



**London**  
CANADA

## COUNCIL MINUTES 5TH MEETING

February 11, 2014

The Council meets in Regular Session in the Council Chambers this day at 4:05 PM.

**PRESENT:** Mayor J.F Fontana and Councillors 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:** B. Baar, J.P. Barber, J. Braam, B. Coxhead, S. Datars Bere, J.M. Fleming, T. Grawey, M. Hayward, L. Livingstone, V. McAlea Major, D. Mounteer, D. O'Brien, R. Paynter, M. Ribera, L. Rowe, B. Warner and B. Westlake-Power.

At the beginning of the Meeting all Members are present.

### **I DISCLOSURES OF PECUNIARY INTEREST**

Councillor D. Brown discloses a pecuniary interest in clause 10 of the 3rd Report of the Planning and Environment Committee and related Bill No. 111, having to do with the properties located at 1920 and 1930 Blue Heron Drive, by indicating that her employer has been in discussions with the proponent of this development.

Councillor J.P. Bryant discloses a pecuniary interest in clause 12 of the 3rd Report of the Planning and Environment Committee, having to do with the boundary expansion request from the Downtown Business Association Improvement Area, by indicating that she owns property within the proposed boundary expansion. Councillor J.P. Bryant further discloses a pecuniary interest in clause 5 of the 5th Report of the Community and Protective Services Committee, having to do with the 2nd Report of the London Housing Advisory Committee as it relates to proposed amendments to the Secondary Dwelling Units Policy and related proposed Zoning By-law amendments, by indicating that she owns property that contains a secondary dwelling unit.

Councillor M. Brown discloses a pecuniary interest in clause C-1 of the 6th Report of the Corporate Services Committee, having to do with a matter to be considered for the purpose of instructions and directions to officers and employees of the Corporation pertaining to a proposed acquisition 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 of land; commercial and financial information supplied in confidence pertaining to the proposed acquisition 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 that belongs to the Corporation that has monetary value or potential monetary value; information concerning the proposed acquisition whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or its competitive position; information concerning the proposed acquisition 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, by indicating that the Thames Valley District School Board is his employer. Councillor M. Brown further discloses a pecuniary interest in clause 2 of the 5th Report of the Community and Protective Services Committee, having to do with the 2nd Report of the City of London and Thames Valley District School Board Liaison Committee, by indicating that the Thames Valley District School Board is his employer.

Councillor J.B. Swan discloses a pecuniary interest in clause 5 of the 2nd Report of the Investment and Economic Prosperity Committee, having to do with a proposal for a Downtown Arts and Entertainment District, by indicating that his employer, Orchestra London, is a proponent. Councillor J.B. Swan further discloses a pecuniary interest in clause 2 of the 3rd Report of the Investment and Economic Prosperity Committee, having to do with a proposal for a Downtown Arts and Entertainment District, by indicating that his employer, Orchestra London, is a proponent.

Councillor P. Van Meerbergen discloses a pecuniary interest in clause C-2 of the 6th Report of the Corporate Services Committee, having to do with a matter pertaining to the purpose of instructions and directions to officers and employees of the Corporation pertaining to a proposed acquisition 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 of land; commercial and financial information supplied in confidence pertaining to the proposed acquisition 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 that belongs to the Corporation that has monetary value or potential monetary value; information concerning the proposed acquisition whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or its competitive position; information concerning the proposed acquisition 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, by indicating that his spouse owns and operates a day care. Councillor P. Van Meerbergen further discloses a pecuniary interest in clause 1 of the 5th Report of the Committee of the Whole and related Bill No. 113, having to do with the acquisition of 165 Elmwood Avenue East, by indicating that the proposed use of the property may include a day care facility and his spouse owns and operates a day care.

## **II REVIEW OF CONFIDENTIAL MATTERS TO BE CONSIDERED IN PUBLIC**

None.

## **III ADDED REPORTS**

3rd Report of the Investment and Economic Prosperity Committee

## **V RECOGNITIONS**

1. His Worship the Mayor presents a certificate for "London's Feature Community Organization" to the Daya Counselling Centre.

## **IV COMMITTEE OF THE WHOLE, IN CAMERA**

### **MOTION FOR IN CAMERA SESSION**

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

- a) A matter pertaining to the purpose of instructions and directions to officers and employees of the Corporation pertaining to a proposed acquisition 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 of land; commercial and financial information supplied in confidence pertaining to the proposed acquisition 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 that belongs to the Corporation that has monetary value or potential monetary value; information concerning the proposed acquisition whose disclosure could reasonably be expected to prejudice the economic

interests of the Corporation or its competitive position; information concerning the proposed acquisition 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. (C1/6/CSC)

- b) A matter pertaining to the purpose of instructions and directions to officers and employees of the Corporation pertaining to a proposed acquisition 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 of land; commercial and financial information supplied in confidence pertaining to the proposed acquisition 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 that belongs to the Corporation that has monetary value or potential monetary value; information concerning the proposed acquisition whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or its competitive position; information concerning the proposed acquisition 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. (C2/6/CSC)

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 Council rises and goes into Committee of the Whole, in camera at 4:20 PM, with Mayor J. F. Fontana in the Chair and all Members present.

At 4:34 PM Councillor M. Brown leaves the meeting.

The Committee of the Whole rises at 4:46 PM and Council reconvenes at 4:48 PM with all Members present.

## **VI CONFIRMATION AND SIGNING OF THE MINUTES OF THE FOURTH MEETING HELD ON JANUARY 28, 2014**

Motion made by Councillor D. Brown and seconded by Councillor P. Van Meerbergen to Approve the Minutes of the 4th Meeting held on January 28, 2014.

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**

None.

## **VIII MOTIONS OF WHICH NOTICE IS GIVEN**

None.

## IX REPORTS

6th Report of the Corporate Services Committee

Councillor J.P. Bryant presents.

Motion made by Councillor J.P. Bryant to Approve clauses 1 to 12, inclusive.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Additional Municipal Act Reporting Requirements Due to Implementation of Tangible Capital Assets

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the staff report dated February 4, 2014 regarding additional Municipal Act reporting requirements due to implementation of tangible capital assets BE RECEIVED for information.

3. Licence Agreement Renewal - Management of Grosvenor Lodge - 1017 Western Road

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, on the advice of the Manager of Realty Services, the following actions be taken with respect to the City-owned property at 1017 Western Road:

- a) the Licence Agreement between the City and the Heritage London Foundation (HLF), appended to the staff report dated February 4, 2014 as Appendix "A" BE APPROVED;
- b) the proposed by-law appended to the staff report dated February 4, 2014 as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on February 11, 2014 to approve the Licence Agreement and to authorize the Mayor and the City Clerk to execute the Agreement; and
- c) the communication dated January 27, 2014 from P. deLange, A&B Party and Tent Rental, regarding the provision of catering services at Elsie Perrin Williams Estate and Grosvenor Lodge, BE REFERRED to the Licensee for discussion with representatives of A&B Party and Tent Rental.

4. Licence Agreement Renewal - Management of the Elsie Perrin Williams Estate

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, on the advice of the Manager of Realty Services, the following actions be taken with respect to the City-owned property at 101-137 Windermere Road:

- a) the Licence Agreement between the City and the Heritage London Foundation (HLF) appended to the staff report dated February 4, 2014 as Appendix "A" BE APPROVED;
- b) the proposed by-law appended to the staff report dated February 4, 2014 as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on February 11, 2014 to approve the Licence Agreement and to authorize the Mayor and the City Clerk to execute the Agreement; and
- c) the communication dated January 27, 2014 from P. de Lange, A&B Party and Tent Rental, regarding the provision of catering services at Elsie Perrin Williams Estate and Grosvenor Lodge, BE REFERRED to the Licensee for discussion with representatives of A&B Party and Tent Rental.

5. Hours of Voting at Certain Institutions and Retirement Homes

That, on the recommendation of the City Clerk, the proposed by-law appended to the staff report dated February 4, 2014, to establish hours of voting at certain institutions and retirement homes for the 2014 Municipal Election, BE INTRODUCED at the Municipal Council meeting to be held on February 11, 2014.

6. Municipal Election Compliance Audit Committee

That, on the recommendation of the City Clerk, with the concurrence of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer and the Deputy Clerk, the following actions be taken with respect to the Municipal Election Compliance Audit Committee:

- a) the proposed by-law appended to the staff report dated February 4, 2014 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on February 11, 2014 to establish a Municipal Compliance Audit Committee for the 2014 Municipal Election in accordance with Sections 81 and 81.1 of the Municipal Elections Act, 1996, as amended;
- b) the proposed by-law appended to the staff report dated February 4, 2014 as Appendix "C" BE INTRODUCED at the Municipal Council meeting to be held on February 11, 2014 to approve the appointments to the Municipal Election Compliance Audit Committee for the 2014 Municipal Election in accordance with Sections 81 and 81.1 of the Municipal Elections Act, 1996, as amended; and,
- c) the Elections Reserve BE APPROVED as the source of funding for the annual operating costs related to the Municipal Compliance Audit Committee for the 2014 Municipal Election.

7. Tax Adjustment Agenda

That the recommendations contained in the Tax Adjustment Agenda dated February 4, 2014 BE APPROVED; it being noted that there were no members of the public in attendance to speak to the Corporate Services Committee, at the public hearing associated with the Tax Adjustment Agenda.

8. Tourism Exemption

That the following actions be taken with respect to the request from C. Morley, Senior Director, Corporate Affairs, Labatt Breweries, for the City of London to pass a by-law to allow a tourism exemption under the Retail Business Holidays Act for Labatt Breweries' London brewery, and the associated retail store located at the brewery:

- a) the verbal information provided by the City Clerk and the City Solicitor regarding the process and criteria for granting the requested exemption BE RECEIVED;
- b) Labatt Breweries BE REQUESTED to provide the Civic Administration with additional information as to how its request meets the Province's regulations; and
- c) the Civic Administration BE REQUESTED to take the appropriate next steps to move the request forward.

9. Consideration for Appointment to the Agricultural Advisory Committee

That Vince Trudell BE APPOINTED as a Voting Member-at-Large on the Agricultural Advisory Committee for the term ending February 28, 2015.

10. Consideration of Appointment to the London Diversity and Race Relations Advisory Committee

That Maggie Zhu from Western University BE APPOINTED as a Non-Voting Member on the London Diversity and Race Relations Advisory Committee for the term ending February 28, 2015.

11. City-Owned Heritage Facilities

That the Managing Director, Planning and City Planner BE DIRECTED to explore potential opportunities for engaging partners to lease or manage City-owned heritage properties, as has been done with the Elsie Perrin Williams Estate and Grosvenor Lodge.

12. Disposition of City-Owned Lands Adjacent to 25 to 57 Stoneycreek Crescent

That the following actions be taken with respect to the disposition of City-owned lands adjacent to 25 to 57 Stoneycreek Crescent:

- a) clause 7b) of the 2nd Report of the Corporate Services Committee, as adopted by the Municipal Council at its meeting held on December 17, 2013 BE RECONSIDERED; it being noted that clause 7b), as adopted, reads as follows:
  - “b) the subject properties referred to as Part A and Part B BE OFFERED for sale to the individual abutting property owners at fair market value in accordance with the City of London’s Sale and Other Disposition of Land Policy, inclusive of ancillary costs associated with the transaction, which includes survey, fencing, and legal; and”;
- b) clause 7b) of the 2nd Report of the Corporate Services Committee BE RESCINDED; and
- c) subject to the adoption of part b), above, the following new clause 7b) BE ADOPTED in order to remove the requirement for fencing:
  - “b) the subject properties referred to as Part A and Part B BE OFFERED for sale to the individual abutting property owners at fair market value in accordance with the City of London’s Sale and Other Disposition of Land Policy, inclusive of ancillary costs associated with the transaction, which includes survey and legal; and”.

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)

4th Report of the Civic Works Committee

Councillor H.L. Usher presents.

Motion made by Councillor H.L. Usher to Approve clauses 1 to 8, inclusive.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Contract Award - Dingman Creek Stormwater Management Erosion Control Wetland Facility (ES2682) (Tender No. T13-89)

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the award of contract for the Dingman Creek Stormwater Management Erosion Control Wetland Facility construction:

- a) the bid submitted by Ron Murphy Contracting Ltd., 4412 Manning Drive, London, Ontario N6L 1K5, at its tendered price of \$4,351,269.22 excluding H.S.T., for the construction contract, BE ACCEPTED; it being noted that the bid submitted by Ron Murphy Contracting Ltd. was the lowest of ten(10) bids received and meets the City’s specifications and requirements in all areas;
- b) the engineering fees for Delcan Corporation, 214-1069 Wellington Road South, London, Ontario N6E 2H6, to carry out the Inspection and General Construction Administration, including geotechnical and archaeological inspections, monitoring of the existing water well, post-construction monitoring (\$45,372), and contingency, in the total amount of \$410,372, excluding HST, for the Dingman Creek Stormwater Management Erosion Control Wetland Facility BE ACCEPTED; it being noted that this firm completed the engineering design in accordance with Section 15, Clause 15.2(g) of the Procurement of Goods and Services Policy;
- c) the financing for the project BE APPROVED in accordance with the “Sources of Financing Report” appended to the staff report dated February 3, 2014;

- d) the consulting fees for the project identified in b), above, BE IN ACCORDANCE with the estimate, on file, which are based upon the Fee Guideline for Professional Engineering Services, 2006, recommended by the Ontario Society of Professional Engineers;
- e) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this work;
- f) the approvals given herein BE CONDITIONAL upon the Corporation entering into a formal contract with the consultant for the work; and,
- g) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2014-L04)

3. Granular Materials - Area "A" and Area "B" (Tender 13-113)

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to Tender 13-113 Granular Materials:

- a) the bid submitted by Demar Aggregates, 358 Horton Street East, London, Ontario N6B 1C7, at their tendered annual price of \$443,204.50, excluding HST, for Area "A", north half of the City, BE ACCEPTED;
- b) the bid submitted by Aaroc Aggregates Ltd., 31 Exeter Road, London, Ontario N6L 1B6, at their tendered annual price of \$526,618.90, excluding HST, for Area "B", south half of the City, BE ACCEPTED;
- c) the Civic Administration BE AUTHORIZED to undertake all of the administrative acts that are necessary in connection with these contracts; it being noted that the term of the contracts would be for a period of two (2) years with an option to renew the contracts for a further two (2), one (1) year periods; and,
- d) the approval hereby given BE CONDITIONAL upon the Corporation entering into formal contracts or issuing purchase orders or contract records relating to this approval. (2014-F18)

4. Pollution Prevention and Control Plan - Consultant Appointment Continuation (ES2464-11)

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the award of Phase II of the Pollution Prevention and Control Plan:

- a) CH2M Hill Limited, 72 Victoria Street South, Suite 300, Kitchener, Ontario N2G 4Y9, BE APPOINTED Consulting Engineers for the preparation of Phase II of the Pollution Prevention and Control Plan, at a cost of \$322,042.00, including contingency and excluding HST, based upon the Fee Guideline for Professional Engineering Services, recommended by the Ontario Society of Professional Engineers; and in accordance with Section 15.2(g) of the City of London's Procurement of Goods and Services Policy; it being noted that the appointment for subsequent phases will be contingent on satisfactory performance and a future recommendation to Committee and Council;
- b) the financing for this project BE APPROVED as set out in the Sources of Financing Report appended to the staff report dated February 3, 2014;
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project;
- d) the approval given herein BE CONDITIONAL upon the Corporation entering into a formal contract with the consultant for the work; and,
- e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2014-A05)

5. Appointment of Consulting Engineer for Inspection, Contract Administration and Engineering Services Associated with the Construction of the Fox Hollow SWM Facility No. 1 - South Cell and Woodlot Berm (ES0320-FH1)

That, on the recommendation of the Director, Roads and Transportation, the following actions be taken with respect to appointment of a consultant for inspection, contract administration and engineering services associated with the construction of the Fox Hollow No. 1 SWM Facility – South Cell and Woodlot Berm:

- a) the engineering fees for Stantec Consulting Ltd., 171 Queens Avenue, Suite 600, London, Ontario N6A 5J7, to carry out the Inspection and General Construction Administration, including geotechnical inspections, monitoring of existing water wells and post-construction monitoring, in the total amount of \$245,481.50 including contingency, excluding HST, for the Fox Hollow No 1 SWM Facility - South Cell and Woodlot Berm BE ACCEPTED; it being noted that this firm completed the engineering design in accordance with Section 15.2(g) of the Procurement of Goods and Services Policy;
- b) the financing for the project BE APPROVED in accordance with the “Sources of Financing Report” appended to the staff report dated February 3, 2014;
- c) the consulting fees for the project identified in a), above, BE IN ACCORDANCE with the estimate, on file, which are based upon the Fee Guideline for Professional Engineering Services, 2006, recommended by the Ontario Society of Professional Engineers;
- d) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this work;
- e) the approvals given herein BE CONDITIONAL upon the Corporation entering into a formal contract with the consultant for the work; and,
- f) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2014-A05)

6. Notice of Completion of the Southwest Area Sanitary Servicing Master Plan: Municipal Class Environmental Assessment for the Southland Wastewater Treatment Plant and Proposed Sanitary Servicing of the Southwest Area (ES5260)

That, on the recommendation of the Director of Water, Wastewater and Treatment, the following actions be taken with respect to the Municipal Class Environmental Assessment (EA) Schedule “B” Study for the Southland Wastewater Treatment Plant (WTP) (in Lambeth) and the Southwest Area Sanitary Servicing (SASS) Master Plan:

- a) the Municipal Class EA Schedule “B” Study Report for the Southland Wastewater Treatment Plant BE ACCEPTED;
- b) a Notice of Completion BE FILED with the City Clerk;
- c) the Municipal Class EA Schedule “B” Southland Wastewater Treatment Plant BE PLACED on public record for a 30-day review period; and,
- d) the Southwest Area Sanitary Servicing (SASS) Master Plan BE ACCEPTED. (2014-E01)

7. Application by City of London - Street Renaming of Tennent Avenue (East Leg)

That, on the recommendation of the Managing Director, Development and Compliance Services and Chief Building Official, the Civic Administration BE REQUESTED to circulate notice of a possible street renaming and change in municipal addressing, with respect to the section of Tennent Avenue between Glengarry Avenue and A. B. Lucas Secondary School, to area residents and report back at a future public participation meeting of the Civic Works Committee. (2014-D29)



8. Proposed Waste Reduction Act and Related Matters for Financing the Blue Box Program

That, on the recommendation of the Director, Environment, Fleet and Solid Waste, the staff report dated February 3, 2014, providing updates on the proposed Waste Reduction Act and related matters for financing the Blue Box Program, BE RECEIVED for information. (2014-F11/E07)

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

Motion made by Councillor P. Hubert and seconded by Councillor H.L. Usher to Approve that clause 8 be amended by deleting the clause in its entirety and by replacing it with the following new clause:

“That, on the recommendation of the Director, Environment, Fleet and Solid Waste, the following actions be taken regarding the proposed Waste Reduction Act:

- a) the staff report dated February 3, 2014, providing updates on the proposed Waste Reduction Act and related matters for financing the Blue Box Program, BE RECEIVED for information; and,
- b) the Mayor BE REQUESTED to forward a letter to the Premier of Ontario, Kathleen Wynne, the leader of the New Democratic Party Andrea Horwath and the leader of the Progressive Conservative Party Tim Hudak and local Members of the Legislative Assembly of Ontario urging the Province of Ontario to take immediate action to pass the proposed Waste Reduction Act.”

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 H.L. Usher and seconded by Councillor S. Orser to Approve clauses 1 to 7 and clause 8, 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)

3rd Report of the Planning and Environment Committee

Councillor J.L. Baechler presents.

Motion made by Councillor J.L. Baechler to Approve clauses 1, 3 to 9, inclusive and clause 11.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

3. 1st Report of the Trees and Forests Advisory Committee

That the 1st Report of the Trees and Forests Advisory Committee from its meeting held on January 22, 2014 BE RECEIVED.

4. Response to Land Use Planning and Appeal System Review for the Ministry of Municipal Affairs and Housing

That, on the recommendation of the Managing Director, Planning and City Planner, the response appended to the staff report dated February 4, 2014, BE ENDORSED; it being noted that the response has been submitted to the Ministry of Municipal Affairs and Housing in order to satisfy the Ministry's requested deadline; it being further noted that the City's final response, including any recommended amendments, will be confirmed in further correspondence following the Municipal Council meeting to be held on February 11, 2014. (2014-D02)

5. Properties located at 3185 Jinnies Street, 3406 Jinnies Way and 3527 Singleton Avenue (H-8287)

That, on the recommendation of the Planner II, Development Planning, based on the application of Stantec Consulting, relating to a portion of the properties located at 3185 Jinnies Street, 3406 Jinnies Way and 3527 Singleton Avenue, the proposed by-law, as appended to the staff report dated February 4, 2014, BE INTRODUCED at the Municipal Council meeting to be held on February 11, 2014, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning FROM a Holding Residential R1 (h-82\*R1-5) Zone TO a Residential R1 (R1-5) Zone to remove the h-82 holding provision. (2014-D14B)

6. Forest Hill (Phase 5) Subdivision (39T-10501)

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to entering into a subdivision agreement between The Corporation of the City of London and Sifton Properties Limited, for the subdivision of land over Part of Lot 11, Concession 6, (Geographic Township of London), City of London, County of Middlesex, situated on the north side of North Wenige Drive, municipally referred to as 1100 North Wenige Drive:

- a) the Special Provisions, as appended as Schedule 'C' to the staff report dated February 4, 2014, to be contained in a Subdivision Agreement between The Corporation of the City of London and Sifton Properties Limited, for the Forest Hill (Phase 5) Subdivision, (39T-10501), BE APPROVED;
- b) the financing for this project BE APPROVED in accordance with the "Related Costs and Revenues" appended as Schedule 'B' to the staff report, dated February 4, 2014; and,
- c) the Mayor and the City Clerk BE AUTHORIZED to execute this Agreement, any amending agreements and all documents required to fulfill its conditions. (2014-D12)

7. Property located at 1602 Sunningdale Road West - Ontario Municipal Board Decision (39T-11503)

That, on the recommendation of the Senior Planner, Development Services, the report dated February 4, 2014, with respect to the withdrawal of the appeal to the Ontario Municipal Board, as submitted by Alan Patton, Patton Cormier & Associates, on behalf of Old Oak Properties, relating to the draft plan of subdivision located at 1602 Sunningdale Road West, BE RECEIVED. (2014-L01/2014-D12)

8. Properties located at 255 South Carriage Road and 1331 Hyde Park Road - Ontario Municipal Board Decision (39T-08502)

That, on the recommendation of the Senior Planner, Development Services, the report dated February 4, 2014, with respect to the withdrawal of the appeal to the Ontario Municipal Board by Barry Card, on behalf of Sydenham Investments Inc., relating to draft plan of subdivision for the located at 255 South Carriage Road and 1331 Hyde Park Road, BE RECEIVED. (2014-L01/2014-D12)

9. Building Division Monthly Report for December 2013

That the Building Division Monthly Report for the month of December 2013 BE RECEIVED. (2014-D00)

11. Property located at 77 Tecumseh Avenue West (Z-8274)

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of Homes Unlimited Inc., relating to the property located at 77 Tecumseh Avenue West:

- a) the proposed by-law, as appended to the staff report dated February 4, 2014, BE INTRODUCED at the Municipal Council meeting to be held on February 11, 2014, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM a Holding Residential R8 Special Provision (h-5•h-149•R8-4(21)) Zone, which permits a maximum of 22 residential dwelling units in the public school building, as it existed at the time of passing the by-law, subject to holding provisions which require a public site plan review and confirmation of stormwater management servicing capacity TO a Holding Residential R8 Special

Provision (h-149•R8-4(\_)) Zone, to permit a maximum of 22 residential dwelling units in a purpose designed 2-storey apartment building with a reduced exterior yard setback of 6.4m subject to a holding provision to ensure sufficient stormwater capacity is available and a Residential R1 Special Provision (R1-3(4)) Zone, which permits single detached residential dwellings with special provisions to allow for reduced front, exterior and interior yard setbacks;

- b) the Site Plan Approval Authority BE REQUESTED to implement, through the site plan approval process, development of the subject property which is consistent with the Site Plan and Elevation Drawings, as appended as Appendix 'B' to the staff report dated February 4, 2014, particularly with regard to the following:
- i) the positioning of the building at the street corner across from the public park to create a defined street edge on Tecumseh Avenue West and Winston Avenue;
  - ii) employing built form and architectural treatments that are sympathetic to the existing residential dwellings in the neighbourhood to create a compatible form of development;
  - iii) including the various recesses and protrusions along the building facade that mimic the rhythm of existing residential development;
  - iv) varying materials, colours and architectural detail on the individual facades to add further interest to the streetscape;
  - v) minimizing the appearance of blank walls by incorporating a combination of architectural articulation, windows, doors, canopies, porches and/or other creative techniques into building facades that are visible from the public streets;
  - vi) providing a low landscape wall and enhanced planting to screen the parking lot along the Tecumseh Avenue West property line; and,
  - vii) visually integrating the building into the landscape, through a combination of foundation planting beds, paving, sitting areas, landscape walls and/or other suitable landscape elements or treatments, particularly to the north and west of the proposed building;

it being noted that the Planning and Environment Committee reviewed and received a communication dated November 20, 2013, from K. Wood, 27 Forbes Street, with respect to this matter;

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

- Arnon Kaplansky, 599 Maitland Street – indicating that the first report, dated April 9, 2013, recommended 28 affordable housing units plus 10 single-family dwellings; noting that there was a second report provided on April 30, 2013; enquiring as to whether there was any change in the planning principle to change the number of units; indicating that, on page 127 of the Agenda, the last line of paragraph two in the staff report reads “which are consistent with the existing lot fabric established through Registered Plan 488”; advising that the Plan was registered in 1914; and, enquiring as to whether or not the Planners are trying to do what they did in 1914 or are they trying to intensify the use in the Core areas.
- Derrick McBurney, 4 – 466 South Street – objecting to the misconception of the type of people that move into affordable housing units.
- Greg Playford, on behalf of the applicant - expressing support for the staff recommendation; noting that the process took longer than they had anticipated; reiterating that they are happy with the outcome; and, believing that it will be a very attractive addition to the affordable housing stock in London. (2014-D14A)

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.L. Baechler to Approve clause 2.

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

That the 2nd Report of the Environmental and Ecological Planning Advisory Committee from its meeting held on January 16, 2014 BE RECEIVED; it being noted that the Civic Administration has advised that the Tree Conservation By-law will not be circulated for public

review by the end of the first quarter of this year.

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.L. Baechler to Approve clause 10.

10. Properties located at 1920 and 1930 Blue Heron Drive (Z-8282)

That, on the recommendation of the Managing Director, Planning and City Planner, based on the application of Gymworld Inc., relating to the properties located at 1920 and 1930 Blue Heron Drive, the proposed by-law, as appended to the staff report dated February 4, 2014, BE INTRODUCED at the Municipal Council meeting to be held on February 11, 2014, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM a holding Light Industrial Special Provision (h-17\*LI1(3)) Zone, which permits a range of uses including assembling, bakeries, fabricating, manufacturing, processing, research and development, warehousing, repair activities, printing and data processing industries, wholesale establishments, custom workshops, service trade and electronic product industries, support offices and commercial schools uses TO a holding Light Industrial Special Provision (h-17\*LI1(3)/LI3(\_)) Zone; it being noted that special provisions include a reduced side yard setback distance of 2.4m from the required 6.0m, a reduced front yard setback distance of 5.0m from the required 9.0m and a reduced parking ratio of 1 parking space per 30m<sup>2</sup> for commercial recreational uses from the required 1 parking space per 20m<sup>2</sup>;

it being pointed out that there were no oral submissions made at the public participation meeting associated with this matter. (2014-D14A)

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

RECUSED: D. Brown (1)

Motion made by Councillor J.L. Baechler to Approve clause 12.

12. Boundary Expansion Request and By-law Amendment

That the communication dated January 21, 2014, from the London Downtown Business Association Improvement Area, with respect to a boundary expansion request and a review of the current Downtown Business Improvement Area By-law (CP-2) BE REFERRED to the Civic Administration for consideration and to report back at a future meeting of the Planning and Environment Committee;

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

- a communication, dated January 21, 2014, from R.T. Usher, Board Chair, London Downtown Business Association and J. MacDonald, Executive Director, Downtown London; and,
- a communication, dated December 10, 2013, from D. Winkler, Richmond Row. (2014-D19/2014D14A)

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)

5th Report of the Community and Protective Services Committee

Councillor M. Brown presents.

Motion made by Councillor M. Brown to Approve clauses 1, 3, 4 and 6.

1. Disclosures of Pecuniary Interest

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

- a) Councillor J.P. Bryant discloses a pecuniary interest in part a) of clause 5 of this Report having to do with the 2nd Report of the London Housing Advisory Committee recommendation related to the Secondary Dwelling Units Policy, by indicating that her residence has a secondary dwelling unit; and,
- b) Councillor M. Brown discloses a pecuniary interest in clause 2 of this Report having to do with the 2nd Report of the City of London and Thames Valley District School Board Liaison Committee, by indicating that the Thames Valley District School Board is his employer.

3. 1st Report of the Community Safety and Crime Prevention Advisory Committee

That the 1st Report of the Community Safety and Crime Prevention Advisory Committee, from its meeting held on January 23, 2014, BE RECEIVED.

4. 1st Report of the Accessibility Advisory Committee

That the 1st Report of the Accessibility Advisory Committee, from its meeting held on January 23, 2014, BE RECEIVED.

6. Strategic Funding Framework: Revised Grant Agreement

That, on the recommendation of the Managing Director of Neighbourhood, Children & Fire Services, the proposed by-law, as appended to the staff report dated February 3, 2014, BE INTRODUCED at the Municipal Council Meeting of February 11, 2014 to:

- a) approve the standard form for the Grant Agreement (Schedule A to the by-law) for the Strategic Funding Framework;
- b) delegate to the City Manager, the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, and Managing Director, Neighbourhood, Children & Fire Services, or their respective written designate, the authority to act as City Representative and to insert the details into the respective Agreements in the form approved in (a) above; and,
- c) delegate to the City Manager, the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, and Managing Director, Neighbourhood, Children & Fire Services, or their respective written designate, the authority to execute the said Agreements. (2014 - F11/L04)

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 B. Armstrong to Approve clause 2.

2. 2nd Report of the City of London and Thames Valley District School Board Liaison Committee

That the 2nd Report of the City Of London and Thames Valley District School Board Liaison Committee, from its meeting held on October 30, 2013, BE RECEIVED.

Motion Passed

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

RECUSED: M. Brown (1)

Motion made by Councillor M. Brown to Approve clause 5.

5. 2nd Report of the London Housing Advisory Committee

That the following actions be taken with respect to the 2nd Report of the London Housing Advisory Committee, from its meeting held on January 15, 2014:

a) clause 1 BE REFERRED to the Civic Administration for review, clause 1 reads as follows:

“1. That the London Housing Advisory Committee (LHAC) requests that the following actions BE CONSIDERED with respect to proposed amendments to the Secondary Dwelling Units Policy and related proposed Zoning By-law amendments:

a) removal of the Near-Campus Neighbourhood restriction, based on the following criteria being maintained:

i) the secondary units require owner occupation; it being noted that submissions have been received by the Planning Department from both Western University and Fanshawe College advising they are not opposed to removing this restriction; it being further noted that the Near-Campus Neighbourhood includes a significant area of the City; and,

ii) the five bedroom limit be maintained;

b) secondary units established between 1995 and 2014 and meeting all current building and safety codes, be exempt from any new, more restrictive policies and/or by-law limitations; and,

c) the removal of the additional parking space requirement;

it being noted that the LHAC recognizes that secondary units meet a key housing need and the LHAC supports all safe and legal housing”; and

b) clauses 2 and 3 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)

2nd Report of the Investment and Economic Prosperity Committee

Councillor J.B. Swan presents.

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

1. Disclosures of Pecuniary Interest

That it BE NOTED that Councillor J. Swan disclosed a pecuniary interest in clause 5 of this Report, having to do with a community cultural investment proposal for a downtown arts and entertainment district, by indicating that that his employer, Orchestra London, is a proponent.

2. WW1 Wooden Gun Wheel

That the following actions be taken with respect to the potential donation of the “WW1 Wooden Gun Wheel” from the Western Ontario Gunner Officers Association:

a) the report dated January 27, 2014 from the Director, Corporate Investments and Partnerships, with respect to the above-noted matter, BE RECEIVED for information; and,

b) the potential donation of the “WW1 Wooden Gun Wheel” BE REFERRED to the Culture Office for review under the City of London Public Art Policy.

3. London's Music Industry Strategy

That on the recommendation of the Director, Corporate Investments and Partnerships, the following actions be taken with respect to a music industry strategy in London:

- a) a Music Industry Development Task Force BE CREATED, to oversee a local music strategy that will support the Province of Ontario Music Fund initiative in London; and,
- b) the Civic Administration, in collaboration with local music stakeholders, BE DIRECTED to prepare a Terms of Reference for the Task Force, for consideration at a future meeting of the Investment and Economic Prosperity Committee.

4. Western University and Western University Research Parks - Progress Report #1

That, on the recommendation of the Managing Director, Development and Compliance Services and Chief Building Official, the following actions be taken with respect to the Western University and Western University Research Parks; and

- a) the communication dated January 16, 2014, from G. Kulczycki, Vice President, Resources and Operations, Western University, appended to the staff report dated January 27, 2014, with respect to support for an Environment Assessment of Western Road, Sarnia Road and Philip Aziz Avenue, BE RECEIVED for information; and,
- b) the completion of an Environmental Assessment, as noted in a) above, BE SUPPORTED IN PRINCIPLE, in order to carry out the required road improvements and enhancements for Western Road from Huron College southerly to Sarnia Road.

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 5.

5. A Community Cultural Investment Proposal for a Downtown Arts and Entertainment District

That the delegation from J. Caskey, Chair, Downtown Performing Arts and Entertainment Task Force, with respect to the creation of a Downtown Arts and Entertainment District, BE RECEIVED for information; it being noted that a special meeting of the Investment and Economic Prosperity Committee (IEPC), if required, will be convened at the call of the Vice Chair prior to the next regular meeting, subject to a written submission relating to this matter being available in advance.

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 M. Brown and seconded by Councillor D. Brown to Approve that pursuant to section 13.6 of the Council Procedure By-law that clause 5 be reconsidered, due to a misunderstanding of the question that was put.

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)

Motion made by Councillor M. Brown to Approve clause 5.

5. A Community Cultural Investment Proposal for a Downtown Arts and Entertainment District

That the delegation from J. Caskey, Chair, Downtown Performing Arts and Entertainment Task Force, with respect to the creation of a Downtown Arts and Entertainment District, BE RECEIVED for information; it being noted that a special meeting of the Investment and Economic Prosperity Committee (IEPC), if required, will be convened at the call of the Vice Chair prior to the next regular meeting, subject to a written submission relating to this matter being available in advance.

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)

3rd Report of the Investment and Economic Prosperity Committee

Councillor M. Brown presents.

Motion made by Councillor M. Brown to Approve clauses 1 and 2.

1. Disclosures of Pecuniary Interest

That it BE NOTED that Councillor J. Swan disclosed a pecuniary interest in clause 5 of this Report, having to do with a community cultural investment proposal for a downtown arts and entertainment district, by indicating that that his employer, Orchestra London, is a proponent.

2. A Community Cultural Investment Proposal for a Downtown Arts and Entertainment District

That the following actions be taken with respect to a community cultural investment proposal for a Downtown Arts and Entertainment District:

- a) the proposal dated February 2014, and the ~~attached~~ revised pages 3-9 and 3-10, from S. Richie, Downtown Performing Arts and Entertainment Task Force, M. Faulkner, Music London and R. Koudys, The Grand Theatre, with respect to this matter BE RECEIVED with thanks; and,
- b) the above-noted proposal BE REFERRED to the Civic Administration for consideration and a due diligence review with a report back at the next IEPC meeting; it being noted that the report back should include recommended governance relationships, next steps, financing required and recommended consultants for further review and business plan development.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, B. Armstrong, 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 (13)

NAYS: S. Orser (1)

RECUSED: J.B. Swan (1)

5th Report of the Committee of the Whole

Councillor D. Brown presents.

PRESENT: Mayor J.F. Fontana and Councillors 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.

ALSO PRESENT: B. Baar, J.P. Barber, J.M. Fleming, M. Hayward, L. Livingstone, D. Munteer, L.M. Rowe and B. Warner.



Motion made by Councillor D. Brown and seconded by Councillor P. Hubert to Approve the following:

1. That, as a procedural matter pursuant to Section 239(6) of the Municipal Act, 2001, the following recommendation be forwarded to City Council for deliberation and a vote in public session:

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, on the advice of the Manager of Realty Services, with respect to the property located at 165 Elmwood Avenue East, being the former London Normal School, the following actions be taken:

- a) the Agreement of Purchase and Sale, substantially in the form ~~attached~~ as Schedule "B" and acceptable to the City Solicitor, submitted by the Province of Ontario as represented by the Minister of Infrastructure ("the Province"), to sell to the City the property municipally known as 165 Elmwood Avenue East, located in Wortley Village, described as Part 1, Plan 33R-17277, containing a land area of approximately 5.03 acres, improved with a 3-storey former institutional building comprising 43,372 square feet, for the purpose of a future lease to the YMCA of Western Ontario, for the sum of \$1,685,000.00, BE ACCEPTED subject to the following conditions:
  - i) the City agreeing to pay a deposit of 10% of the purchase price;
  - ii) the property being purchased in an "As Is Where Is" condition, without any representation by the Province as to the environmental condition of the property;
  - iii) the Province obtaining the consent of the Minister of Tourism, Culture and Sport, given the property is a "provincial heritage property of provincial significance";
  - iv) a covenant being made by the City to provide the Province with a fully executed copy of the new Heritage Conservation Easement Agreement (HCEA) with the Ontario Heritage Trust as a first encumbrance registered on title;
  - v) the City entering into a Participation Agreement with the Province, whereby for a period of ten (10) years from the date of closing, the Province has a provision to prevent land speculation. In the event of a bona fide arms-length sale or proposed sale of the property by the City, the Province shall have the right to repurchase the property at the original purchase price or receive any profit by which the sale price exceeds the base amount; and
  - vi) the Province and the City being responsible for their own legal and appraisal costs in connection with the subject agreement and the completion of the transaction of purchase and sale;
- b) the financing for this acquisition BE APPROVED as set out in the Source of Financing Report ~~attached~~ hereto as Appendix "A".

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

RECUSED: P. Van Meerbergen (1)

**X DEFERRED MATTERS**

None.

**XI ENQUIRIES**

None.

**XII EMERGENT MOTIONS**

1. (ADDED) Councillor J. Baechler and Councillor N. Branscombe - Raising the Rainbow Flag on the Community Flag Pole for the Duration of the Olympics

Motion made by Councillor J.L. Baechler and seconded by Councillor N. Branscombe to Approve leave to introduce an emergent motion related to the raising of the Rainbow Flag on the Community Flag Pole in support of the diversity of our Olympic athletes.

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.L. Baechler and seconded by Councillor N. Branscombe to Approve that notwithstanding Council Policy 16(21) Flags at City Hall, the City Clerk BE DIRECTED to make the necessary arrangements to raise the Rainbow Flag on the Community Flag Pole for the duration of the 2014 Winter Olympics as a show of support for the diversity of our Olympic athletes and Principle 6 of the Olympics Charter: "Any form of discrimination with regard to a country or a person on grounds of race, religion, politics, gender or otherwise is incompatible with belonging to the Olympic Movement."

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. Brown, H.L. Usher, J.P. Bryant, S.E. White (13)

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

### **XIII BY-LAWS**

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

Motion made by Councillor B. Polhill and seconded by Councillor H.L. Usher to Approve Introduction and First Reading of Bill No.s 94 to 110, inclusive and Bill No. 112.

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 B. Polhill and seconded by Councillor P. Van Meerbergen to Approve Second Reading of Bill No.s 94 to 110, inclusive and Bill No. 112.

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 B. Polhill and seconded by Councillor S. Orser to Approve Third Reading and Enactment of Bill No.s 94 to 110, inclusive and Bill No.s 112.

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 B. Polhill and seconded by Councillor P. Van Meerbergen to Approve Introduction and First Reading of Bill No. 111.

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, H.L. Usher, J.P.

Bryant, S.E. White (14)

RECUSED: D. Brown (1)

Motion made by Councillor N. Branscombe and seconded by Councillor P. Van Meerbergen to Approve Second Reading of Bill No. 111.

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

RECUSED: D. Brown (1)

Motion made by Councillor B. Polhill and seconded by Councillor P. Van Meerbergen to Approve Third Reading and Enactment of Bill No. 111.

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

RECUSED: D. Brown (1)

Motion made by Councillor B. Polhill and seconded by Councillor J.B. Swan to Approve Introduction and First Reading of Bill No. 113.

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

RECUSED: P. Van Meerbergen (1)

Motion made by Councillor B. Polhill and seconded by Councillor S. Orser to Approve Second Reading of Bill No. 113.

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

RECUSED: P. Van Meerbergen (1)

Motion made by Councillor D. Brown and seconded by Councillor S. Orser to Approve Third Reading and Enactment of Bill No. 113.

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

RECUSED: P. Van Meerbergen (1)

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

Bill No. 94 By-law No. A.-7070-70	A by-law to confirm the proceedings of the Council Meeting held on the 11 <sup>th</sup> day of February, 2014. (City Clerk)
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<p>Bill No. 95 By-law No. A.-7071-71</p>	<p>A By-law to approve the Licence Agreement between The Corporation of the City of London and The Heritage London Foundation, for use of the property located at 1017 Western Road, known as the Grosvenor Lodge, and to authorize the Mayor and City Clerk to execute the Licence Agreement. (3/6/CSC)</p>
<p>Bill No. 96 By-law No. A.-7072-72</p>	<p>A By-law to approve the Licence Agreement between The Corporation of the City of London and The Heritage London Foundation, for use of the property located at 101-137 Windermere Road, known as the Elsie Perrin Williams Estate, and to authorize the Mayor and City Clerk to execute the Licence Agreement. (4/6/CSC)</p>
<p>Bill No. 97 By-law No. A.-7073-73</p>	<p>A By-law to approve and adopt the standard form Grant Agreement (Strategic Funding Framework); and to authorize a City Representative to insert information and execute agreements which employ this form and to replace by-law A.-6823-160 being a by-law to approve and adopt the standard form Grant Agreement (Strategic Funding Framework); and to authorize a City Representative to insert information and execute agreements which employ this form. (6/5/CPSC)</p>
<p>Bill No. 98 By-law No. C.P.-1492-74</p>	<p>A by-law to exempt from Part Lot Control lands located on Asima Drive, east of Turner Crescent, legally described as Lots 60 to 73 and Lots 113 &amp; 114 Plan 33M-533, in the City of London and County of Middlesex. (11/17/PEC-2013)</p>
<p>Bill No. 99 By-law No. E.-174-75</p>	<p>A by-law to provide for reduced hours of voting at certain institutions and retirement homes for the 2014 Municipal Election. (5/6/CSC)</p>
<p>Bill No. 100 By-law No. E.-175-76</p>	<p>A by-law to establish a Municipal Election Compliance Audit Committee for the 2014 Municipal Election in accordance with Sections 81 and 81.1 of the <i>Municipal Elections Act, 1996</i>, as amended. (6/6/CSC)</p>
<p>Bill No. 101 By-law No. E.-176-77</p>	<p>A by-law to approve the appointments to the Municipal Election Compliance Audit Committee for the 2014 Municipal Election in accordance with Sections 81 and 81.1 of the <i>Municipal Elections Act, 1996</i>, as amended. (6/6/CSC)</p>
<p>Bill No. 102 By-law No. S.-5551-78</p>	<p>A by-law to lay out, constitute, establish and assume certain reserves in the City of London as public highway. (as widening to Southdale Road West, west of Pomeroy Lane). (Chief Surveyor)</p>
<p>Bill No. 103 By-law No. S.-5552-79</p>	<p>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, south of Royal York Road). (Chief Surveyor)</p>
<p>Bill No. 104 By-law No. S.-5553-80</p>	<p>A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Adelaide Street South and Thompson Road) (Chief Surveyor)</p>
<p>Bill No. 105 By-law No. S.-5554-81</p>	<p>A by-law to permit Raital Limited to maintain and use an encroachment upon the road allowance for Mill Street, City of London. (City Solicitor)</p>
<p>Bill No. 106 By-law No. S.-5555-82</p>	<p>A by-law to assume certain works and services in the City of London. (Gainsborough Place – Phase 3; 33M-626) (City Engineer)</p>

Bill No. 107 By-law No. S.-5556-83	A by-law to assume certain works and services in the City of London. (Wickerson Heights; Plan No. 33M-514) (City Engineer)
Bill No. 108 By-law No. S.-5557-83	A by-law to assume certain works and services in the City of London. (Cantebury Estates – Phase 2; 33M-505) (City Engineer)
Bill No. 109 By-law No. S.-5558-85	A by-law to permit Lawrence James MacKinnon to maintain and use a boulevard parking area upon the road allowance for 9 Edward Street, City of London. (Manager, Licensing and Elections)
Bill No. 110 By-law No. Z.-1-142265	A by-law to amend By-law No. Z.-1 to remove the holding provision from the zoning for a portion of land located at 3185 Jinnies Street, 3046 Jinnies Way and 3527 Singleton Ave. (5/3/PEC)
Bill No. 111 By-law No. Z.-1-142266	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 1920 and 1930 Blue Heron Drive. (10/3/PEC)
Bill No.112 By-law No. Z.-1-142267	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 77 Tecumseh Avenue West. (11/3/PEC)
Bill No. 113 By-law No. A.-7074-86	A By-law to authorize an Agreement of Purchase and Sale between The Corporation of the City of London and Province of Ontario as represented by the Minister of Infrastructure, for the acquisition of the property located at 165 Elmwood Avenue, London, Ontario, and to authorize the Mayor and the City Clerk to execute the Agreement. (1/6/CSC)

#### **XIV ADJOURNMENT**

Motion made by Councillor P. Hubert and seconded by Councillor J.L. Baechler to Adjourn.

Motion Passed

The meeting adjourned at 5:32 PM.

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Joe Fontana, Mayor

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Catharine Saunders, City Clerk