except for consultant reports subject to labour relations privilege, litigation privilege, solicitor-client privilege or exceptions under the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), and to report back to the Audit Committee on the following matters:

- a) any improvements that can be made to ensure that external consultants are being engaged at appropriate times to achieve a value for money perspective; and,
- b) opportunities to strengthen accountability and transparency with respect to the process followed to retain external consultants.

6. PricewaterhouseCoopers LLP (PwC) Audit Services - Revenue

That the letter dated September 20, 2013, from Susanna Hubbard Krimmer, CEO & Chief Librarian, London Public Library, and the appended report from PricewaterhouseCoopers (PwC) with respect to an audit of the London Public Library – revenue base and fee structure, 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, H.L. Usher, J.P. Bryant, S.E. White (15)

13th Report of the Strategic Priorities and Policy Committee
Councillor J.B. Swan presents.

Motion made by Councillor J.B. Swan to Approve clauses 1, 2, 4, 6, 7 and 8.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. City Manager – Strategic Plan Progress Report

That, on the recommendation of the City Manager, the report dated October 21, 2013 with respect to progress towards advancing the results identified in the 2011-2014 Strategic Plan BE RECEIVED for information; it being noted that consideration should be given to including what has been accomplished in the areas of the City's Diversity Statement, W12A, animal welfare and the Industrial Land Strategy and, if appropriate, the accomplishments of local boards and commissions.

4. Tabling of the 2014 Water and Wastewater Budgets

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the draft 2014 Operating Budgets, 2014 Capital Budgets and associated forecasts for Water Services and Wastewater and Treatment Services BE RECEIVED AND BE REFERRED to the Strategic Priorities and Policy Committee meeting being held on November 18, 2013, in order to receive public input and consider the draft Budgets; it being noted that the Director of Water and Wastewater gave the attached overview with respect to the draft Budgets.

6. 2014 Development Charges Study: Proposed Changes to Development Charges Non-Residential Building Conversion and Demolition Policies

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the City Treasurer BE DIRECTED to include provisions in the 2014 Development Charges By-law to provide an amount of conversion credit or demolition credit against DC charges otherwise payable on buildings being converted or demolished for the full DC rate, rather than the "discounted" or "subsidized" DC rate currently used to calculate the credit; it being noted that the recommended policy changes will reduce the net DC charge otherwise payable for the applicant who converts institutional or industrial buildings to commercial or residential uses; it being further noted that the Director, Development Finance provided the attached overview with respect to this matter.

7. Appointment Recommendations for the London Convention Centre Board of Directors

That the following actions be taken with respect to appointments to the London Convention Centre (LCC) Board of Directors:

- a) the appointment of Titus Ferguson as the Emerging Leaders Representative, as well as representing the digital media industry, to the London Convention Centre Board of Directors, with the first year of this initial 3-year term effective December 1, 2013 to November 30, 2014, BE APPROVED; and
- b) a second 3-year term for Dr. Ron Holliday, with the first year of this second term effective December 1, 2013 to November 30, 2014, BE APPROVED.

8. Resignation from the Covent Garden Market Corporation Board of Directors

That the communication dated October 9, 2013, from Sandra Pineda, resigning her appointment to the Covent Garden Market Board of Directors, BE ACCEPTED.

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, H.L. Usher, J.P. Bryant, S.E. White (15)

Motion made by Councillor J.B. Swan to Approve clause 3.

That the following actions be taken with respect to the 11th Report of the Council Compensation Review Task Force (Final Report):

- a) the existing practice of not providing additional honorariums to members of Council serving on agencies, boards and commissions BE CONTINUED;
- b) the existing practice of providing non-council members with an honorarium for serving on agencies, board and commissions BE CONTINUED;
- c) NO ACTION BE TAKEN to establish a practice to provide a stipend for an Acting Mayor. If the circumstance does arise, the Council may consider establishing an Acting Mayor stipend should someone be required to serve in this capacity for an extended of period such as greater than a one month contiguous period;
- d) consideration of a stipend for the Acting Mayor position BE INCLUDED in the Terms of Reference of the next Council Compensation Review Task Force;
- e) the following actions be taken with respect to benefits available to Council Members:
 - i) NO CHANGE BE MADE to the benefits provided to the Council Members it be noted that they should remain the same as presently provided to Council Members and as provided for non-union staff at the City of London, excluding eligibility for any paid leave;
 - ii) the Civic Administration BE ASKED to improve how the City communicates Council Member benefits by providing clear information as to the Council Member benefits package (as well as Council stipend practices) on the City's web site; and,
 - iii) given the nature of the four-year term served by Council Members, and the uncertainty as to how the long term disability (LTD) benefit should apply after a Council Member's term has expired, the Civic Administration BE ASKED to clarify how to handle situations where a Council Member remains disabled beyond the end of her or his term of office;
- f) the following actions be taken with respect to future regular reviews of council compensation:
 - i) the next regular review of Council compensation BE UNDERTAKEN in four years' time;

- ii) the review of Council compensation BE CONDUCTED by a Citizen Task Force formed at least 12 months in advance of its deadline to report back to Council;
- iii) the same Terms of Reference BE USED with the following amendments:
 - A) the number of members at large be changed from 3 to 5, with a preference that one of the 5 members be a former elected member of a municipal council, and that one of the 5 members represent youth, either from the London Youth Advisory Council or as nominated by Western University and Fanshawe College; and
 - B) the mandate provide for continued work on matters covered within the report of the 2013 Council Compensation Review Task Force, as well as consideration of an Acting Mayor stipend;
- iv) former Council Members, youth organizations, and service clubs BE ENCOURAGED to consider submitting nominations for citizen-at-large members;
- v) prior to establishing the next Task Force, the Guiding Principles BE REVIEWED by the Municipal Council in order to ensure they are still relevant; and,
- vi) the next Task Force BE ASKED to hold more than one public participation meeting and to hold them at different times of day (morning and later in the evening) to provide greater opportunities for public input; and
- g) the Mayor BE REQUESTED to send a letter to the Task Force Members to thank them for the time, effort and expertise they put into their work;

it being noted that the Strategic Priorities and Policy Committee received a verbal overview of the Final Report of the 2013 Council Compensation Review Task Force from B. Orr, Task Force Chair.

Motion made by Councillor J.B. Swan and seconded by Councillor D. Brown to Approve that clause 3 be amended in line 4 of part e)i) by inserting the word “generally” before the word “provided”.

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, H.L. Usher, J.P. Bryant, S.E. White (15)

Pursuant to section 17.2 of the Council Procedure By-law, Councillor P. Hubert calls for a separate on parts a) to f).

Motion made by Councillor J.B. Swan and seconded by Councillor B. Polhill to Approve clause 3 parts, a) to f), as amended.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, B. Armstrong, J.B. Swan, S. Orser, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (11)

NAYS: J.L. Baechler, N. Branscombe, M. Brown, P. Hubert (4)

Motion made by Councillor J.B. Swan and seconded by Councillor M. Brown to Approve part g) of clause 3.

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, H.L. Usher, J.P. Bryant, S.E. White (15)

Clause 3, as amended, reads as follows:

That the following actions be taken with respect to the 11th Report of the Council Compensation Review Task Force (Final Report):

- a) the existing practice of not providing additional honorariums to members of Council serving on agencies, boards and commissions BE CONTINUED;
- b) the existing practice of providing non-council members with an honorarium for serving on agencies, board and commissions BE CONTINUED;
- c) NO ACTION BE TAKEN to establish a practice to provide a stipend for an Acting Mayor. If the circumstance does arise, the Council may consider establishing an Acting Mayor stipend should someone be required to serve in this capacity for an extended of period such as greater than a one month contiguous period;
- d) consideration of a stipend for the Acting Mayor position BE INCLUDED in the Terms of Reference of the next Council Compensation Review Task Force;
- e) the following actions be taken with respect to benefits available to Council Members:
 - i) NO CHANGE BE MADE to the benefits provided to the Council Members it be noted that they should remain the same as presently provided to Council Members and as generally provided for non-union staff at the City of London, excluding eligibility for any paid leave;
 - ii) the Civic Administration BE ASKED to improve how the City communicates Council Member benefits by providing clear information as to the Council Member benefits package (as well as Council stipend practices) on the City's web site; and,
 - iii) given the nature of the four-year term served by Council Members, and the uncertainty as to how the long term disability (LTD) benefit should apply after a Council Member's term has expired, the Civic Administration BE ASKED to clarify how to handle situations where a Council Member remains disabled beyond the end of her or his term of office;
- f) the following actions be taken with respect to future regular reviews of council compensation:
 - i) the next regular review of Council compensation BE UNDERTAKEN in four years' time;
 - ii) the review of Council compensation BE CONDUCTED by a Citizen Task Force formed at least 12 months in advance of its deadline to report back to Council;
 - iii) the same Terms of Reference BE USED with the following amendments:
 - A) the number of members at large be changed from 3 to 5, with a preference that one of the 5 members be a former elected member of a municipal council, and that one of the 5 members represent youth, either from the London Youth Advisory Council or as nominated by Western University and Fanshawe College; and
 - B) the mandate provide for continued work on matters covered within the report of the 2013 Council Compensation Review Task Force, as well as consideration of an Acting Mayor stipend;
 - iv) former Council Members, youth organizations, and service clubs BE ENCOURAGED to consider submitting nominations for citizen-at-large members;
 - v) prior to establishing the next Task Force, the Guiding Principles BE REVIEWED by the Municipal Council in order to ensure they are still relevant; and,
 - vi) the next Task Force BE ASKED to hold more than one public participation meeting and to hold them at different times of day (morning and later in the evening) to provide greater opportunities for public input; and

- g) the Mayor BE REQUESTED to send a letter to the Task Force Members to thank them for the time, effort and expertise they put into their work;

it being noted that the Strategic Priorities and Policy Committee received a verbal overview of the Final Report of the 2013 Council Compensation Review Task Force from B. Orr, Task Force Chair.

Motion made by Councillor P. Hubert to Approve clause 5.

5. Proposed Public Education, Dialogue and Consultation Plan for Future of London Hydro Inc.

That the following actions be taken with respect to London Hydro:

- a) NO ACTION BE TAKEN with respect to selling any portion of London Hydro, which does not exclude other options such as a merger or acquisition;
- b) the public education, dialogue and consultation plan for future options for London Hydro as appended to the staff report dated October 21, 2013 BE APPROVED; and
- c) the Civic Administration BE AUTHORIZED to move forward with implementation of the above-noted plan, including allocating a budget of up to \$75,000;

it being noted that the Strategic Priorities and Policy Committee heard the ~~attached~~ presentation from the Business Planning Process Manager with respect to this matter.

Motion made by Councillor S. Orser and seconded by Councillor P. Van Meerbergen to Approve that part a) of clause 5 BE AMENDED by inserting the words “controlling interest” following the word, “selling”.

At 8:55 PM His Worship the Mayor places Councillor P. Hubert in the Chair and takes a seat at the Council Board.

At 9:00 PM His Worship the Mayor resumes the Chair and Councillor P. Hubert takes his seat at the Council Board.

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

Pursuant to section 17.2 of the Council Procedure By-law, Councillor J.B. Swan calls for a separate vote on part a) of clause 5.

The motion to Approve part a) of clause 5 is put.

Motion Passed

YEAS: B. Armstrong, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D. Brown, H.L. Usher, J.P. Bryant (8)

NAYS: J.F. Fontana, B. Polhill, J.B. Swan, S. Orser, D.G. Henderson, P. Van Meerbergen, S.E. White (7)

The motion to Approve part b) of clause 5 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, H.L. Usher, J.P. Bryant, S.E. White (15)

The motion to Approve part c) of clause 5 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, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant,

S.E. White (14)

NAYS: D.G. Henderson (1)

Motion made by Councillor J.B. Swan to Approve clause 9.

9. Shine the Light Purple for the Month of November 2014

Motion made by Councillor J.L. Baechler and seconded by Councillor D. Brown to Approve that clause 9 BE AMENDED by adding the following new part b):

- “b) the Director, Roads and Transportation BE DIRECTED to install coloured LED spot lights to illuminate the sidewalk along Angel Street, above and beyond the light levels from the street lights, with the LED lights to be focused onto the sidewalk or trees so that the LED lighting does not disrupt the lighting of the road.”

Motion Passed

YEAS: J.F. Fontana, B. Armstrong, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D. Brown, S.E. White (9)

NAYS: B. Polhill, J.B. Swan, D.G. Henderson, P. Van Meerbergen, H.L. Usher, J.P. Bryant (6)

Motion made by Councillor P. Hubert and seconded by Councillor D. Brown to Approve clause 9, 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, H.L. Usher, J.P. Bryant, S.E. White (15)

Clause 9, as amended, reads as follows:

That the following actions be taken with respect to Shine the Light Purple for Woman Abuse:

- a) Shine the Light Purple for the month of November 2014 BE APPROVED IN PRINCIPLE, subject to approval of a Council Policy for the lighting of City Hall, which is presently being refined by the City Clerk; and
- b) the Director, Roads and Transportation BE DIRECTED to install coloured LED spot lights to illuminate the sidewalk along Angel Street, above and beyond the light levels from the street lights, with the LED lights to be focused onto the sidewalk or trees so that the LED lighting does not disrupt the lighting of the road.

14th Report of the Strategic Priorities and Policy Committee
Councillor J.B. Swan presents

Motion made by Councillor J.B. Swan to Approve clauses 1 and 2.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Final Report – Investigation into Whether Members of Council for the City of London Held an Improper Closed Meeting on February 23, 2013.

That the City Clerk and the City Solicitor BE DIRECTED to report back at a future meeting of the Strategic Priorities and Policy Committee, in response to the report dated October 22, 2013, from A. Marin, Ontario Ombudsman, regarding an investigation into whether Members of Council for the City of London held an improper closed meeting on February 23, 2013, with respect to:

- a) the Ombudsman's recommendation for the adoption of a written policy and/or written guidelines by City Council and steps to ensure that Council and Committee members are educated on the open meeting requirements of the Municipal Act, 2001, with the inclusion of a definition of what constitutes a “meeting” that upholds the public's right to observe municipal government in

process, and an explanation of how it applies to informal discussions of Council and Committee business;

- b) the Ombudsman's recommendation for all Members of Council for the City of London to refrain from using the pretext of social gatherings to conduct City business behind closed doors;
- c) the Ombudsman's recommendation for all Members of Council for the City of London to be vigilant in adhering to their individual and collective obligation to ensure that Council complies with its statutory responsibilities under the Municipal Act, 2001, as well as its own procedures and by-laws.
- d) a possible fine or sanction to be linked to the Council Members' Code of Conduct relative to infractions identified by the Ombudsman; and
- e) the disclosure of the full cost of outside legal counsel provided to Members of Council.

Motion made by Councillor J.B. Swan and seconded by Councillor B. Polhill to Approve that clause 2 BE AMENDED, to add a new part f) as follows:

- "f) the Ombudsman of Ontario respectfully BE REQUESTED to publicly disclose the cost of his investigation into this matter."

Motion Passed

YEAS: J.F. Fontana, B. Polhill, J.B. Swan, S. Orser, D.G. Henderson, P. Van Meerbergen, D. Brown, S.E. White (8)

NAYS: B. Armstrong, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, H.L. Usher, J.P. Bryant (7)

The motion to Approve clause 1 and parts a, b and c of clause 2 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, H.L. Usher, J.P. Bryant, S.E. White (15)

The motion to Approve part d) of clause 2 is put.

Motion Passed

YEAS: J.F. Fontana, B. Armstrong, J.B. Swan, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, J.P. Bryant (8)

NAYS: B. Polhill, S. Orser, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, S.E. White (7)

The motion to Approve part e) of clause 2 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, H.L. Usher, J.P. Bryant, S.E. White (15)

Motion made by Councillor P. Hubert and seconded by Councillor S. Orser to Approve clause 2 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, H.L. Usher, J.P. Bryant, S.E. White (15)

Clause 1 and clause 2, as amended, read as follows:

1. That it BE NOTED that no pecuniary interests were disclosed.
2. That the City Clerk and the City Solicitor BE DIRECTED to report back at a future meeting of the Strategic Priorities and Policy Committee, in response to the report dated October 22, 2013, from A. Marin, Ontario Ombudsman, regarding an investigation into whether Members of Council for the City of London held an improper closed meeting on February 23, 2013, with respect to:
 - a) the Ombudsman's recommendation for the adoption of a written policy and/or written guidelines by City Council and steps to ensure that Council and Committee members are educated on the open meeting requirements of the Municipal Act, 2001, with the inclusion of a definition of what constitutes a "meeting" that upholds the public's right to observe municipal government in process, and an explanation of how it applies to informal discussions of Council and Committee business;
 - b) the Ombudsman's recommendation for all Members of Council for the City of London to refrain from using the pretext of social gatherings to conduct City business behind closed doors;
 - c) the Ombudsman's recommendation for all Members of Council for the City of London to be vigilant in adhering to their individual and collective obligation to ensure that Council complies with its statutory responsibilities under the Municipal Act, 2001, as well as its own procedures and by-laws.
 - d) a possible fine or sanction to be linked to the Council Members' Code of Conduct relative to infractions identified by the Ombudsman;
 - e) the disclosure of the full cost of outside legal counsel provided to Members of Council; and,
 - f) the Ombudsman of Ontario respectfully BE REQUESTED to publicly disclose the cost of his investigation into this matter.

X DEFERRED MATTERS

None.

XI ENQUIRIES

None.

XII EMERGENT MOTIONS

Motion made by Councillor D. Brown and seconded by Councillor J.P. Bryant to Approve leave to introduce an emergent motion related to Town & Gown Public public participation meeting.

At 9:55 PM Councillors P. Hubert, P. Van Meerbergen and S.E. White leave the meeting.

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, D. Brown, H.L. Usher, J.P. Bryant (12)

Motion made by Councillor M. Brown and seconded by Mayor J.F. Fontana to Approve that the City Clerk BE DIRECTED to make the necessary arrangements to hold a Public Participation Meeting before the Town and Gown Committee, in order to receive input from all interested parties with respect to the current practices being undertaken in dealing with the conduct of students attending local post-secondary institutions; it being noted that representatives of Western University and its affiliated colleges, Fanshawe College, the University Students' Council, the Student Union, the London Police Service, the City of London, students and the general public will be invited to attend the meeting.

At 9:58 His Worship the Mayor places Councillor D.G. Henderson in the Chair and takes a seat at the Council Board.

At 10:02 PM His Worship the Mayor resumes the Chair and Councillor D.G. Henderson takes his seat at the Council Board.

At 10:05 PM Councillor S. Orser leaves the meeting.

The motion to adopt the emergent motion relating to a special meeting before the Town & Gown Committee is put.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, B. Armstrong, J.B. Swan, J.L. Baechler, N. Branscombe, M. Brown, D.G. Henderson, D. Brown, H.L. Usher, J.P. Bryant (11)

Motion made by Councillor D. Brown and seconded by Councillor J.P. Bryant to Approve leave to introduce motion related to moving in camera.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, B. Armstrong, J.B. Swan, J.L. Baechler, N. Branscombe, D.G. Henderson, D. Brown, H.L. Usher, J.P. Bryant (10)

RECUSED: M. Brown (1)

At 10:10 PM Councillor D.G. Henderson leaves the meeting.

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

Motion Passed

YEAS: J.F. Fontana, B. Polhill, B. Armstrong, J.B. Swan, J.L. Baechler, N. Branscombe, D. Brown, H.L. Usher, J.P. Bryant (8)

RECUSED: M. Brown (1)

The Council rises and goes into Committee of the Whole, in camera, at 10:11 PM, with Mayor J.F. Fontana in the Chair and all Members present except Councillors B. Armstrong, M. Brown, S. Orser, P. Hubert, D.G. Henderson, P. Van Meerbergen and S.E. White.

The Committee of the Whole rises at 10:18 PM and Council resumes in regular session at 10:19 PM, with Mayor J.F. Fontana in the Chair and all Members present except Councillors S. Orser, P. Hubert, D.G. Henderson, P. Van Meerbergen and S.E. White.

17th Report of the Committee of the Whole

Motion made by Councillor J.L. Baechler and seconded by Councillor N. Branscombe to Approve:

1. That the Committee of the Whole met, in camera, for the purpose of considering the following:
 - a) a matter pertaining to advice that is subject to solicitor-client privilege, including communications necessary for that purpose with respect to the provincial minimum maintenance standards, as amended. (C1/18/CWC)
 - b) a matter pertaining to the security of the property of the Corporation as it contains commercial and financial information supplied in confidence to the Corporation, the disclosure of which could be reasonably expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons or organization, 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 and matters related to the personal information about identifiable individuals, including municipal or local board employees related to the potential provision of internal audit services for the City of London, by an external organization. (C2/6/AC)
 - c) matter pertaining to personal information about identifiable individuals, including municipal employees, with respect to employment related matters, including employee negotiations, advice or recommendations of officers and employees of the Corporation, including communications necessary for that purpose regarding succession planning. (C1/6/AC)
 - d) matter pertaining to employee negotiations; personal matters, including information regarding identifiable individuals, including municipal employees, with respect to employment related matters, including advice or recommendations of officers and employees of the Corporation, including communications necessary for that purpose and for the purpose of providing instructions and directions to officers and employees of the Corporation. (C3/6/AC).
2. The Civic Administration BE DIRECTED to explore the concept of redevelopment of the Sherwood Forest Public School property, through collaboration with other interested parties such as, but not limited to, neighbourhood and private sector partners, for parkland and housing purposes; it being noted that any decision by the municipality in this regard would have to be prior to the expiration of the 90-day prescribed deadline for the School Board to offer the property to the local municipality.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, B. Armstrong, J.B. Swan, J.L. Baechler, N. Branscombe, D. Brown, H.L. Usher, J.P. Bryant (9)

RECUSED: M. Brown (1)

XIII BY-LAWS

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

Motion made by Councillor D. Brown and seconded by Councillor J.P. Bryant to Approve Introduction and First Reading of Bill No. 436.

Motion Passed

YEAS: J.F. Fontana, B. Armstrong, J.B. Swan, J.L. Baechler, N. Branscombe, M. Brown, D. Brown, H.L. Usher, J.P. Bryant (9)

RECUSED: B. Polhill (1)

Motion made by Councillor D. Brown and seconded by Councillor M. Brown to Approve Second Reading of Bill No. 436.

Motion Passed

YEAS: J.F. Fontana, B. Armstrong, J.B. Swan, J.L. Baechler, N. Branscombe, M. Brown, D.

Brown, H.L. Usher, J.P. Bryant (9)

RECUSED: B. Polhill (1)

Motion made by Councillor D. Brown and seconded by Councillor H.L. Usher to Approve Third Reading and Enactment of Bill No. 436.

Motion Passed

YEAS: J.F. Fontana, B. Armstrong, J.B. Swan, J.L. Baechler, N. Branscombe, M. Brown, D. Brown, H.L. Usher, J.P. Bryant (9)

RECUSED: B. Polhill (1)

Motion made by Councillor B. Polhill and seconded by Councillor M. Brown to Approve Introduction and First Reading of Bill No.s 428 to 435 and 437.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, B. Armstrong, J.B. Swan, J.L. Baechler, N. Branscombe, M. Brown, D. Brown, H.L. Usher, J.P. Bryant (10)

Motion made by Councillor B. Polhill and seconded by Councillor N. Branscombe to Approve Second Reading of Bill No.s 428 to 435 and 437.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, B. Armstrong, J.B. Swan, J.L. Baechler, N. Branscombe, M. Brown, D. Brown, H.L. Usher, J.P. Bryant (10)

Motion made by Councillor B. Polhill and seconded by Councillor J.L. Baechler to Approve Third Reading and Enactment of Bill No.s 428 to 435 and 437.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, B. Armstrong, J.B. Swan, J.L. Baechler, N. Branscombe, M. Brown, D. Brown, H.L. Usher, J.P. Bryant (10)

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

Bill No. 428 By-law No. A.-7023-307	A by-law to confirm the proceedings of the Council Meeting held on the 22nd day of October, 2013. (City Clerk)
Bill No. 429 By-law No. A.-7024-308	A by-law to terminate the Homelessness Partnering Strategy Contribution Agreement, dated September 1, 2012 between Her Majesty the Queen in Right of Canada, as represented by the Minister of Human Resources and Skills Development and The Corporation of the City of London for funding under the Homelessness Partnering Strategy. (4/19/CPSC)
Bill No. 430 By-law No. A.-5273(co)-309	A by-law to amend By-law No. A.-5273-82 entitled, "A by-law to appoint Municipal Law Enforcement Officers for the City of London." (Manager of By-Law Enforcement)
Bill No. 431 By-law No. PS.-111-13128	A by-law to amend By-law PS-111 entitled, "A by-law to regulate traffic and the parking of motor vehicles in the City of London." (5/17/CWC)
Bill No. 432 By-law No. S.-5601-310	A by-law to lay out, constitute, establish and assume certain reserves in the City of London as public highway. (as widening to Hyde Park Road, north of Riverside Drive). (Chief Surveyor)
Bill No. 433 By-law No. S.-5602-311	A by-law to lay out, constitute, establish and assume certain reserves in the City of London as public highway. (as widening to Wellington Road South, at Roxburgh Road and as widening to Wellington Road South, south of Roxburgh Road). (Chief

	Surveyor)
Bill No. 434 By-law No. S.-5603-312	A by-law to permit Matthew Fremlin Furmston and Monique Ingrid Furmston to maintain and use an encroachment upon the road allowance for Waterloo Street, City of London. (City Solicitor)
Bill No. 435 By-law No. Z.-1-132238	A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for a portion of land located at 160 Sunningdale Road West. (2/22/PEC)
Bill No. 436 By-law No. Z.-1-132239	A by-law to amend By-law No. Z.-1 to remove the holding provision from the zoning on lands located at 613 Sovereign Road. (3/22/PEC)
Bill No. 437 By-law No. Z.-1-132240	A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning of the lands located at 1331 Hyde Park Road. (4/22/PEC)

XIV ADJOURNMENT

Motion made by Councillor N. Branscombe and seconded by Councillor J.L. Baechler to Adjourn.

Motion Passed

The meeting adjourns at 10:26 PM.

Joe Fontana, Mayor

Catharine Saunders, City Clerk