



London
CANADA

COUNCIL MINUTES 10TH MEETING

April 1, 2014

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

PRESENT: Mayor J.F Fontana, B. Polhill, B. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, 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, T. Grawey, M. Hayward, G.T. Hopcroft, O. Katolyk, J. Kobarda, L. Livingstone, V. McAlea Major, D. Mounteer, L.M. Rowe, J. Smout, J. Taylor, B. Warner and B. Westlake-Power.

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

Councillor B. Armstrong enters the meeting at 4:04 PM.

Councillor J.B. Swan enters the meeting at 4:07 PM.

I DISCLOSURES OF PECUNIARY INTEREST

Councillor J.B. Swan discloses a pecuniary interest in clause C-1 of the Confidential Appendix to the 9th Report of the Strategic Priorities and Policy Committee, having to do with the portion of the discussions related to Centennial Hall, by indicating that Orchestra London is his employer. Councillor J.B. Swan further discloses a pecuniary interest in clause 2 of the 5th Report of the Investment and Economic Prosperity Committee, having to do with City of London funding for Orchestra London, by indicating that Orchestra London is his employer.

Councillor M. Brown discloses a pecuniary interest in clause 9 of the 7th Report of the Community and Protective Services Committee, including the related Bill No. 173, both having to do with Lord Nelson Public School, by indicating that the Thames Valley District School Board (TVDSB) is his employer. Councillor M. Brown further discloses a pecuniary interest in Added Communication No. 3, from D. Kettle of the TVDSB, by indicating that the TVDSB is his employer.

Councillor J.P. Bryant discloses a pecuniary interest in clause 7 of the 5th Report of the Investment and Economic Prosperity Committee, having to do with the London Medical Innovation and Commercialization Network, by indicating that this matter is linked with Western University and her spouse sits on the faculty of Western University.

II REVIEW OF CONFIDENTIAL MATTERS TO BE CONSIDERED IN PUBLIC

None.

III ADDED REPORTS

1. 5th Report of the Investment and Economic Prosperity Committee.
2. 9th Report of the Strategic Priorities and Policy Committee.

IV COMMITTEE OF THE WHOLE, IN CAMERA

MOTION FOR IN CAMERA SESSION

Motion made by Councillor D. Brown and seconded by Councillor P. Van Meerbergen to Approve that the Council rise and go into Committee of the Whole, in camera, at 4:29 PM, for the following reasons:

- a) A matter pertaining the 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. (C-1/10/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. (C-2/10/CSC)
- c) 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. (C-3/10/CSC)

- d) A matter pertaining to proposed or pending acquisition of land by the municipality in connection with the Springbank Drive road widening project and related expropriations; litigation or potential litigation with respect to the expropriation of temporary easement on a property located at 339 Springbank Drive, including matters before administrative tribunals, affecting the municipality or local board; advice that is subject to solicitor-client privilege, including communications necessary for that purpose, in connection with the expropriation of temporary easement on a property located at 339 Springbank Drive; and directions and instructions to officers and employees or agents of the municipality regarding settlement negotiations and conduct of litigation in connection with the expropriation of temporary easement on a property located at 339 Springbank Drive. (C-4/10/CSC)
- e) (ADDED) A matter pertaining to personal matters, including information regarding an identifiable individual, including a municipal employee, with respect to employment-related matters, advice or recommendations of officers and employees of the Corporation, including communications necessary for that purpose, and for the purpose of providing instructions and directions to officers and employees of the Corporation. (C-1/9/SPPC)

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 4:25 PM, with Mayor J.F. Fontana in the Chair and all Members present.

The Committee of the Whole rises at 5:38 PM and Council reconvenes at 5:46 PM with all Members present,

V RECOGNITIONS

1. His Worship the Mayor presents a plaque for "London's Featured Company" to Kongsberg Protech Systems.
2. His Worship the Mayor presents a certificate for "London's Featured Community Organization" to the Forest City Gallery.
3. His Worship the Mayor recognizes National Poetry Month and Inali Barger from London Poetry Slam, and Tom Cull from Poetry London, perform poems.

VI CONFIRMATION AND SIGNING OF THE MINUTES OF THE NINTH MEETING HELD ON MARCH 18, 2014

Motion made by Councillor B. Polhill and seconded by Councillor P. Van Meerbergen to Approve the Minutes of the 9th Meeting held on March 18, 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

Motion made by Councillor B. Polhill and seconded by Councillor J.P. Bryant to Approve referral of Communication Nos. 1, 2 and 4, as noted on the Agenda and Added Agenda.

1. S. Ford, Dancor - Draft Community Improvement Plan for Industrial Land Uses and Official Plan Amendment (O-8318) (Refer to the Planning and Environment Committee Stage for Consideration with Clause 19 of the 6th Report of the

Planning and Environment Committee.)

2. A.R. Patton, Patton Cormier & Associates - Development Charges Grant Program for Downtown, Old East Village and SoHo CIP Areas (Refer to the Planning and Environment Committee Stage for Consideration with Clause 20 of the 6th Report of the Planning and Environment Committee.)
4. (ADDED) M. Parrott, By E-mail - Property located at 447 Old Wonderland Road (Z-8228) (Refer to the Planning and Environment Committee Stage for Consideration with Clause 22 of the 6th Report of the Planning and Environment 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 B. Polhill and seconded by Councillor P. Van Meerbergen to Approve referral of Communication No. 3 as noted on the Added Agenda.

3. (ADDED) D. Kettle, Thames Valley District School Board - Properties located at 2250 Blackwater Road and 660 and 670 Garibaldi Avenue (Z-8190) (Refer to the Planning and Environment Committee Stage for Consideration with Clause 16 of the 6th Report of the Planning and Environment Committee.)

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)

VIII MOTIONS OF WHICH NOTICE IS GIVEN

None.

IX REPORTS

7th Report of the Community and Protective Services Committee
Councillor M. Brown presents.

Motion made by Councillor M. Brown to Approve clauses 1 to 10, excluding clause 9.

1. Disclosures of Pecuniary Interest

That it BE NOTED that Councillor M. Brown disclosed a pecuniary interest related to clause 9 of this Report, having to do with the Neighbourhood Family Centre at Lord Nelson Public School, by indicating that his employer is the Thames Valley District School Board.

2. 4th Report of the London Housing Advisory Committee

That the 4th Report of the London Housing Advisory Committee, from its meeting held on March 12, 2014, BE RECEIVED.

3. MPAC Assessments of Social and Affordable Housing

That, on the recommendation of the Director of Housing, with the concurrence of the Managing Director, Housing, Social Services, and Dearness Home, with respect to the Municipal Property Assessment Corporation (MPAC) assessments of social and affordable housing properties, the Civic Administration BE DIRECTED to report back to the Community and Protective Services Committee, following a meeting with relevant provincial authorities. (2014-F22A)

4. Municipal Golf - Agreement with London Golf Club

That, on the recommendation of the Managing Director, Parks & Recreation, the proposed by-

law, with respect to the use of third party re-sellers to assist with revenue generation for the London Municipal Golf System and appended to the staff report dated March 24, 2014, BE INTRODUCED at the Municipal Council Meeting on April 1, 2014 to:

- a) approve the agreement, forming a part of the above-noted by-law as "Schedule 1", between the City of London and London Golf Club for the purchase of 1000 transferable daily golf spots for use by members of the London Golf Club at the Municipal Golf Courses, for restricted days and times during the 2014 playing season, at a price of \$27,000 plus applicable tax;
- b) delegate to the City Manager, and his or her written designate, and to the Managing Director of Parks and Recreation, and his or her written designate, the authority to approve such further documents, including further agreements with 3rd party golf re-sellers, that are consistent with the requirements contained in the agreement approved in (a) above; and,
- c) delegate to the City Clerk and the Mayor the authority to execute the agreements. (2014-L04)

5. Request for Proposal - Fire Training - Live Fire Training Props RFP No. 13-33 Project No. PP1091

That, on the recommendation of the Fire Chief, with the concurrence of the Managing Director, Neighbourhood, Children and Fire Services, the following actions be taken with respect to RFP 13-33, Fire Training Tower Live Fire Training Props:

- a) the price submitted by Draeger Safety Canada Ltd., 1259 Gardiners Road, Unit #2, Kingston, Ontario K7P 3J6, of \$557,774.00 (HST excluded), for the Fire Training Tower Live Fire Training Props, BE ACCEPTED; it being pointed out that the proposal submitted by Draeger Safety Canada Ltd. was deemed to provide the best technical and financial value to the City, meets the City's requirements in all areas and the acceptance is in compliance with Section 12 of the Procurement of Goods and Services Policy;
- b) the financing for this project BE APPROVED as set out in the Sources of Financing Report, as appended to the staff report dated March 24, 2014;
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts which are necessary in connection with this project; and,
- d) the approval given herein BE CONDITIONAL upon the Corporation entering into a contract with the contractor for the work through the issuance of a purchase order. (2014-F17)

6. Amendment to Fees and Charges By-law A-47 Adult Day Program - Dearness Home

That, on the recommendation of the City Clerk, with the advice of the Managing Director, Housing, Social Services and Dearness Home, the proposed by-law, as appended to the staff report dated March 24, 2014, BE INTRODUCED at the Municipal Council meeting on April 1, 2014 to amend By-law No. A-47 entitled "A by-law to provide for Various Fees and Charges" in order to amend two fees at the Dearness Home Adult Day Program as follows:

- a) to decrease the client fee per day from \$26 to \$10; and,
- b) to increase the fee related to baths from \$20 to \$45, to better reflect the cost for service. (2014-C01)

7. 4th Report of the Animal Welfare Advisory Committee

That the following actions be taken with respect to the 4th Report of the Animal Welfare Advisory Committee (AWAC), from its meeting held on March 6, 2014:

- a) the following actions be taken with respect to proposed changes to pet limits in the City of London:
 - i) the Chair and the Vice-Chair of the AWAC, BE PERMITTED to request delegation status, on behalf of the AWAC, at the Community and Protective

Services Committee Public Participation Meeting being held with respect to this matter; and,

- ii) part b) of clause 1 of the 4th Report of the AWAC BE REFERRED to the Civic Administration, for consideration in the preparation of a potential by-law amendment; it being noted that part b) reads as follows:

"b) the following amendments BE INCLUDED in the proposed pet limits:

- i) rescue groups be allowed to have an unlimited number of animals;
- ii) a two tier licensing system be established to distinguish between rescue groups and citizens;
- iii) rescue groups be provided with their own tags; it being noted that the tag will stay with the rescue group, not the animal; it being further noted that if foster animals are lost, the animals can be identified through the rescue group tag; it being also noted that if further clarification is required, the rescue group may be contacted to confirm that the animal is indeed a foster animal;
- iv) rescue groups be provided with a license;
- v) a new rescue group be required to receive a letter of reference from a veterinarian and have one foster home in addition to the Director's home;
- vi) a limit of a maximum of four dogs per dwelling unit and a maximum of eight cats per dwelling unit be established; it being noted that no dwelling shall be allowed to have more than eight pets in total, with a limit of four dogs and eight cats; and,
- vii) the added communication from V. Van Linden relating to additional regulations to consider as part of pet limits be referred to a future meeting of the Animal Welfare Advisory Committee;

it being noted that the Animal Welfare Advisory Committee reviewed and received a communication, dated February 25, 2014, from V. Van Linden, with respect to this matter"; and,

- b) clauses 2 to 7 BE RECEIVED.

8. 2nd Report of the Accessibility Advisory Committee

That the following actions be taken with respect to the 2nd Report of the Accessibility Advisory Committee (ACCAC), from its meeting held on February 27, 2014:

- a) clause 1 BE NOTED AND FILED, it being noted that the current Terms of Reference for the ACCAC do not address providing advice to outside parties, but rather to the Municipal Council; it being further noted that clause 1 reads as follows:

"1. That the Accessibility Advisory Committee (ACCAC) BE APPROVED to be involved in the planning process for the proposed development project at Fullarton and Talbot with respect to producing a state-of-the-art, accessible, development in London's downtown core; it being noted that the ACCAC reviewed and received the Built Environment and Facilities Sub-Committee minutes from its meeting held on February 24, 2014.";

- b) the Civic Administration BE REQUESTED to provide an update on the snow removal policy, including any recent modifications, to the Accessibility Advisory Committee; it being noted that any modifications could impact significantly on those individuals with disabilities; and,

- c) clauses 3 to 16 BE RECEIVED.

10. Extension of Hours for Amplified Sounds at the Memorial Cup

That, on the recommendation of the Managing Director, Parks and Recreation, the proposed

by-law, as appended to the staff report dated March 24, 2014, being a by-law to extend the hours for amplified sound for the 2014 Mastercard Memorial Cup, as identified in section 13.0 of the City of London Special Events Policies and Procedures Manual on May 16/17 and May 24/25, 2014, BE CONSIDERED at a public participation meeting to be held before the Community and Protective Services Committee on April 7, 2014. (2014-C01)

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 9.

9. Neighbourhood Family Centre - Thames Valley District School Board - Lord Nelson Public School

That, on the recommendation of the Managing Director, Neighbourhood, Children and Fire Services, the following actions be taken with respect to the Neighbourhood Family Centre, Lord Nelson Public School:

- a) the proposed by-law, as appended to the staff report dated March 24, 2014, BE INTRODUCED at the Municipal Council meeting to be held on April 1, 2014 to:
 - i) approve a Funding and Project Agreement between The Corporation of the City of London and the Thames Valley District School Board for the construction of a Neighbourhood Family Centre at Lord Nelson Public School; and,
 - ii) authorize the Mayor and Clerk to execute the agreement; and,
- b) the Source of Financing for this project, in the estimated amount of \$775,000 BE APPROVED, as set out in the Sources of Financing included in the above-noted staff report;

it being noted that the estimated cost of this project is being funded entirely through provincial funding available in the Child Care and Early Childhood Development Reserve Fund. (2014-L04)

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)

10th Report of the Corporate Services Committee
Councillor J.P. Bryant presents.

Motion made by Councillor J.P. Bryant to Approve clauses 1 to 23, excluding clauses 3 and 5.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. City of London Days - Budweiser Gardens

That, on the recommendation of the City Clerk, notwithstanding Council Policy 3(8) – Policy for City Events at Budweiser Gardens, which restricts a group from having more than two event days over a five year consecutive period, the request from the United Way London & Middlesex to host the annual United Way Campaign Launch & 3M Harvest Lunch on September 17, 2014 BE APPROVED.

4. Public Sector Salary Disclosure Act Report for Calendar Year 2013

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the report dated March 25, 2014 regarding the Public Sector Salary Disclosure Act report for the calendar year 2013 BE RECEIVED for information.

6. New Council Policy - Mayor's Expenses

That the following actions be taken as it relates to the Mayor's expenses:

- a) on the recommendation of the City Clerk, the ~~attached~~ revised proposed by-law (Appendix "A") BE INTRODUCED at the Municipal Council meeting on April 1, 2014 for the purpose of implementing a new Council Policy that provides for the quarterly reporting of the Mayor's expenses on the City of London's website; and
- b) the matter of the return of certain goods and equipment when a Mayor does not return to office BE REFERRED back to the City Clerk for further refinement of the details.

7. Architect to Act as Prime Consultant for the Normal School Renovation Request for Proposal No. 13-47 - Project #GG1558

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

- a) subject to the completion of the transaction to acquire the Normal School Property, the proposal submitted by The Ventin Group Ltd. (+VG Architects), 50 Dalhousie Street, Brantford, Ontario N3T 2H8 to act as Prime Consultant for the Normal School Renovation for a fee of \$464,000 excluding HST BE ACCEPTED; it being pointed out that the proposal submitted by The Ventin Group Ltd. (+VG Architects) was deemed to provide the best technical and financial value to the City, meets the City's requirements in all areas and acceptance is in compliance with Section 15.2 of the Procurement of Goods and Services Policy;
- b) the financing for this project BE APPROVED as set out in the Sources of Financing Report, as appended to the staff report dated March 25, 2014;
- c) the Civic Administration BE AUTHORIZED to undertake all administrative acts which are necessary in connection with the project;
- d) the approvals given herein BE CONDITIONAL upon the Corporation entering into a formal contract with the consultant for the work; and
- e) the Mayor and City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations.

8. Year 2014 Education Tax Rates

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the by-law to levy education tax rates for 2014, included as Appendix "A" to the staff report dated March 25, 2014, BE INTRODUCED at the Council meeting of April 1, 2014.

9. Rooftop Solar PV Systems on Municipal Buildings Under the Fit 3.0 Program Rules Update

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the following actions be taken with respect to rooftop solar PV systems on municipal buildings under the Fit 3.0 Program Rules:

- a) the staff report dated March 25, 2014 BE RECEIVED for information; and
- b) the Civic Administration BE DIRECTED to explore and pursue future Feed-In Tariff opportunities for the implementation of rooftop solar PV Systems on suitable municipally owned buildings planned for the future.

10. Local Improvement Charges for Energy and Water Efficiency Improvements Update

That, on the recommendation of the Director, Environment, Fleet & Solid Waste, the staff report dated March 25, 2014, regarding local improvement charges for energy and water efficiency improvements, BE RECEIVED for information.

11. Old East Village Business Improvement Area - 2014 Proposed Budget - Municipal Special Levy

That, on the recommendation of the Deputy City Treasurer, the following actions be taken:

- a) the Old East Village Business Improvement Area proposed 2014 budget submission in the amount of \$264,834 BE APPROVED as outlined in Schedule A to the staff report dated March 25, 2014;
- b) the amount to be raised by the Corporation for the 2014 fiscal year for the purposes of the Old East Village Business Improvement Area and pursuant to subsection 208(1) of the Municipal Act, 2001 BE FIXED at \$15,781 (which accounts for \$14,781 for the City of London levy as required by the Old East Village Business Improvement Area to help support its 2014 budget and an estimated allowance of \$1,000 to provide for vacancy rebates);
- c) a special charge BE ESTABLISHED for the amount referred to in part b), above, by a levy in accordance with By-law CP-1, as amended; it being noted that the special charge shall have priority lien status and shall be added to the tax roll pursuant to subsection 208(7) of the Municipal Act, 2001; and
- d) the by-law appended to the staff report dated March 25, 2014 as Schedule "B" BE INTRODUCED at the Municipal Council meeting on April 1, 2014 with respect to the municipal special levy for the Old East Village Business Improvement Area.

12. London Downtown Business Association - 2014 Proposed Budget - Municipal Special Levy

That, on the recommendation of the Deputy City Treasurer, the following actions be taken:

- a) the London Downtown Business Association proposed 2014 budget submission in the amount of \$968,133 BE APPROVED as outlined in Schedule A to the staff report dated March 25, 2014;
- b) the amount to be raised by the Corporation for the 2014 fiscal year for the purposes of the London Downtown Business Association and pursuant to subsection 208(1) of the Municipal Act, 2001 BE FIXED at \$1,043,403 (which accounts for \$958,403 for the City of London levy as required by the London Downtown Business Association to help support its 2014 budget and an estimated allowance of \$85,000 to provide for vacancy rebates);
- c) a special charge BE ESTABLISHED for the amount referred to in part b), above, by a levy in accordance with By-law CP-2, as amended; it being noted that the special charge shall have priority lien status and shall be added to the tax roll pursuant to subsection 208(7) of the Municipal Act, 2001; and
- d) the by-law appended to the staff report dated March 25, 2014 as Schedule "C" BE INTRODUCED at the Municipal Council meeting on April 1, 2014 with respect to municipal special levy for the London Downtown Business Association.

13. Argyle Business Improvement Area - 2014 Proposed Budget - Municipal Special Levy

That, on the recommendation of the Deputy City Treasurer, the following actions be taken:

- a) the Argyle Business Improvement Area proposed 2014 budget submission in the amount of \$116,478 BE APPROVED as outlined in Schedule "A" to the staff report dated March 25, 2014;
- b) the amount to be raised by the Corporation for the 2014 fiscal year for the purposes of the Argyle Business Improvement Area and pursuant to subsection 208(1) of the Municipal Act, 2001 BE FIXED at \$110,480 (which accounts for \$110,480 for the City of London levy as required by the Argyle Business Improvement Area to help support its 2014 budget with no estimated allowance for vacancy rebates);
- c) a special charge BE ESTABLISHED for the amount referred to in part b), above, by a levy in accordance with By-law A.-6873-292 as amended; it being noted that the special

charge shall have priority lien status and shall be added to the tax roll pursuant to subsection 208(7) of the Municipal Act, 2001; and

- d) the by-law appended to the staff report dated March 25, 2014 as Schedule "B" BE INTRODUCED at the Municipal Council meeting on April 1, 2014 with respect to municipal special levy for the Argyle Business Improvement Area.

14. London Bid to Host AMO Annual General Meeting Conference and Trade Show 2018, 2019 and 2020

That, on the recommendation of the Director of Intergovernmental and Community Liaison, the Civic Administration BE AUTHORIZED to submit a bid for the City of London to host the Association of Municipalities of Ontario 2018, 2019 and 2020 Association of Municipalities of Ontario (AMO) Annual General Meeting, Conference and Trade Show including an undertaking that the City of London will:

- a) host and finance the Welcome Reception;
- b) provide volunteers to assist with the collation of delegate kits, and to guide study tours and other tasks;
- c) provide a local planning committee which will develop study tours;
- d) provide shuttle buses between hotels, if necessary;
- e) provide study tour program buses; and
- f) provide civic greetings to delegates from the Mayor.

15. Bill 69: The Prompt Payment Act 2013

That, on the recommendation of the Director of Intergovernmental and Community Liaison, the staff report dated March 25, 2014 on the potential impact of Bill 69, the Prompt Payment Act, 2013 BE RECEIVED.

16. Apportionment of Taxes

That, on the recommendation of the Deputy City Treasurer, the taxes on the blocks of land described in the ~~attached~~ Schedules BE APPORTIONED as indicated on the Schedules pursuant to Section 356 of the Municipal Act, 2001; it being noted that there were no members of the public in attendance at the public hearing associated with this matter, to speak before the Corporate Services Committee.

17. Year 2014 Tax Policy

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the following actions be taken with respect to property taxation for 2014:

- a) a by-law BE ENACTED in accordance with sub-sections 308(4) and 308.1(4) of the Municipal Act, 2001 to set tax ratios in the multi-residential, industrial, pipeline and farm property classes as indicated on Schedule "F" to the staff report dated March 25, 2014 and the proposed by-law included as Appendix "A" to the staff report dated March 25, 2014 BE INTRODUCED at the Council meeting of April 1, 2014;
- b) a by-law BE ENACTED in accordance with sub-section 308(4) of the Municipal Act, 2001 to set the tax ratio in the commercial property class as indicated in Schedule "F" of the staff report dated March 25, 2014 so that the tax ratio for this class is maintained at the Provincial threshold/average and the proposed by-law included as Appendix "A" to the staff report dated March 25, 2014 BE INTRODUCED at the Council meeting of April 1, 2014;
- c) a by-law BE ENACTED to fully utilize options available in 2014 to exclude properties in capped property classes which have reached current value assessment tax levels or higher in 2013 from being capped again in 2014 and future years and the proposed by-law included as Appendix "B" to the staff report dated March 25, 2014 BE INTRODUCED at the Council meeting of April 1, 2014;
- d) a by-law BE ENACTED in accordance with Section 330 of the Municipal Act, 2001 to claw back a portion of tax decreases in each of the commercial, industrial, and multi-residential classes sufficient to fully finance the capping of increases as required under Section 329 of the Municipal Act, 2001 and the proposed by-law included as Appendix "C" to the staff report dated March 25, 2014 BE INTRODUCED at the Council meeting

on April 1, 2014;

- e) a by-law BE ENACTED in accordance with Section 329.1 of the Municipal Act, 2001 for 2014 to adopt the same capping formulae for the commercial, industrial and multi-residential property classes as was applicable in 2013 and the proposed by-law included as Appendix "D" to the staff report dated March 25, 2014 BE INTRODUCED at the Council meeting on April 1, 2014; and
- f) a phase-in program for tax changes resulting from the reassessment of properties in the residential, farmland, and managed forests property classes in accordance with Section 318 of the Municipal Act, 2001 NOT BE ADOPTED;

it being noted that the Corporate Services Committee heard a verbal overview from the Manager of Taxation and Revenue with respect to this matter and a verbal delegation from S. Ford, Partner, Dancor, speaking in support of the phasing-in of taxation changes and the ongoing assessment of taxation policy, acknowledging the planning and commitment by Municipal Council, emphasizing the need for the City of London to remain competitive in those areas first examined by potential investors, which includes such considerations as taxes, utilities and leasing costs, indicating that he will be pulling suggestions and comments together to assist the City of London in moving forward, and encouraging the City of London to get to Toronto within the next 60 days to promote London as the place to locate business.

18. Board of Directors - Federation of Canadian Municipalities

That the following actions be taken with respect to the communication dated March 13, 2014 from Councillor H.L. Usher regarding standing for election to the Federation of Canadian Municipalities' Board of Directors and his associated expenses:

- a) the following resolution BE ADOPTED:

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

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

WHEREAS FCM's 77th Annual Conference and Trade Show will take place May 30 to June 2, 2014, during which time the Annual General Meeting will be held and followed by the election of FCM's Board of Directors;

BE IT RESOLVED that Council of The Corporation of the City of London endorses Councillor Harold Usher to stand for election on FCM's Board of Directors for the 2014/2015 term; and

BE IT FURTHER RESOLVED that the City of London shall assume all costs associated with Councillor Harold Usher attending FCM's Board of Directors meetings, the FCM Annual Conference and AGM, and the Sustainable Community Conference and Trade Show, during the 2014/2015 term";

- b) in the event Councillor Usher is re-elected to the Board of Directors, the related expenses to attend the following meetings BE ASSUMED by the City of London, outside of his annual expense allocation, subject to the annual budget approval process and in accordance with Council's Travel & Business Expenses Policy:

Board of Directors Meeting – September 3-6, 2014 – Saguenay, QC

Board of Directors Meeting – November 18-21, 2014 – Ottawa, ON

Board of Directors Meeting – March 3-6, 2015 – Burnaby, B.C.

Sustainable Community Conference & Trade Show – February 10-12, 2015 – London, ON

Annual Conference & AGM – June 5-8, 2015 – Edmonton, AB

it being noted that the Board of Directors Meeting – March 3-6, 2015 – Burnaby, B.C.; the Sustainable Community Conference & Trade Show – February 10-12, 2015 – London, ON; and the Annual Conference & AGM – June 5-8, 2015 – Edmonton, AB are subject to the re-election of Councillor Usher on October 27, 2014;

- c) Councillor H.L. Usher BE REIMBURSED by The Corporation of the City of London, outside his annual expense allocation, for his campaign expenses in seeking re-election to the Board of Directors, in an amount of up to \$750, upon submission of eligible expenses.

19. Comprehensive Economic and Trade Agreement (CETA)

That the following actions be taken with respect to the Comprehensive Economic and Trade Agreement (CETA):

- a) the Province of Ontario BE REQUESTED to provide the City of London with a clear and comprehensive briefing on the Comprehensive Economic and Trade Agreement (CETA), as soon as possible; and
- b) the Province of Ontario BE REQUESTED to engage in a full consultation process with the City of London and reserve for Council the right to debate, and ultimately vote on, the terms of the deal as it relates to the City of London, before any approval of the deal is issued by the Province.

20. Changes to Canada Post Delivery

That the following actions be taken with respect to the proposed changes to Canada Post delivery services:

- a) the ~~attached~~ resolution of the Big City Mayors' Caucus BE ADOPTED;
- b) the matters of mailbox location, maintenance, and access BE REFERRED to staff to ensure that the interests of the local residents are protected to the greatest extent possible; and
- c) the Federation of Canadian Municipalities BE ADVISED of the City of London's position with respect to this matter.

21. Request for Designation of the Forest City Beer Fest as a Municipally Significant Event

That the Forest City Beer Fest to be held on Saturday, August 16, 2014, at the Covent Garden Market, BE DESIGNATED as a municipally-significant event.

22. Consideration of Appointment to the Community Safety and Crime Prevention Advisory Committee

That Meagan Melling, representative of the Middlesex London Child Safety, BE APPOINTED as a Voting Member on the Community Safety and Crime Prevention Advisory Committee for the term ending February 28, 2015.

23. Consideration for Appointment to the Environmental and Ecological Planning Advisory Committee

That Jeff Smith BE APPOINTED as a Voting Member-at-Large on the Environmental and Ecological Planning Advisory Committee 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 3.

3. Elected Officials and Appointed Citizen Members - 2014 Remuneration

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer and the City Clerk, the 2014 remuneration for elected officials and appointed citizen members of local boards and commissions where stipends are paid BE ADJUSTED by 1.0% over 2013, effective, January 1, 2014, in keeping with Council Policy 5(32), which provides for the salaries and honorariums of elected officials and appointed citizen members of local boards and commissions where stipends are paid to be adjusted

“...annually on January 1st by the percentage increase reflected in the Labour Index (monthly Index, Table 3), on the understanding that if such an index reflects a negative percentage, the annual adjustment to the salaries of the elected officials and appointed citizen members will be 0%; and on the further understanding that if the Labour Index (monthly Index, Table 3) has increased by a percentage greater than the Consumer Price Index, Ontario, the annual percentage increase in the salaries and honorariums of the elected officials and appointed citizen members will be no greater than the increase in the Consumer Price Index, Ontario...”.

Motion Failed

YEAS: H.L. Usher (1)

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

Motion made by Councillor J.P. Bryant and seconded by Councillor D. Brown to Approve that pursuant to section 13.10 of the Council Procedure By-law, the matter of 2014 remuneration for Elected Officials and appointed citizen members BE RECONSIDERED

Motion Passed

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

NAYS: H.L. Usher (1)

Motion made by Councillor J.P. Bryant and seconded by Councillor S.E. White to Approve that the Council policy for calculating the annual remuneration for citizen appointees to local boards and commissions BE CONTINUED.

Motion Passed

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

NAYS: B. Polhill, J.B. Swan, S. Orser, D.G. Henderson, P. Van Meerbergen (5)

Motion made by Councillor J.P. Bryant and seconded by Councillor D. Brown to Approve that NO ACTION BE TAKEN to increase the Council Members' remuneration for 2014 and the Civic Administration BE DIRECTED to take all required actions to implement the remuneration policy changes with respect to Council Members and citizen appointees to local boards and commissions.

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 Elected Officials' and Appointed Citizen Members' 2014 remuneration:

- a) NO ACTION BE TAKEN to increase the Council Members' remuneration for 2014;
- b) the Council policy for calculating the annual remuneration for citizen appointees to local boards and commissions BE CONTINUED; and
- c) the Civic Administration BE DIRECTED to take all required actions to implement a) and b), above.

Motion made by Councillor J.P. Bryant to Approve clause 5.

5. Amendment to Council Policy 28(2) - Council Members' Expense Account

That the following actions be taken with respect to Council Policy 28(2) entitled "Council Members' Expense Account":

- a) on the recommendation of the City Clerk, the ~~attached~~ revised proposed by-law (Appendix "A") BE INTRODUCED at the Municipal Council meeting on April 1, 2014 for the purpose of repealing Council Policy 28(2) entitled "Council Members' Expense Account" and replacing it with a revised Council Policy 28(2) entitled "Council Members' Expense Account", in order to incorporate the following directions of the Municipal Council to:
 - i) provide for the quarterly reporting of Council Members' expenses on the City of London's website;
 - ii) include, as a permissible expense, costs associated with educational forums, hosted by Members of Council, for the benefit of the public;
- b) the matters of requiring that "unconsumed" purchases from the Council Members' annual expense allocation be returned to the City at the end of a Council Member's period of office and of the inclusion, as a permissible expense, the purchase of multiple tickets to a community event as an allowable expense BE REFERRED back to the City Clerk for further refinement of the details.

it being noted that the Corporate Services Committee received a communication dated March 9, 2014 from Jim Kogelheide with respect to this matter.

Councillor B. Armstrong leaves the meeting at 5:32 PM.

Councillor B. Armstrong enters the meeting at 5:50 PM.

Motion made by Councillor D. Brown and seconded by Councillor N. Branscombe to Approve referral of clause 5 back to the City Clerk for review and report back with suggested changes to provide more clarity and control with respect to allowable expenses.

Motion Passed

YEAS: B. Armstrong, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, J.P. Bryant, S.E. White (11)

NAYS: J.F. Fontana, B. Polhill, J.B. Swan, H.L. Usher (4)

Councillor D. Brown moves, seconded by Councillor J.L. Baechler, that pursuant to section 7.4 of the Council Procedure By-law, the order of business be changed to permit consideration of clause 22 of the 6th Report of the Planning and Environment Committee at this time.

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)

6th Report of the Planning and Environment Committee
Councillor J.L. Baechler presents.

Motion made by Councillor B. Polhill to Approve clause 22.

22. Property located at 447 Old Wonderland Road (Z-8228)

That, the application of 2376563 Ontario Ltd, relating to the property located at 447 Old Wonderland Road BE REFERRED back to the Civic Administration to undertake the following:

- a) increase the width of the landscaping;
- b) reduce the size of the building; and,

- c) meet with the applicant, the community and the Ward Councillor to discuss wider landscaped strips on certain portions of the site, landscaping with substantial trees and determine how much parking will be provided;

it being noted that the Planning and Environment Committee reviewed and received a petition signed by approximately 3,708 individuals, from M. Read, Old Wonderland and Area Community Association, with respect to this matter;

it being pointed out that at the public participation meeting associated with this matter, the individuals indicated on the ~~attached~~ public participation meeting record made oral submissions in connection therewith. (2014-D14)

Motion made by Councillor D. Brown and seconded by Councillor S.E. White to Approve that a new part d) be added to clause 22 as follows:

- “d) the Civic Administration BE DIRECTED to give consideration to the following, in addition to the above-noted matters:
 - i) increasing the width of the landscaping border to 6 metres along the property line, with dense plantings of mature evergreens;
 - ii) enforcing the standard setback requirement of 8 metres from the street;
 - iii) reducing the building size to reflect the amount of parking spaces available once setback restrictions and buffer zones are applied and ensuring standard requirements for parking are fully met;
 - iv) the City undertaking an independent review of continuing traffic safety concerns, taking into consideration the implications for surrounding community and the associated application;
 - v) the City undertaking a review of the Official Plan's 'medium density' designation of Old Wonderland Road, in order to consider according the neighbourhood some protection and repositioning it with the 'low density' neighbourhood that surrounds it and to which the neighbourhood feels it belongs; and,
 - vi) adding a hydro-geological survey to the requirements listed by City planning staff;

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 clause 22, 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, S.E. White (10)

NAYS: J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, J.P. Bryant (5)

Clause 22, as amended reads as follows:

That, the application of 2376563 Ontario Ltd, relating to the property located at 447 Old Wonderland Road BE REFERRED back to the Civic Administration to undertake the following:

- a) increase the width of the landscaping;
- b) reduce the size of the building; and,

- c) meet with the applicant, the community and the Ward Councillor to discuss wider landscaped strips on certain portions of the site, landscaping with substantial trees and determine how much parking will be provided;
- d) the Civic Administration BE DIRECTED to give consideration to the following, in addition to the above-noted matters:
 - i) increasing the width of the landscaping border to 6 metres along the property line, with dense plantings of mature evergreens;
 - ii) enforcing the standard setback requirement of 8 metres from the street;
 - iii) reducing the building size to reflect the amount of parking spaces available once setback restrictions and buffer zones are applied and ensuring standard requirements for parking are fully met;
 - iv) the City undertaking an independent review of continuing traffic safety concerns, taking into consideration the implications for surrounding community and the associated application;
 - v) the City undertaking a review of the Official Plan's 'medium density' designation of Old Wonderland Road, in order to consider according the neighbourhood some protection and repositioning it with the 'low density' neighbourhood that surrounds it and to which the neighbourhood feels it belongs; and,
 - vi) adding a hydro-geological survey to the requirements listed by City planning staff;

it being noted that the Planning and Environment Committee reviewed and received a petition signed by approximately 3,708 individuals, from M. Read, Old Wonderland and Area Community Association, with respect to this matter;

it being pointed out that at the public participation meeting associated with this matter, the individuals indicated on the ~~attached~~ public participation meeting record made oral submissions in connection therewith. (2014-D14)

Motion made by Councillor S. Orser and seconded by Councillor J.B. Swan to Approve that Council recess.

Motion Passed

The Council recesses at 7:11 PM and reconvenes at 7:58 PM with Mayor J.F. Fontana in the Chair and all Members present except Councillors B. Armstrong, S. Orser and S.E. White.

6th Report of the Civic Works Committee
Councillor H.L. Usher presents.

Motion made by Councillor H.L. Usher to Approve clauses 1 to 12, excluding clause 3.

Councillor S.E. White enters the meeting at 8:01 PM.

Councillor S. Orser enters the meeting at 8:07 PM.

1. Disclosure of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Irregular Result Tree Pruning/Removal Services (Tender No. 14-10)

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the Irregular Result for Tree Pruning/Removal Services (Tender No. 14-10):

- a) the tender submitted by Davey Tree Expert Co. of Canada, Limited, 500-611 Tradewind Drive, Ancaster, Ontario L9G 4V5, at their annual contract price of \$278,544.80, excluding HST, for a three (3) year period, with an option to renew the contract for two (2) additional one (1) year periods BE ACCEPTED; it being noted that only one (1) bid was received and it is being reported as an Irregular Result as per the Procurement of Goods and Services Policy Section 19.4;
- b) the funding for this project BE APPROVED as set out in the Source of Financing Report appended to the staff report dated March 24, 2014;
- c) Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this contract; and,
- d) the 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. (2014-F17)

4. Contract Award: 2014 Growth Management Implementation Strategy (GMIS) Hyde Park Road - Widening Phase 1 North of Oxford Street to North of CPR (Tender No. T14-12)

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 Hyde Park Road Widening Phase 1 - North of Oxford Street to North of the CPR (TS1477-1, ES2493, EW3595/3551):

- a) the bid submitted by Amico Infrastructures Inc., 2199 Blackacre Drive, Oldcastle, Ontario, N0R 1L0, at its submitted tendered price of \$21,942,126.64, excluding HST, for the 2014 Hyde Park Road Widening Phase 1 Contract BE ACCEPTED; it being noted that the bid submitted by Amico Infrastructures Inc. was the lowest of six (6) bids received and meets the City's specifications and requirements in all areas;
- b) Delcan Corporation, 1069 Wellington Road South, Suite 214, London, Ontario N6E 1H6, BE APPOINTED Consulting Engineers for the contract administration and resident supervision of the said project, in the amount of \$1,138,797.00. excluding HST, in accordance with Section 15.2 (g) of the Procurement of Goods and Services Policy and based upon the fee Guideline for Professional Engineering Services, recommended by the Ontario Society of Professional Engineers;
- c) the financing for this project BE APPROVED as set out in the Source of Financing Report appended to the staff report dated March 24, 2014;
- d) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project;
- e) the approval given herein BE CONDITIONAL upon the Corporation entering into a formal contract or issuing a purchase order for the material to be supplied and the work to be done relating to this project (Tender 14-12); and,
- f) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, including purchase orders and agreements with Rail Companies, required to give effect to these recommendations. (2014-L04)

5. Contract Award: 2014 Infrastructure Lifecycle Renewal Program Contract 7: Fairview Avenue and Weston Street Reconstruction (Tender No. 14-04)

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 2014 Infrastructure Lifecycle Renewal Program Contract 7: Fairview Avenue and Weston Street Reconstruction Project:

- a) the bid submitted by Bre-Ex Construction Inc., 247 Exeter Road, London, Ontario N6L 1A5, at its tendered price of \$3,203,419.91, excluding HST, for the 2014 Infrastructure Lifecycle Renewal Program Contract 7 BE ACCEPTED; it being noted that the bid submitted by Bre-Ex Construction Inc. was the lowest of six bids received and meets the City's specifications and requirements in all areas;

- b) Dillon Consulting Limited, 130 Dufferin Avenue, London, Ontario, N6A 5R2, BE AUTHORIZED to carry out the resident inspection and contract administration for the said project in accordance with the estimate, on file, at an upset amount of \$315,543.25, 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 this firm completed the engineering design for this project;
- c) minor future additional annual operating costs of \$1,350.00 BE RECOGNIZED as a result of this project; it being noted that these costs are as a result of new infrastructure installation and will be considered and accommodated within future Water and Wastewater operating budgets;
- d) the financing for this project BE APPROVED as set out in the Sources of Financing Report appended to the staff report dated March 24, 2014;
- e) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project;
- f) the approval given herein BE CONDITIONAL upon the Corporation entering into a formal contract or issuing a purchase order for the material to be supplied and the work to be done relating to this project (Tender 14-04); 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)

6. Contract Award: 2014 Infrastructure Lifecycle Renewal Program
Contract 8: Trafalgar Street Reconstruction (Tender 14-01)

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 2014 Infrastructure Lifecycle Renewal Program Contract 8: Trafalgar Street Reconstruction Project:

- a) the bid submitted by L82 Construction Ltd. (L82), 2070 Huron Street, Suite A, London, Ontario N5V 5A7, at its tendered price of \$3,167,073.34, excluding HST, for the 2014 Infrastructure Lifecycle Renewal Program Contract 8 BE ACCEPTED; it being noted that the bid submitted by L82, was the lowest of eight bids received and meets the City's specifications and requirements in all areas;
- b) Archibald, Gray, McKay Consulting Engineers (AGM), 3514 White Oak Road, London, Ontario N6E 2Z9, BE AUTHORIZED to carry out the resident inspection and contract administration for the said project in accordance with the estimate, on file, at an upset amount of \$285,879.00, 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 this firm completed the engineering design for this project;
- c) minor future additional annual operating costs of \$800.00 BE RECOGNIZED as a result of this project; it being noted that these costs are as a result of new infrastructure installation and will be considered and accommodated within future Wastewater and Treatment operating budgets;
- d) the financing for this project BE APPROVED as set out in the Sources of Financing Report appended to the staff report dated March 24, 2014;
- e) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project;
- f) the approval given herein BE CONDITIONAL upon the Corporation entering into a formal contract or issuing a purchase order for the material to be supplied and the work to be done relating to this project (Tender 14-01); 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)

7. Permanent Sewer Flow Monitoring Equipment Selection and Purchase (ES4422)

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to sewer flow monitoring equipment selection and purchase:

- a) the proposal submitted by Blue Siren Inc., 3030 Venture Lane, #103, Melbourne, Florida, 32934, USA, at its proposal amount of \$75,670.10, including a 10% contingency and excluding HST, for the purchase of sewer flow monitoring equipment BE ACCEPTED in accordance with Section 12 of the City of London's Procurement of Goods and Services Policy; it being noted that that the proposal submitted by Blue Siren Inc. represents the best value out of three (3) proposals received and meets the City's specifications and requirements in all areas;
- b) the financing for this project BE APPROVED as set out in the Sources of Financing Report appended to the staff report dated March 24, 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 or issuing a purchasing order for the equipment to be supplied; 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-F17)

8. Hyde Park No. 4 Stormwater Management Facility Transitional Project - Engineering Consulting Fees

That, on the recommendation of the Director, Roads and Transportation, the following actions be taken with respect to the Hyde Park No. 4 Stormwater Management Facility Transitional Project:

- a) the engineering consulting fees, submitted by Calloway REIT (London-NW) Inc., in the amount of \$296,244.96, excluding HST, BE REIMBURSED;
- b) the engineering consulting fees, submitted by Fanshawe S.C. Ltd., in the amount of \$37,284.03, excluding HST, BE REIMBURSED; and,
- c) the financing for these fees BE APPROVED as set out in the Sources of Financing Report as appended to the staff report dated March 24, 2014. (2014-E08)

9. 2014 Annual Warranted Sidewalk Program (TS1165-14)

That, on the recommendation of the Director, Roads and Transportation, the staff report dated March 24, 2014, with respect to the 2014 Annual Warranted Sidewalk Program (TS1165-14) BE RECEIVED for information. (2014-T04)

10. 2014 Major Infrastructure Construction Program

That, on the recommendation of the Director, Roads and Transportation, the staff report dated March 24, 2014, with respect to the 2014 Major Infrastructure Construction Program BE RECEIVED for information; it being noted that Commissioners Road West (Water and Road) will be included in the 2014 Major Infrastructure Construction Program; it being further noted that the Civic Works Committee heard the ~~attached~~ presentation from the Director, Roads and Transportation, with respect to this matter. (2014-T11)

11. Appointment of Consulting Engineer - Gordon Sanitary Trunk Sewer Rehabilitation Project No. ES2473

That, on the recommendation of the Director of Water and Wastewater, the following actions be taken with respect to the appointment of a consultant for the Gordon Sanitary Trunk Sewer Rehabilitation (ES 2473):

- a) Dillon Consulting Ltd., 130 Dufferin Ave., London, Ontario, N6A 5R2, BE APPOINTED Consulting Engineers for the Gordon Sanitary Trunk Sewer Rehabilitation Project in accordance with the estimate, on file, at an upset amount of \$18,480, including 10%

contingency, 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;

- b) the financing for the project BE APPROVED in accordance with the Sources of Financing Report appended to the staff report dated March 24, 2014;
- c) the approvals given herein BE CONDITIONAL upon the Corporation entering into a formal contract with the consultant for the work;
- d) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with these projects, 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)

12. 3rd Report of the Transportation Advisory Committee

That the following actions be taken with respect to the 3rd Report of the Transportation Advisory Committee (TAC), from its meeting held on March 4, 2014:

- a) the concept of car sharing BE ENDORSED and the Civic Administration BE REQUESTED to continue to liaison with the Community Car Share Program representatives and report back as necessary; it being noted that the Transportation Advisory Committee heard a verbal presentation from J. Hammond, President, Community Car Share with respect to this matter;
- b) the Cycling Working Group of the Transportation Advisory Committee BE CONTINUED until such time as the new Cycling Advisory Committee appointments are made; it being noted that the Transportation Advisory Committee heard a verbal presentation from H. Ketelaars, Chair, Cycling Working Group and reviewed and received the Cycling Working Group Minutes from its meeting held on February 11, 2014; and,
- c) clauses 3 to 11, inclusive, BE RECEIVED.

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 H.L. Usher to Approve clause 3.

3. Granular Materials - Area "A" and Area "B" (Tender No. 13-113)

That clause 3 of the 4th Report of the Civic Works Committee, from its meeting held February 3, 2014, BE REVISED to correct the addresses for both Demar Aggregates and AAROC Aggregates Ltd., as noted below, with respect to Tender 13-113 Granular Materials; it being noted that the original tender for the Granular Materials – Area "A" and Area "B" was approved by the Municipal Council on February 11, 2014:

- a) Demar Aggregates, P.O. Box 72, Thorndale, Ontario N0M 2P0; and,
- b) AAROC Aggregates Ltd., 200 King Street, P.O. Box 250, Ilderton, Ontario N0M 2A0.

Motion made by Councillor H.L. Usher to Approve that pursuant to section 13.8 of the Council Procedure By-law, the actions of the Municipal Council taken at its meeting held on February 11, 2014, with respect to clause 3 of the 4th Report of the Civic Works Committee, related to the tender for Granular Materials – Areas "A" and "B" BE RECONSIDERED, in order to correct the address references.

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 H.L. Usher and seconded by Councillor D. Brown to Approve that the following actions be taken with respect to clause 3 of the 4th Report of the Civic Works Committee:

- a) clause 3 of the 4th Report of the Civic Works Committee BE RESCINDED; and
- b) clause 3 of the 4th Report of the Civic Works Committee BE AMENDED to read as follows:

“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, P.O. Box 72, Thorndale, Ontario NOM 2P0, 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., 200 King Street, P.O. Box 250, Ilderton, Ontario N0M 2A0, 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-L04)”

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 H.L. Usher and seconded by Councillor D. Brown to Approve clause 3, as amended.

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)

Clause 3, as amended, reads as follows:

- a) pursuant to section 13.8 of the Council Procedure By-law, the actions of the Municipal Council taken at its meeting held on February 11, 2014, with respect to clause 3 of the 4th Report of the Civic Works Committee, related to the tender for Granular Materials – Areas “A” and “B” BE RECONSIDERED in order to correct the address references;
- b) subject to the approval of a), above, clause 3 of the 4th Report of the Civic Works Committee BE RESCINDED; and
- c) clause 3 of the 4th Report of the Civic Works Committee BE AMENDED to read as follows:

“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, P.O. Box 72, Thorndale, Ontario NOM 2P0, 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., 200 King Street, P.O. Box 250, Ilderton, Ontario N0M 2A0, 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-L04)

6th Report of the Planning and Environment Committee
Councillor J.L. Baechler presents.

Motion made by Councillor J.L. Baechler to Approve clauses 1 to 21, excluding clauses 13, 19 and 20.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. 4th Report of the Advisory Committee on the Environment

That the 4th Report of the Advisory Committee on the Environment from its meeting held on March 5, 2014 BE RECEIVED.

3. Property located at 215 Fanshawe Park Road West (H-8291)

That, on the recommendation of the Senior Planner, Development Services, based on the application of 1749261 Ontario Inc. c/o Perry Sempecos, relating to the property located at 215 Fanshawe Park Road West, the proposed by-law, as appended to the staff report dated March 25, 2014, BE INTRODUCED at the Municipal Council meeting to be held on April 1, 2014, 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 Restricted Office Special Provision (h-5*h-55*RO2 (24) Zone TO a Restricted Office Special Provision (RO2 (24)) Zone to remove the holding h-5 and h-55 provisions. (2014-D14)

4. Property located at 2245 Callingham Drive (H-8216)

That, on the recommendation of the Senior Planner, Development Services, based on the application of Domus Developments (London) Inc., relating to the property located at 2245 Callingham Drive, the proposed by-law, as appended to the staff report dated March 25, 2014, BE INTRODUCED at the Municipal Council meeting to be held on April 1, 2014, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a Holding Residential R5/Residential R6 (h-53*R5-2/R6-4) Zone TO a Residential R5/Residential R6 (R5-2/R6-4) Zone to remove the holding h-53 provision. (2014-D14)

5. Property located at 751 Fanshawe Park Road West - Draft Approved Plan - Vista Woods Estates Limited (39T-03505)

That, on the recommendation of the Senior Planner, Development Planning, the following actions be taken with respect to the request for extension and revisions to the Draft Plan of Subdivision application of Vista Woods Estates Inc., relating to the property located at 751 Fanshawe Park Road West:

- a) the Approval Authority BE ADVISED that the Municipal Council supports the proposed revisions to the draft plan and the request for a three (3) year extension of the draft plan of subdivision approval for the draft plan submitted by Vista Woods Estates Inc. (File No. 39T-03505), prepared by Whitney Engineering Inc. (dated May 2013), as red-line amended, which shows 212 single detached residential lots, two (2) medium density residential blocks, two (2) park blocks, road widening and reserve blocks, served by seven (7) new streets and the extension of Eagletrace Drive SUBJECT TO the conditions appended to the associated staff report dated March 25, 2014, as Schedule "A"; and

- b) the financing for this project BE APPROVED in accordance with the "Related Estimated Costs and Revenues" as appended to the associated staff report dated March 25, 2014, as Schedule "B". (2014-D12)

6. Entertainment on Outdoor Patios

That, on the recommendation of the Managing Director, Development and Compliance & Chief Building Official, the Civic Administration BE DIRECTED to report back at a public participation meeting of the Planning and Environment Committee, on Tuesday May 13, 2014, with proposed amendments to the Zoning By-law to implement a pilot program permitting acoustic music on outdoor patios associated with restaurants or taverns, during reasonable hours. (2014-M02/C01)

7. Property located at 930 Gainsborough Road

That, on the recommendation of the Senior Planner, Development Services, the report, dated March 25, 2014, with respect to the Municipal Council's direction to staff to report back to the Planning Committee during the early stages of the development process with respect to the tree preservation plan on the Van Horik property located at 930 Gainsborough Road BE RECEIVED. (2014-E04)

8. Building Division Monthly Report for February 2014

That the Building Division Monthly Report for February 2014 BE RECEIVED. (2014-D00)

9. Blackfriars/Petersville Heritage Conservation District Draft Plan and Conservation Guidelines

That, on the recommendation of the Managing Director, Planning and City Planner, the Draft Plan and Conservation Guidelines for the Blackfriars/Petersville Heritage Conservation District, as appended to the staff report dated March 25, 2014, BE CIRCULATED to the public, landowners, agencies, the Blackfriars/Petersville Heritage Conservation District Steering Committee and the London Advisory Committee on Heritage for review and comment;

it being noted that prior to final approval of the Blackfriars/Petersville Heritage Conservation District Plan and Conservation Guidelines, another neighbourhood public information meeting will be held with the community to solicit input on the draft Plan and Conservation Guidelines; and,

it being further noted that a review of the Official Plan and Zoning By-law, specifically the Residential R2 zone variation, applied to properties within the study area, is underway to address issues related to intensification within areas that are susceptible to flood events. (2014-R01)

10. 4th Report of the London Advisory Committee on Heritage

That, the following actions be taken with respect to the 4th Report of the London Advisory Committee on Heritage (LACH) from its meeting held on March 12, 2014:

- a) the building located at 1266 Riverside Drive BE ADDED to the Inventory of Heritage Resources, as a Priority 1 listing, based on its design values and historic contextual associations; it being noted that the LACH reviewed and received the minutes of the Stewardship Sub-Committee, from its meeting held on February 26, 2014; and,
- b) that clauses 2 to 8, inclusive, of the 4th Report of the LACH BE RECEIVED;

it being pointed out that the Planning and Environment Committee heard verbal presentations from W. Kinghorn, Chair, LACH, B. Lamb, Avalanche Search Marketing Inc. and G. Bikas, Manager, Land Development, Drewlo and reviewed and received the ~~attached~~ communication from G. Bikas, with respect to the property located at 1266 Riverside Drive.

11. Property located at 1796 Adelaide Street North (Z-8301)

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of Willow Bridge Homes Ltd., relating to the property located at 1796 Adelaide Street North:

- a) the ~~attached~~ proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on April 1, 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 Residential R1 (R1-14) Zone TO a Neighbourhood Facility Special Provision (NF1(_)) Zone;
- b) the Site Plan Approval Authority BE REQUESTED to implement, through the site plan approval process, the design features recommended below:
- negotiable grades for pedestrians and vehicles with particular attention paid to grade level access from the barrier free parking stalls to the facility's main floor to ensure accessibility throughout the site;
 - ensure the porte-cochere (front entry canopy) is to a height that allows for access by vans, para-transit vehicles and other such vehicles to enhance accessibility to the main entrance;
 - rework the projecting west elevation's windows and stone base in keeping with the shape of the windows and the height of the stone base proposed to the building's east and south elevations in order to enhance the aesthetics of the front the building which face Adelaide Street;
 - ensure a safe, direct and convenient concrete pedestrian connection exists between the building entrance and the city sidewalk in order to enhance pedestrian connectivity;
 - ensure all pedestrian walkways proposed throughout the site are 1.5 metre (1.8 metre width where the walkway is adjacent to parking in order to account for vehicle overhang) and allow for maximum maneuverability;
 - the garbage collection area should be located behind the proposed building in order for this function to be screened from the street;
 - the Adelaide Street frontage (west elevation) should include large windows in order to create an active frontage; and,
 - several gables or dormers should be included within the design in order to break up the massing of the roof;
- c) 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 revised site plan allows for parking and landscaped open space regulations which are more in keeping with the requirements of Zoning By-law and the change to the special provisions is minor in nature and maintains the same form of development that had been previously discussed between the applicant and members of the community;

it being pointed out that there were no oral submissions made at the public participation meeting associated with this matter. (2014-D14)

12. Properties located at 2348, 2356, 2362, 2370 and 2378 Meadowlands Way; 2337, 2345, 2353, 2361, 2369, 2373, 2387 and 2395 Humerside Common; 137, 143, 149, 161, 177, 195, 209, 215, 223, 231, 239, 247, 255, 261, 267, 275, 283 and 297 Bradwell Chase and 2079, 2085 and 2093 Pelkey Road (Z-8319)

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of Norquay Sunningdale Land Corp., relating to the properties located at:

- a) the ~~attached~~ proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on April 1, 2014, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the properties located at 2348 Meadowlands Way, 2356 Meadowlands Way, 2362 Meadowlands Way, 2370 Meadowlands Way and 2378 Meadowlands Way, 2337 Humberside Common, 2345 Humberside Common, 2353 Humberside Common, 2361 Humberside Common, 2369 Humberside Common, 2373 Humberside Common, 2387 Humberside Common and 2395 Humberside Common, 223 Bradwell Chase, 231 Bradwell Chase, 239 Bradwell Chase, 247 Bradwell Chase, 255 Bradwell Chase, 261 Bradwell Chase, 267 Bradwell Chase, 275 Bradwell Chase and 283 Bradwell Chase FROM a Residential R1 (R1-6) Zone TO Residential R1 Special Provision (R1-6(4)) Zone;
- b) the ~~attached~~ proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on April 1, 2014, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the property located at 297 Bradwell Chase FROM a Holding Residential R1 (h-82•h-94•R1-6) Zone TO a Holding Residential R1 Special Provision (h-82•h-94•R1-6(4)) Zone;

- c) the ~~attached~~ proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on April 1, 2014, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the properties located at 137 Bradwell Chase, 143 Bradwell Chase, 149 Bradwell Chase, 161 Bradwell Chase, 177 Bradwell Chase, 195 Bradwell Chase, 209 Bradwell Chase and 215 Bradwell Chase, 2079 Pelkey Road, 2085 Pelkey Road and 2093 Pelkey Road FROM a Residential R1 (R1-6) Zone TO a Residential R1 Special Provision (R1-6(*)) Zone; and,
- d) 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 revised recommendation is minor in nature;

it being pointed out that the Planning and Environment Committee reviewed and received a communication, dated March 13, 2014, from G. Priamo, Zelinka Priamo Ltd., with respect to this matter;

it being pointed out that there were no oral submissions made at the public participation meeting associated with this matter. (2014-D14)

13. City-Wide Official Plan/Zoning By-law Review - City of London (OZ-8219)

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken as a result of the City-wide Official Plan/Zoning By-law review of the non-industrial uses in industrial areas in the City of London:

- a) the proposed by-law, as appended to the staff report dated March 25, 2014, BE INTRODUCED at the Municipal Council meeting to be held on April 1, 2014, to amend the Official Plan to:
 - i) add a policy to restrict non-supportive, non-industrial uses under Section 7.1.1 of the Industrial Objectives;
 - ii) remove private clubs and commercial recreation establishments as permitted uses from Section 7.2.2 of the General Industrial designation;
 - iii) add restrictions to the location of secondary uses in Section 7.3.2 of the Light Industrial designation; and,
 - iv) add policies to Section 7.6 of the Planning Impact Analysis to require the consideration of the impact of non-industrial uses on the potential of industrial development and to limit the location of sensitive land uses in industrial areas;
- b) the proposed by-law, as appended to the staff report dated March 25, 2014, BE INTRODUCED at the Municipal Council meeting to be held on April 1, 2014, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan, as amended in part a), above), to:
 - i) amend Section 2 (Definitions) to replace the existing definition for "Church" with a new definition for "Place of Worship";
 - ii) amend Section 2 (Definitions), Section 3 (Zones and Symbols), Section 4 (General Provisions), Section 12 (Residential R8 Zone), Section 20 (Downtown Area (DA) Zone), Section 25 (Business District Commercial (BDC) Zone), Section 26 (Arterial Commercial (AC) Zone), Section 31 (Regional Facility (RF) Zone), Section 32 (Community Facility (CF) Zone), and Section 33 (Neighbourhood Facility (NF) Zone) to replace "Church" with "Place of Worship";
 - iii) add new regulations to the Light Industrial (LI) and General Industrial (GI) zones to restrict the location of non-industrial uses;
 - iv) add new regulations to limit the size of ancillary retail uses and determine access points in the Light Industrial (LI) and General Industrial (GI) zones; and,
 - v) remove private clubs and commercial recreation establishments as permitted uses in the GI1 zone variation;
- c) the Civic Administration BE DIRECTED to initiate a Zoning By-law amendment to add the Light Industrial (LI3) zone variation to the property located at 1565 North Routledge Park;

it being noted that 1565 North Routledge Park, 1920 Blue Heron Drive and 1930 Blue Heron Drive have been added to the list of exempted properties previously identified; and,

it being further noted that the property located at 457 Southdale Road West is being addressed as part of a site-specific Zoning By-law Amendment (Z-8314);

it being pointed out that there were no oral submissions made at the public participation meeting associated with this matter. (2014-D14)

14. Property located at 457 Southdale Road West (Z-8314)

That, on the recommendation of the Managing Director, Planning and City Planner, based on the application of the City of London, relating to the property located at 457 Southdale Road West, the proposed by-law, as appended to the staff report dated March 25, 2014, BE INTRODUCED at the Municipal Council meeting to be held on April 1, 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 Commercial Recreation (CR1) Zone, which permits commercial recreation establishments, golf courses, private clubs, private outdoor recreation clubs, private parks, recreational buildings, recreational golf courses, amusement parks, commercial outdoor recreation facilities and go-cart tracks TO a Holding Commercial Recreation Special Provision (h-_)•CR1() Zone, to permit a Place of Worship as an additional permitted use with an additional special provision to limit height to 18.5m;

it being pointed out that there were no oral submissions made at the public participation meeting associated with this matter. (2014-D14)

15. Properties located at 73, 77, 81 and 91 Southdale Road East and 3021 and 3033 White Oak Road (Z-8305)

That, on the recommendation of the Manager, Development Planning, based on the application of City of London, relating to the properties located at 73 Southdale Road East, 77 Southdale Road East, 81 Southdale Road East and 91 Southdale Road East, 3021 White Oak Road and 3033 White Oak, the proposed by-law, as appended to the staff report dated March 25, 2014, BE INTRODUCED at the Municipal Council meeting to be held on April 1, 2014, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a Holding Neighbourhood Shopping Area Special Provision (h*h-11*h-63*h*103*NSA4(6)) Zone, which permits commercial uses that serve the needs of the adjacent residential areas and to permit automobile sales and service uses TO a Holding Neighbourhood Shopping Area Special Provision (h-__*NSA4(6)) Zone; it being noted that it is proposed that the h*h-11*h-63*h*103 holding provisions be consolidated into one (1) new holding provision which will allow for the development of an automobile sales and service establishment as an interim use;

it being pointed out that there were no oral submissions made at the public participation meeting associated with this matter. (2014-D14)

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

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of Drewco Development Corporation, relating to the properties located at:

- a) the proposed by-law, as appended to the staff report dated March 25, 2014, BE INTRODUCED at the Municipal Council meeting to be held on April 1, 2014 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the properties located at 2250 Blackwater Road and 660 Garibaldi Avenue FROM a Residential R6 Special Provision/Residential R7 (R6-5(5)/R7•D35•H12) Zone TO a Residential R6 Special Provision/Residential R7 (R6-5(*)/ R7• D63•H12) Zone;
- b) the proposed by-law, as appended to the staff report dated March 25, 2014, BE INTRODUCED at the Municipal Council meeting to be held on April 1, 2014, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the property located at 670 Garibaldi Avenue FROM a Residential R6 Special Provision/Residential R7 (R6-5(5)/R7•D35•H12) Zone TO a Residential R6 Special Provision Bonus/Residential R7 (R6-5(**)•B-()/R7•D75•H18) Zone with a bonus zone to permit a maximum height of 21 metres and 99 units per hectare which shall be implemented through a development agreement in return for the provision of the following services, facilities and matters:

- i) a 6-storey apartment building design that is aesthetically pleasing, functional and pedestrian supportive which, with minor variations at the City's discretion matches the conceptual plan appended to the staff report dated March 25, 2014 as Schedule "1", as well as the design features recommended below:
- exterior construction materials including brick facade and articulation as shown in Schedule "1" of the staff report dated March 25, 2014;
 - a minimum of one (1) level of below grade parking with a minimum of 100 vehicular parking spaces;
 - berm and dense landscaping along the Garibaldi Avenue frontage, south of the location of the Civic Space, to maximize privacy between the proposed parking area on the subject lands and the abutting residential properties to the west;
 - minimal yard depths from the apartment building to Adelaide Street North to allow the maximum achievable yard depth possible from the apartment building to Garibaldi Avenue;
 - pedestrian connections from the subject property to the abutting commercial lands, existing sidewalks and future municipal pathway;
 - dedication of a portion of land, with an area of approximately 500 square metres, to be used as a Civic Space abutting the pedestrian pathway with a frontage on Garibaldi Avenue; it being noted that the total land area of this Civic Space may be in combination with the lands at 660 Garibaldi Avenue;
 - the Civic Space shall be improved to the satisfaction of the Managing Director, Planning and City Planner, at no cost to the City of London prior to dedication;
- c) the Site Plan Approval Authority BE REQUESTED to implement, through the site plan approval process, the development of the subject site in a manner that is substantially consistent with the Site Plan and Elevation Drawing appended to the staff report dated March 25, 2014 as Schedule "1" to:
- ensure exterior lighting provided on the apartment buildings is directed to minimize its impact on abutting landowners;
 - encourage the provision of non-glare lighting fixtures throughout the development, including parking areas and open spaces to minimize the effect on neighbouring lands;
 - provide a combination of berm and tree plantings at a minimum of 4.6 metres in height and of adequate width to allow for the planting of mature coniferous trees in a staggered pattern to create a tree-line that creates a visual buffer from the neighbouring properties which front on Garibaldi Avenue to Buildings 1 and 2;
 - provide a berm at a minimum height of 1.5 metres, with landscaping, to create a visual buffer from the neighbouring properties which front on Garibaldi Avenue to Building 3;
 - encourage the provision of benches, picnic tables and refuse receptacles in the green space between Garibaldi Avenue and the parking area for Building 3, as well as in the green space between Building 1 and Building 2, which parallel Sunningdale Road East, to maximize the potential of these areas to serve as outdoor amenity space;
 - a possible introduction of small ponds or bio-swales into the landscaped open space to provide naturalized vegetation features which will also assist in site drainage;
 - meander the proposed non-vehicular pathway between 600 and 670 Garibaldi Avenue to provide visual variety and modulate wheeled travel speed between the residential development and commercial lands to the northeast;
 - provide a pool/exercise pavilion to be located southeast corner of 660 Garibaldi Avenue to coincide with the location of the Civic Space;
 - confirm siting and configuration of land to be dedicated to The Corporation of the City of London to improve and enlarge the entrance of the pathway block between Garibaldi Avenue and Adelaide Street. This includes considerations of the final Civic Space design, pathway connection location and other development issues such as servicing, easements, access, fencing, monuments which may not be reflected in the concept plan appended to the staff report dated March 25, 2014 as Schedule "1";
 - to maintain a drainage swale during and post construction to ensure the conveyance of surface drainage;

- if seeking the bonus zone, install an enclosed below grade parking structure to avoid the visual impact of surface parking; and,
 - include rights in and rights out access onto Sunningdale Road;
- d) 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 change in building height is minor in nature and maintains the same form of development that had been previously discussed between the applicant and members of the community; the change in building height is the result of a grade change and not to a physical increase in the building height; and, consideration of the recommended building heights was the basis on which the Revised Notice of Application and Notice of Public Meeting were given;

it being noted that a portion of land fronting Garibaldi Avenue shall be improved and dedicated, at the discretion of the Managing Director, Planning and City Planner, to the City to be used by the public for the purposes of a Civic Space at no cost to the City of London;

it being pointed out that at the public participation meeting associated with this matter, the individuals indicated on the ~~attached~~ public participation meeting record made oral submissions in connection therewith. (2014-D14)

17. Property located at 1140 Southdale Road West (Z-8302/O-8303)

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the applications of The City of London and HLH Investments Limited, relating to the property located at 1140 Southdale Road West:

- a) the proposed by-law, as appended to the staff report dated March 25, 2014, BE INTRODUCED at the Municipal Council meeting to be held on April 1, 2014, to amend the Official Plan to change the designation of the subject lands FROM Low Density Residential TO Neighbourhood Commercial Node;
- b) the proposed by-law, as appended to the staff report dated March 25, 2014, BE INTRODUCED at the Municipal Council meeting to be held on April 1, 2014, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan, as amended in part a), above), to change the zoning of the subject property FROM a Neighbourhood Shopping Area (NSA1/NSA2/ NSA5) Zone TO a Neighbourhood Shopping Area Special Provision ((NSA1/NSA2/NSA5(*)) Zone;
- c) the Site Plan Approval Authority BE REQUESTED to implement, through the site plan approval process, the development of the subject site in a manner that is consistent with the Site Plan and Elevation Drawings appended to the staff report dated March 25, 2014 as Schedule "1", as well as the design features recommended below:
- the use of a material other than the chain link above the retaining wall along the west property line, such as board on board fence or wrought iron;
 - ensure that cap materials and finishes are consistent around the building to provide for visual interest;
 - move the parking spaces and sidewalk at the west side of the building such that parking spaces align with the edge of the drive aisle and provide landscaping in the resultant space at the building face to facilitate pedestrian movement within the site and commercial uses;
 - the use of transparent glazing on building facades that address the street is strongly encouraged to activate the street frontages;
 - consider decreasing the height and reducing the massing of the stone elements at the piers and above the signage to create a better proportion between the corner signage element and building;
 - site lighting appropriate to the scale of the proposed facilities and use should be utilized; it being noted that energy efficiency and white light is encouraged; the latter for security and aesthetic reasons. Ensure illumination is directed down and restrict light spill to adjacent properties;
 - the use of permeable concrete and asphalt for storm water infiltration;
 - ensure that any rooftop mechanical units are screened from view to enhance the building elevations;
 - a door with transparent glazing to be included on the Boler Road façade to provide direct pedestrian access from the sidewalk into the easterly commercial unit; and,

- a door with transparent glazing be considered at the southwest corner of the commercial plaza to provide direct pedestrian access from Southdale Road West;

it being pointed out that at the public participation meeting associated with this matter, the individuals indicated on the ~~attached~~ public participation meeting record made oral submissions in connection therewith. (2014-D14)

18. Property located at 1444 Adelaide Street North (OZ-8297)

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of Vireo Health Facility Ltd, relating to a property located at 1444 Adelaide Street North:

- a) the proposed by-law, as appended to the staff report dated March 25, 2014, BE INTRODUCED at the Municipal Council meeting to be held on April 1, 2014, to amend the Official Plan to change the designation of the subject lands FROM a Low Density Residential designation TO a Multi-Family Medium Density Residential designation;
- b) the proposed by-law, as appended to the staff report dated March 25, 2014, BE INTRODUCED at the Municipal Council meeting to be held on April 1, 2014, to amend Zoning By-law No. Z.-1, in conformity with the Official Plan as amended in part (a) above, to change the zoning of the subject property FROM a Residential R2 (R2-2) Zone TO a Restricted Office Special Provision (RO1()) Zone;
- c) the Site Plan Approval Authority BE REQUESTED to implement the following items through the site plan process:
 - the relocation of the building to front onto Adelaide Street North to create a street wall which is oriented toward the corridor while parking is to be accommodated in the back of the property away from the prominent street corner;
 - the existing trees located at the southwest corner of the property should be retained to facilitate a landscaped buffer at the gateway of the residential neighbourhood along Glenora Drive;
 - parking areas should be screened from Glenora Drive and Adelaide Street North with enhanced landscaping to create a soft interface between this office use and the existing residential neighbourhood and the location of the driveway off of Glenora Drive to support safe circulation of pedestrian and vehicular traffic;
 - a paved walkway should be provided from the building to the public sidewalk in order to provide direct and convenient access; it being noted that the Adelaide Street North façade should appear as the primary façade and the Glenora Drive elevation should have a similar level of detail and appear as a secondary façade in order to facilitate the appropriate building orientation; it being further noted that a reduction in the amount of glazing on the south façade is acceptable to mitigate the effects of too much sun entering certain rooms of the building; it being also noted that the windows should be more balanced or their location should respond to articulation on the building façade; and,
 - ensure that the siting/construction of the proposed office building is consistent with the conceptual site plan and elevations appended to the staff report dated March 25, 2014 as Appendix C;

it being noted that the Planning and Environment Committee reviewed and received a communication, dated March 18, 2014, from A. Chamberlaine, 24 Glenview Crescent, with respect to this matter;

it being pointed out that at the public participation meeting associated with this matter, the individuals indicated on the ~~attached~~ public participation meeting record made oral submissions in connection therewith. (2014-D14)

19. Draft Community Improvement Plan for Industrial Land Uses and Official Plan Amendment (O-8318)

That, on the recommendation of the Managing Director, Planning & City Planner, the following actions be taken with respect to a Community Improvement Plan for Industrial Land Uses:

- a) the draft report, as appended to the staff report dated March 25, 2014, prepared by RCI Consultants, regarding a Community Improvement Plan for Industrial Land Uses and proposed community improvement programs BE CIRCULATED to Provincial ministries, stakeholders and the public for review and comment;
- b) the proposed Official Plan Amendment, as appended to the staff report dated March 25, 2014, to establish community improvement policies to encourage industrial development and redevelopment and the preparation of a city-wide Community Improvement Plan for Industrial Land Uses BE CIRCULATED for public review and comment; and,
- c) a public participation meeting BE SCHEDULED at the Planning and Environment Committee meeting to be held on May 27, 2014, to adopt the Community Improvement Plan for Industrial Land Uses and to amend the Official Plan to add new policy to Chapter 14 – Community Improvement Policies;

it being noted that the Planning and Environment Committee reviewed and received a communication, dated March 21, 2014, from L. Langdon, London Home Builders' Association, with respect to this matter. (2014-D19/D08)

21. Property located at 3100 Colonel Talbot Road (39T-13504/Z-8243)

That, on the recommendation of the Senior Planner, Development Planning the following actions be taken with respect to the application of Speyside East Corporation, relating to the property located at 3100 Colonel Talbot Road:

- a) the Approval Authority BE REQUESTED to approve the draft plan of residential subdivision, submitted by Speyside East Corporation (File No. 39T-13504), prepared by Whitney Engineering Inc., certified by Jason Wilhard O.L.S.), which shows 34 single detached dwelling lots, one (1) medium density residential block and one (1) new internal road that will align with Settlement Trail SUBJECT TO the conditions appended to the staff report dated March 25, 2014, as Appendix "39T-13504";
- b) the Approval Authority BE ADVISED that there were no issues raised at the public participation meeting of the Planning and Environment Committee with respect to the draft plan of subdivision of Speyside East Corporation relating to the property located at 3100 Colonel Talbot Road;
- c) the proposed by-law, as appended to the staff report dated March 25, 2014, BE INTRODUCED at the Municipal Council meeting to be held on April 1, 2014, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), FROM a Holding Residential R2 Special Provision/ Residential R4 Special Provision/Community Facility (h-30.R2-1(13)/R4-3(1)/CF3) Zone TO a Holding Residential R1 (h.R1-5) Zone, to permit single detached dwellings, a Holding Residential R5/Residential R6/ Community Facility (h.h-53.h-56.h-91.R5-2/R6-4/CF3) Zone, to permit cluster housing and community facilities and a Community Facility (CF3) Zone to recognize an existing EMS Station; it being noted that holding provisions have been applied to ensure the uses will develop in an orderly manner with full municipal services, to encourage street-oriented development and discourage noise attenuation walls and to ensure urban design is addressed at site plan and the recommended objectives have been achieved;
- d) the Site Plan Approval Authority BE REQUESTED to implement the following Urban Design principles through the site plan approval process for Block 35:
 - i) locate the built form along both Colonel Talbot Road and Street 'A' and orient the primary entrances into the building(s) towards the streets. This may be achieved in several configurations such as: stacked townhouses, back to back townhouses, or a double row of townhouses with rear lane access garages. Locating the built form along the street edge and orienting the entrances towards the street will create an active frontage, improving both the pedestrian realm and the visual experience along Colonel Talbot Road;

- ii) include architectural details such as windows, doors, projections, and high quality materials on the façade(s) facing Raleigh Boulevard as this elevation faces the main entryway into the Talbot Village community; and,
 - iii) locate parking either internally to buildings (garages) or within the interior side yard (next to the EMS Station); it being noted that, alternatively, if parking must be located along a street frontage it is preferred that it is located along the Street 'A' frontage;
- e) the financing for this project BE APPROVED in accordance with the “Related Estimated Costs and Revenues” as appended to the associated staff report dated March 25, 2014, as Schedule “B”;

it being pointed out that at the public participation meeting associated with this matter, the individuals indicated on the ~~attached~~ public participation meeting record made oral submissions in connection therewith. (2014-D14/D12)

Motion made by Councillor H.L. Usher and seconded by Councillor S. Orser to Approve that part b) of clause 13 be amended by deleting the words “the proposed by-law, as appended to the staff report dated March 25, 2014,” and by replacing them with the words “the ~~attached~~ revised proposed by-law”.

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 J.L. Baechler and seconded by Councillor H.L. Usher to Approve that clause 13 be further amended by adding a new part d) to direct the Civic Administration to consider an exemption for the properties at 85 and 91 Meg Drive from the above-noted policy, should a related application come forward.

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 J.L. Baechler and seconded by Councillor P. Hubert to Approve clause 13, as amended.

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)

Clause 13, as amended, reads as follows:

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken as a result of the City-wide Official Plan/Zoning By-law review of the non-industrial uses in industrial areas in the City of London:

- a) the proposed by-law, as appended to the staff report dated March 25, 2014, BE INTRODUCED at the Municipal Council meeting to be held on April 1, 2014, to amend the Official Plan to:
 - i) add a policy to restrict non-supportive, non-industrial uses under Section 7.1.1 of the Industrial Objectives;
 - ii) remove private clubs and commercial recreation establishments as permitted uses from Section 7.2.2 of the General Industrial designation;
 - iii) add restrictions to the location of secondary uses in Section 7.3.2 of the Light Industrial designation; and,
 - iv) add policies to Section 7.6 of the Planning Impact Analysis to require the consideration of the impact of non-industrial uses on the potential of industrial development and to limit the location of sensitive land uses in industrial areas;

- b) the ~~attached~~ revised proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on April 1, 2014, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan, as amended in part a), above), to:
- i) amend Section 2 (Definitions) to replace the existing definition for “Church” with a new definition for “Place of Worship”;
 - ii) amend Section 2 (Definitions), Section 3 (Zones and Symbols), Section 4 (General Provisions), Section 12 (Residential R8 Zone), Section 20 (Downtown Area (DA) Zone), Section 25 (Business District Commercial (BDC) Zone), Section 26 (Arterial Commercial (AC) Zone), Section 31 (Regional Facility (RF) Zone), Section 32 (Community Facility (CF) Zone), and Section 33 (Neighbourhood Facility (NF) Zone) to replace “Church” with “Place of Worship”;
 - iii) add new regulations to the Light Industrial (LI) and General Industrial (GI) zones to restrict the location of non-industrial uses;
 - iv) add new regulations to limit the size of ancillary retail uses and determine access points in the Light Industrial (LI) and General Industrial (GI) zones; and,
 - v) remove private clubs and commercial recreation establishments as permitted uses in the GI1 zone variation;
- c) the Civic Administration BE DIRECTED to initiate a Zoning By-law amendment to add the Light Industrial (LI3) zone variation to the property located at 1565 North Routledge Park;
- d) the Civic Administration BE DIRECTED to consider the properties located at 85 and 91 Meg Drive exempted from the policy noted in a), above, should an application come forward;

it being noted that 1565 North Routledge Park, 1920 Blue Heron Drive and 1930 Blue Heron Drive have been added to the list of exempted properties previously identified; and,

it being further noted that the property located at 457 Southdale Road West is being addressed as part of a site-specific Zoning By-law Amendment (Z-8314);

it being pointed out that there were no oral submissions made at the public participation meeting associated with this matter. (2014-D14)

The motion to adopt clauses 1 to 21, excluding clauses 13, 19, 20 is put.

Motion Passed

YEAS: J.F. Fontana, 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 (11)

NAYS: B. Polhill, J.B. Swan, S.E. White (3)

At 8:20 PM, His Worship the Mayor places Councillor P. Hubert in the Chair and takes a seat at the Council Board.

At 8:36 PM, His Worship the Mayor resumes the Chair and Councillor P. Hubert takes his seat at the Council Board.

Motion made by Councillor J.L. Baechler and seconded by Councillor H.L. Usher to Approve that clause 19 be amended to include a new part d) as follows:

- “d) the financial incentives BE ENHANCED through a series of options that would not be less than the equivalent of 100% of the development charges exemptions and an economic analysis be reported to a future meeting of the Planning and Environment Committee;”.

The motion to adopt the addition of a new part d) to clause 19 is put.

Motion Passed

YEAS: J.F. Fontana, 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 (11)

NAYS: B. Polhill, J.B. Swan, S.E. White (3)

Motion made by Councillor D.G. Henderson and seconded by Councillor J.B. Swan to Approve that clause 19 be referred back to the Planning and Environment Committee for further discussion and consideration with respect to the draft Community Improvement Plan for Industrial Land Uses.

Motion Passed

YEAS: J.F. Fontana, 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 (11)

NAYS: B. Polhill, J.B. Swan, S.E. White (3)

Clause 19, as amended, reads as follows:

That, on the recommendation of the Managing Director, Planning & City Planner, the following actions be taken with respect to a Community Improvement Plan for Industrial Land Uses:

- a) the draft report, as appended to the staff report dated March 25, 2014, prepared by RCI Consultants, regarding a Community Improvement Plan for Industrial Land Uses and proposed community improvement programs BE CIRCULATED to Provincial ministries, stakeholders and the public for review and comment;
- b) the proposed Official Plan Amendment, as appended to the staff report dated March 25, 2014, to establish community improvement policies to encourage industrial development and redevelopment and the preparation of a city-wide Community Improvement Plan for Industrial Land Uses BE CIRCULATED for public review and comment; and,
- c) a public participation meeting BE SCHEDULED at the Planning and Environment Committee meeting to be held on May 27, 2014, to adopt the Community Improvement Plan for Industrial Land Uses and to amend the Official Plan to add new policy to Chapter 14 – Community Improvement Policies;
- d) the financial incentives BE ENHANCED through a series of options that would not be less than the equivalent of 100% of the development charges exemptions and an economic analysis be reported to a future meeting of the Planning and Environment Committee;

it being noted that the Planning and Environment Committee reviewed and received a communication, dated March 21, 2014, from L. Langdon, London Home Builders' Association, with respect to this matter. (2014-D19/D08)

Motion made by Councillor J.L. Baechler to Approve clause 20.

20. Development Charges Grant Program for Downtown, Old East Village and SoHo CIP Areas

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the Development Charges Grant Program for the Downtown, Old East Village and SOHO Community Improvement Areas:

- a) the program guidelines, as appended to the staff report dated March 25, 2014, BE CIRCULATED for public review and comment;
- b) a public participation meeting BE SCHEDULED before the Planning and Environment Committee on April 29, 2014 to consider proposed program guidelines related to a Development Charges Program for the Downtown, Old East Village and SoHo Community Improvement Project Areas; and,
- c) if a new Development Charges Grant Program is established to implement the Downtown Community Improvement Plan, the Civic Administration BE DIRECTED to give the Rygar Corporation Inc. project, located on the west side of Talbot Street, north of Fullarton Street and south of Dufferin Avenue, a development charges grant that is equivalent to 100% of the residential development charge that is applicable to that project at the time that the building permit(s) is issued, so long as that permit(s) is issued by December 31, 2019; it being noted that this would maintain the effect of the 100% residential Development Charge exemption that is currently available within the Downtown Area boundary under the current Development Charges By-law;

it being noted that the Planning and Environment Committee reviewed and received a communication, dated February 24, 2014, from J. Rodgers, Rygar Corporation Inc., with respect to this matter. (2014-F21/F11B)

At 9:15 PM His Worship the Mayor places Councillor P. Van Meerbergen in the Chair and takes a seat at the Council Board.

Motion made by Councillor J.L. Baechler and seconded by Councillor D. Brown to recess.

Motion Passed

The Council recesses at 9:45 PM and reconvenes at 9:49 PM with Mayor J.F. Fontana in the Chair and all Members present except Councillor B. Armstrong.

Motion made by Councillor J.L. Baechler and seconded by Councillor N. Branscombe to Approve the referral of parts a) and b) of clause 20 back to the Civic Administration, for further consideration.

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 N. Branscombe and seconded by Councillor J.B. Swan to Approve that part c) of clause 20, be deleted and replaced with the following new part c):

“c) the Civic Administration BE DIRECTED to maintain the current incentive program within the Downtown and Old East Village Community Improvement Project Areas, whereby residential development is not required to pay development charges.”

Motion Passed

YEAS: J.F. Fontana, B. Polhill, J.B. Swan, S. Orser, 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: J.L. Baechler (1)

Clause 20, as amended reads as follows:

“That the following actions be taken with respect to the Development Charges Grant Program:

- a) the following matters BE REFERRED back to the Planning and Environment Committee for further consideration:
 - i) the Program guidelines appended to the staff report dated March 25, 2014;
 - ii) the holding of a public participation meeting to consider proposed Program guidelines; and
- b) the Civic Administration BE DIRECTED to maintain the current incentive program within the Downtown and Old East Village Community Improvement Project Areas, whereby residential development is not required to pay development charges.”

Motion made by Councillor J.L. Baechler to Approve clause 23.

23. Property located at 545 Fanshawe Park Road West (OZ-8286)

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of MHBC Planning Urban Design and Landscape Architecture, relating to the property located at 545 Fanshawe Park Road West:

- a) the proposed by-law, as appended to the staff report dated March 25, 2014, BE INTRODUCED at the Municipal Council meeting to be held on April 1, 2014, to amend the Official Plan to change the designation of the subject lands FROM a ‘Multi-Family, Medium Density Residential’ designation TO a ‘Multi-Family, High Density Residential’ designation;

- b) the proposed by-law, as appended to the staff report dated March 25, 2014, BE INTRODUCED at the Municipal Council meeting to be held on April 1, 2014, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan, as amended in part a), above), to change the zoning of the subject property FROM a Community Facility Special Provision (CF3(3)) Zone and an Open Space (OS4) Zone TO a Holding Residential R9 Special Provision Bonus (h-11•h-55•h-(*)•h-(**)*R9-7()•B(**)) Zone and an Open Space (OS4) Zone with a Bonus Zone which shall be implemented through a development agreement in return for the provision of the following services, facilities and matters:
- i) a development design which includes two point tower forms with a common podium in the form of two-storey townhouses comprised of:
- a maximum of 235 residential dwelling units within the two point tower forms (Tower A: 115 units; Tower B: 120 units);
 - a maximum of 15 residential dwelling units within the two-storey townhouses (Tower A: 7 units; Tower B: 8 units);
 - building orientation toward the Fanshawe Park Road West corridor;
 - building elevations that have been divided into a series of modulated components that are defined by complementary changes in articulation and cladding materials;
 - a variation of building materials and the use of cornices that define the major changes in cladding materials on the elevations;
 - the inclusion of a base, middle and cap with a base consisting of a two-storey townhouse form, a middle that consists of 14-storeys above the base for Tower 'A' and 13-storeys above the base for Tower 'B', and a one-storey cap above the middle;
 - a mix of underground and surface parking spaces that are located in the rear yard;
 - enhanced landscaping features including a centralized park feature and an outdoor amenity area integrating the existing open space setting;
 - ground floor and second floor private amenity space; and,
 - rooftop patios;
- c) the Site Plan Approval Authority BE REQUESTED to implement, through the site plan approval process, with minor variations at the City's discretion, the development of the subject site in a manner that is consistent with the Site Plan and Elevation Drawings appended to the staff report dated March 25, 2014 as Schedule "1", as well as the design features recommended below:
- develop the edge treatment by enlarging the terraced gardens along the entire Fanshawe Park frontage incorporating the proposed staircases as shown on the existing plan in order to create an urban edge condition between the building face and public sidewalk;
 - include options such as fencing, landscaping and the location of parking for the edge treatment which abuts the Open Space in order to create a positive relationship between this site and the Open Space;
 - consider a courtyard space at the central drive by eliminating the centre lane and incorporating a water feature or public art, along with a high level of planting to improve the public realm;
 - ensure a high level of planting between the public sidewalk and the parallel pathway at the podium. Consider planters that are not as symmetrical in response to the topography to strengthen the landscaped open space;
 - consider adding another pedestrian connection, or shifting the proposed connection to the public sidewalk at the southwest corner of the site, to relate more to the likely pedestrian activity to the adjacent commercial development;
 - encourage the use of the sloping topography as an opportunity to develop a natural podium and consider multiple steps and the possibility of sunken courtyards for the townhomes and creating a positive interface of the site with the ravine to benefit from the natural topography;
 - consider façade enhancements and fencing for the townhome at the south-east corner to articulate the east elevation;
 - consider high quality building materials that are consistent with the high quality of the design to enhance the building design and ensure its long term durability;
 - consider the provision of a green roof to enhance the amenity space at the podium roof and to reduce the heat island effect on this site; and,

- to improve the storm water management generated from this development, consider using permeable paving materials wherever possible and cost-effective;

it being noted that the shadow impact will be shared and pedestrian safety will be considered;

it being further noted that the Planning and Environment Committee reviewed and received a communication, dated March 13, 2014, from C. Creighton, Land Use Planner, Upper Thames River Conservation Authority, with respect to this matter;

it being pointed out that at the public participation meeting associated with this matter, the individuals indicated on the ~~attached~~ public participation meeting record made oral submissions in connection therewith.

Motion made by Councillor J.L. Baechler and seconded by Councillor M. Brown to Approve that clause 23 be amended by adding a new part d), as follows:

- “d) the Staff BE DIRECTED to ensure, throughout the construction process, that a safe and accessible pedestrian access is maintained between the Amica building and the shopping area to the west, at the intersection of Wonderland Road North and Fanshawe Park Road West;”

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 J.L. Baechler and seconded by Councillor P. Hubert to Approve clause 23, as amended.

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)

Clause 23, as amended, reads as follows:

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of MHBC Planning Urban Design and Landscape Architecture, relating to the property located at 545 Fanshawe Park Road West:

- a) the proposed by-law, as appended to the staff report dated March 25, 2014, BE INTRODUCED at the Municipal Council meeting to be held on April 1, 2014, to amend the Official Plan to change the designation of the subject lands FROM a ‘Multi-Family, Medium Density Residential’ designation TO a ‘Multi-Family, High Density Residential’ designation;
- b) the proposed by-law, as appended to the staff report dated March 25, 2014, BE INTRODUCED at the Municipal Council meeting to be held on April 1, 2014, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan, as amended in part a), above), to change the zoning of the subject property FROM a Community Facility Special Provision (CF3(3)) Zone and an Open Space (OS4) Zone TO a Holding Residential R9 Special Provision Bonus (h-11•h-55•h-(*)•h-(**)*R9-7()•B(*) Zone and an Open Space (OS4) Zone with a Bonus Zone which shall be implemented through a development agreement in return for the provision of the following services, facilities and matters:
 - ii) a development design which includes two point tower forms with a common podium in the form of two-storey townhouses comprised of:
 - a maximum of 235 residential dwelling units within the two point tower forms (Tower A: 115 units; Tower B: 120 units);
 - a maximum of 15 residential dwelling units within the two-storey townhouses (Tower A: 7 units; Tower B: 8 units);
 - building orientation toward the Fanshawe Park Road West corridor;

- building elevations that have been divided into a series of modulated components that are defined by complementary changes in articulation and cladding materials;
 - a variation of building materials and the use of cornices that define the major changes in cladding materials on the elevations;
 - the inclusion of a base, middle and cap with a base consisting of a two-storey townhouse form, a middle that consists of 14-storeys above the base for Tower 'A' and 13-storeys above the base for Tower 'B', and a one-storey cap above the middle;
 - a mix of underground and surface parking spaces that are located in the rear yard;
 - enhanced landscaping features including a centralized park feature and an outdoor amenity area integrating the existing open space setting;
 - ground floor and second floor private amenity space; and,
 - rooftop patios;
- c) the Site Plan Approval Authority BE REQUESTED to implement, through the site plan approval process, with minor variations at the City's discretion, the development of the subject site in a manner that is consistent with the Site Plan and Elevation Drawings appended to the staff report dated March 25, 2014 as Schedule "1", as well as the design features recommended below:
- develop the edge treatment by enlarging the terraced gardens along the entire Fanshawe Park frontage incorporating the proposed staircases as shown on the existing plan in order to create an urban edge condition between the building face and public sidewalk;
 - include options such as fencing, landscaping and the location of parking for the edge treatment which abuts the Open Space in order to create a positive relationship between this site and the Open Space;
 - consider a courtyard space at the central drive by eliminating the centre lane and incorporating a water feature or public art, along with a high level of planting to improve the public realm;
 - ensure a high level of planting between the public sidewalk and the parallel pathway at the podium. Consider planters that are not as symmetrical in response to the topography to strengthen the landscaped open space;
 - consider adding another pedestrian connection, or shifting the proposed connection to the public sidewalk at the southwest corner of the site, to relate more to the likely pedestrian activity to the adjacent commercial development;
 - encourage the use of the sloping topography as an opportunity to develop a natural podium and consider multiple steps and the possibility of sunken courtyards for the townhomes and creating a positive interface of the site with the ravine to benefit from the natural topography;
 - consider façade enhancements and fencing for the townhome at the south-east corner to articulate the east elevation;
 - consider high quality building materials that are consistent with the high quality of the design to enhance the building design and ensure its long term durability;
 - consider the provision of a green roof to enhance the amenity space at the podium roof and to reduce the heat island effect on this site; and,
 - to improve the storm water management generated from this development, consider using permeable paving materials wherever possible and cost-effective;
- d) the Staff BE DIRECTED to ensure, throughout the construction process, that a safe and accessible pedestrian access is maintained between the Amica building and the shopping area to the west, at the intersection of Wonderland Road North and Fanshawe Park Road West;

it being noted that the shadow impact will be shared and pedestrian safety will be considered;

it being further noted that the Planning and Environment Committee reviewed and received a communication, dated March 13, 2014, from C. Creighton, Land Use Planner, Upper Thames River Conservation Authority, with respect to this matter;

it being pointed out that at the public participation meeting associated with this matter, the individuals indicated on the ~~attached~~ public participation meeting record made oral submissions in connection therewith.

5th 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 8, excluding clause 2.

1. Disclosure of Pecuniary Interest

That it BE NOTED that Councillor J. Swan disclosed a pecuniary interest in clause 2 of this Report, having to do with Orchestra London, by indicating that Orchestra London is his employer

3. 2013 Annual Update on Budweiser Gardens

That, on the recommendation of the Deputy City Treasurer, the report dated March 31, 2014, with respect to the 2013 Annual Update on the Budweiser Gardens, BE RECEIVED.

4. Budweiser Gardens Contract Extensions

That, on the recommendation of the Deputy City Treasurer, the following actions be taken with respect to the Budweiser Gardens contract extensions:

- a) the report dated March 31, 2014, from the Deputy City Treasurer, with respect to this matter, BE RECEIVED; and,
- b) the Civic Administration BE DIRECTED to confirm concurrence, in writing, for the contract extensions with New Era Tickets and Ovations Food Services.

5. Hotel Room Tax - Resubmitted

That the following actions be taken with respect to a potential levy related to hotel/motel rates:

- a) Whereas the tourism and hotel industry creates new economic activity for the city of London and creates opportunities for many Londoners; and,

Whereas the City Council does not have the authority to implement a hotel tax under the Municipal Act 2001; and,

Whereas there is an interest in a made-in-London option that creates a Destination Marketing Fund that would provide additional funding for event attraction and development, as well as the development of facilities and/or infrastructure that would improve hotel occupancy in London;

Therefore be it resolved that the London Hotel Association BE ENCOURAGED to consider a voluntary levy that would establish such a fund, with the assistance of Tourism London; and,

- b) the federal and provincial governments BE ENCOURAGED to continue to invest in tourism;

it being noted that the Investment and Economic Prosperity Committee received the resubmitted report dated February 13, 2008, from the City Solicitor and Director, Intergovernmental and Community Liaison, in accordance with the Municipal Council direction during the 2014 Budget deliberations, and the ~~attached~~ communication dated March 31, 2014 from J. Winston, General Manager, Tourism London, with respect to this matter.

6. 2013 London Convention Centre Results

That, on the recommendation of the London Convention Centre (LCC) Board of Directors, the LCC 2013 operational surplus in the amount of \$4,061, BE TRANSFERRED to the LCC Special Projects Reserve; it being noted that the Investment and Economic Prosperity Committee received a communication dated February 21, 2014, from the Board of Directors, LCC, with respect to this matter.

7. London Medical Innovation and Commercialization Network Update

That the following actions be taken with respect to the London Medical Innovation and Commercialization Network Update:

- a) the ~~attached~~ Executive Summary and presentation dated March 2014, from Dan Ross, President and CEO, London Health Sciences Foundation and Paul Paolatto, Executive Director, WORLDdiscoveries and Western Research Parks, with respect to an update on the London Medical Innovation and Commercialization Network, BE RECEIVED, with enthusiasm; and,
- b) the Contribution Agreement for the London Medical Innovation and Commercialization Network, BE PRESENTED to the Investment and Economic Prosperity Committee (IEPC), in two to three weeks.

8. Music Task Force Update

That the following actions be taken with respect to the Music Task Force:

- a) the Civic Administration BE DIRECTED to ensure that the Terms of Reference for the Music Industry Development Task Force is reflective of it being an industry-lead Task Force, comprised of self-appointed representatives of the local music stakeholders; it being noted that the final report of the Task Force will be received by the Investment and Economic Prosperity Committee, for information; and,
- b) the ~~attached~~ communication dated March 31, 2014, from H. Filger, Director of Corporate Investments and Partnerships, and the Municipal Council resolution adopted at its meeting held on February 11, 2014, with respect to the music industry strategy, BE RECEIVED.

Pursuant to section 12.3 of the Council Procedure By-law, Councillor J.P. Bryant calls for a separate vote on clause 7.

Pursuant to section 12.3 of the Council Procedure By-law, Councillor S.E. White calls for a separate vote on clause 5.

The motion to Approve clauses 1 to 8, excluding clauses 2, 5 and 7 is put.

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)

The motion to Approve clause 5 is put.

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

NAYS: P. Van Meerbergen, S.E. White (2)

The motion to Approve clause 7 is put.

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, S.E. White (13)

RECUSED: J.P. Bryant (1)

Motion made by Councillor M. Brown to Approve clause 2.

2. Orchestra London

That, on the recommendation of the Deputy City Treasurer, the following actions be taken with respect to funding assistance for Orchestra London:

- a) the report dated March 31, 2014, this respect to this matter, BE RECEIVED for information;
- b) the cash flow funding for the months of March to June from the approved budgeted amount for Orchestra London, BE APPROVED for immediate release to Orchestra London, SUBJECT TO the ongoing review and authorization by the Civic Administration, with the release of the balance of the 2014 funding occurring monthly starting in July, 2014 to the end of 2014;
- c) the line-of-credit guarantee, set to expire December 15, 2014, BE REVIEWED to determine the requirement for an extended period for the guarantee; and,
- d) the Orchestra London Board of Directors, along with their audit firm, BE REQUESTED to discuss a go-forward business plan, with respect to the impending expiry of the Orchestra's line-of-credit.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, 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 (12)

NAYS: S. Orser (1)

RECUSED: J.B. Swan (1)

Councillor P. Hubert leaves the meeting at 10:40 PM.

9th Report of the Strategic Priorities and Policy Committee
Councillor D. Brown presents.

Motion made by Councillor D. Brown to Approve clause 1.

1. Disclosures of Pecuniary Interest

That it BE NOTED that Councillor J.B. Swan disclosed a pecuniary interest in discussions pertaining to the potential future use of Centennial Hall, by indicating that his employer, Orchestra London, currently has a leasing arrangement with Centennial Hall and that his employer is involved in discussions with respect to the future use of Centennial Hall as a potential performing arts/mixed-use development.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, 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 (12)

RECUSED: J.B. Swan (1)

Motion made by Councillor J.L. Baechler and seconded by Councillor J.B. Swan that pursuant to section 2.4 of the Council Procedure By-law, section 11.10 of the said by-law be suspended for the purpose of permitting the meeting to proceed beyond 11:00 PM.

Motion Passed

9th Report of the Committee of the Whole
Councillor D. Brown presents.

PRESENT: Mayor J.F. Fontana, B. Polhill, B. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, 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 M. Hayward, G.T. Hopcroft, L. Livingstone, V. McAlea Major, D. Mounteer, L.M. Rowe and B. Warner.

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

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, the Letter of Intent ~~attached~~ as Appendix A (the final form of which will be provided at the Municipal Council meeting of April 1, 2014), submitted by the YMCA of Western Ontario (YMCAWO) to lease the London Normal School located at 165 Elmwood Avenue BE ACCEPTED, subject to the following covenants:

- a) total rentable area of 43,370 square feet; the premises shall include the entire building on the property, with a total rentable area of up to 43,370 square feet, as well as the north approximately 2.5 acres of the lands of the property as shown outlined or cross-hatched on Schedule "A" of the Letter of Intent;
- b) the premises shall include the existing on-site surface parking of 62 spaces;
- c) the term shall be ten (10) years, with two further options each of five (5) years;
- d) the commencement date shall be subject to the completion of the transfer of ownership of the London Normal School from the Province of Ontario to the City of London and shall be the earlier of June 1, 2014, or the day following the end of the Fixturing Period;
- e) basic rent for years 1 to 10 shall be \$450,000 per annum with no escalation during the term;
- f) Landlord's work - the Landlord shall be obligated to complete the base building work that is to be further defined in the lease (the "Landlord's Work"), but which at a minimum will include the work specified on Schedule "B" of the Letter of Intent, at its sole expense, in a good and workmanlike manner and in accordance with all municipal, building code and other applicable requirements. The Landlord's Work shall be substantially completed on or before the commencement of the Fixturing Period. The Landlord will provide a one (1) year warranty for its work; and
- g) the lease shall be contingent on the completion of the sale of the London Normal School from the Province of Ontario to the City of London by June 1, 2014 or earlier, including the registration of the Heritage Conservation Easement Agreement.

2. 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, with the concurrence of the Managing Director, Environmental and Engineering Services and City Engineer, on the advice of the Manager of Realty Services, the following actions be taken with respect to the property located at 5529 Wellington Road South,:

- a) the offer submitted by Ivan Milicevic to sell to the City a portion of the land municipally known as 5529 Wellington Road South, located on the south side of Scotland Drive and the west side of Wellington Road South, further described as Part of North ½ Lot 16 & Part Lot 17, Concession 6, containing an area of approximately 145 acres, for the purpose of buffering the City's W12A landfill site, BE ACCEPTED for the sum of \$1,914,000.00, subject to the following conditions:
 - i) the City agreeing to pay the Vendor's reasonable legal fees, including fees, disbursements and applicable taxes, to complete this transaction, subject to assessment;
 - ii) the City agreeing to prepare and deposit a reference plan on title on or before closing;

- iii) the City having forty five (45) days from acceptance to complete soil and environmental investigations; and
- 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, 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 (13)

X DEFERRED MATTERS

None.

XI ENQUIRIES

Councillor N. Branscombe enquires about the work being done at the Greenway Pollution Control Plant, and how that work will impact the adjacent Off-Leash Dog Park in terms of potential tree cutting on the western limit. Councillor Branscombe advises there is some concern that the 2011 Environmental Assessment may not be adhered to and trees may be removed on a permanent basis. The Chair refers the matter to the Managing Director, Planning and City Planner to advise Councillors N. Branscombe and D. Brown with respect to this matter.

XII EMERGENT MOTIONS

None.

XIII BY-LAWS

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

Motion made by Councillor B. Polhill and seconded by Councillor P. Van Meerbergen to Approve Introduction and First Reading of Bill No. 173.

Motion Passed

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

RECUSED: M. Brown (1)

Motion made by Councillor B. Polhill and seconded by Councillor S. Orser to Approve Second Reading of Bill No. 173.

Motion Passed

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

RECUSED: M. Brown (1)

Motion made by Councillor B. Polhill and seconded by Councillor P. Van Meerbergen to Approve Third Reading and Enactment of Bill No. 173.

Motion Passed

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

RECUSED: M. Brown (1)

Motion made by Councillor B. Polhill and seconded by Councillor D. Brown to Approve Introduction and First Reading of Bill No. 159, Bill No.160, Bill No.s 162 to 172, Bill No.s 174 to 189, revised Bill No. 190, Bill No.s 191 to 197, revised Bill No. 198, and Bill No.s 199 and 200.

Motion Passed

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

NAYS: S. Orser (1)

Motion made by Councillor B. Polhill and seconded by Councillor P. Van Meerbergen to Approve Second Reading of Bill No. 159, Bill No.160, Bill No.s 162 to 172, Bill No.s 174 to 189, revised Bill No. 190, Bill No.s 191 to 197, revised Bill No. 198, and Bill No.s 199 and 200.

Motion Passed

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

Motion made by Councillor B. Polhill and seconded by Councillor S. Orser to Approve Third Reading and Enactment of Bill No. 159, Bill No.160, Bill No.s 162 to 172, Bill No.s 174 to 189, revised Bill No. 190, Bill No.s 191 to 197, revised Bill No. 198, and Bill No.s 199 and 200.

Motion Passed

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

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

Bill No. 159 By-law No. A.-7084-119	A by-law to confirm the proceedings of the Council Meeting held on the 1 ST day of April, 2014. (City Clerk)
Bill No. 160 By-law No. A.-5273(cp)-120	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, Municipal Law Enforcement Services)
Bill No. 161 By-law No. A.-_____ DELETED AT COUNCIL	A by-law to repeal and replace Council Policy 28(2) being the "Council Members' Expense Account" Policy. (5/10/CSC)
Bill No. 162 By-law No. A.-7085-121	A by-law with respect to the Mayor's expenses. (6/10/CSC)
Bill No. 163 By-law No. A.-7086-122	A by-law levying rates for 2014 for school purposes in the City of London. (8/10/CSC)
Bill No. 164 By-law No. A.-7087-123	A by-law to raise the amount required for the purposes of The Old East Village Business Improvement Area Board of Management for the year 2014 in accordance with section 208 of the <i>Municipal Act, 2001</i> . (11/10/CSC)
Bill No. 165 By-law No. A.-7088-124	A by-law to raise the amount required for the purposes of The London Downtown Business Association Improvement Area Board of Management for the year 2014 in accordance with section 208 of the <i>Municipal Act, 2001</i> . (12/10/CSC)
Bill No. 166 By-law No. A.-7089-125	A by-law to raise the amount required for the purposes of The Argyle Business Improvement Area Board of Management for the year 2014 in accordance with section 208 of the <i>Municipal Act, 2001</i> . (13/10/CSC)
Bill No. 167 By-law No. A.-7090-126	A by-law setting tax ratios for property classes in 2014. (17/10/CSC)

Bill No. 168 By-law No. A.-7091-127	A by-law to opt to have Section 8.0.2 of Ontario Regulation 73/03 as amended apply within the City of London for the year 2014 to exempt certain properties in the commercial class, industrial class and multi-residential property class from the application of Part IX of the <i>Municipal Act, 2001</i> . (17/10/CSC)
Bill No. 169 By-law No. A.-7092-128	A by-law to establish percentages by which tax decreases are limited for 2014 in respect of properties in any property class subject to Part IX of the <i>Municipal Act, 2001</i> , as amended, in order to recover all revenues foregone as a result of the application of section 329 and section 329.1 of the <i>Municipal Act, 2001</i> , as amended, to other properties in the property class. (17/10/CSC)
Bill No. 170 By-law No. A.-7093-129	A by-law to opt to use certain subsections of section 329.1 of the <i>Municipal Act, 2001</i> , as amended, in the calculation of taxes in the commercial, industrial, and multi-residential property classes. (17/10/CSC)
Bill No. 171 By-law No. A.-7094-130	A By-law to authorize and approve an Agreement between London Golf Club Inc and The Corporation of the City of London. (4/7/CPSC)
Bill No. 172 By-law No. A-47-14001	A by-law to amend By-law A-47, being “A by-law to provide for Various Fees and Charges” as it relates to the Dearness Home Adult Day Program fees for client fees per day and baths. (6/7/CPSC)
Bill No. 173 By-law No. A.-7095-131	A By-law to approve the Funding and Project Agreement with Thames Valley District School Board for construction of a Neighbourhood Family Centre at Lord Nelson Public School. (9/7/CPSC)
Bill No.174 By-law No. C.P.-1284(uc)-132	A by-law to amend the Official Plan for the City of London, 1989 relating to the location of non-industrial uses on lands designated for industrial uses. (13/6/PEC)
Bill No. 175 By-law No. C.P.-1284(ud)-133	A by-law to amend the Official Plan for the City of London, 1989 relating to 1140 Southdale Road West. (17/6/PEC)
Bill No.176 By-law No. C.P.-1284(ue)-134	A by-law to amend the Official Plan for the City of London, 1989 relating to 1444 Adelaide Street North. (18/6/PEC)
Bill No. 177 By-law No. C.P.-1284(uf)-135	A by-law to amend the Official Plan for the City of London, 1989 relating to 545 Fanshawe Park Road West. (23/6/PEC)
Bill No. 178 By-law No. L.S.P.-3436-136	A by-law to designate 142 Dundas Street to be of historical and contextual value or interest. (6/2/PEC)
Bill No. 179 By-law No. S.-5641-137	A by-law to assume certain works and services in the City of London. (Wickerson West Subdivision – Phase 2 – 33M-561) (City Engineer)
Bill No. 180 By-law No. S.-5642-138	A by-law to assume certain works and services in the City of London. (Wickerson West Subdivision – Phase 1 – 33M-547) (City Engineer)
Bill No. 181 By-law No. S.-5643-139	A by-law to lay out, constitute, establish and assume certain reserves in the City of London as public highway. (as widening to Fanshawe Park Road West). (Chief Surveyor)
Bill No. 182 By-law No. S.-5644-140	A by-law to permit Michael Peter Dymus and Jamie Sue Sherrell to maintain and use a boulevard parking area upon the road allowance for 941 Elias Street, City of London. (Manager, Licensing and Elections)

Bill No. 183 By-law No. W.-5551-141	A by-law to authorize the 2012 Recreation Facilities. (Project No. RC2201-12) (2/18/CSC-2013)
Bill No. 184 By-law No. W.-5552-142	A by-law to authorize the 2013 Recreation Facilities. (Project No. RC2201-13) (2/18/CSC-2013)
Bill No. 185 By-law No. W.-5553-143	A by-law to authorize the 2013 Bus Purchase Replacement. (Project No. MU1044-13) (4b/5/SPPC-2013)
Bill No. 186 By-law No. Z.-1-142283	A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning of the lands located at 215 Fanshawe Park Road West. (3/6/PEC)
Bill No. 187 By-law No. Z.-1-142284	A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning of the lands located at 2245 Callingham Drive. (4/6/PEC)
Bill No. 188 By-law No. Z.-1-142285	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 1796 Adelaide Street North. (11/6/PEC)
Bill No. 189 By-law No. Z.-1-142286	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 2348, 2356, 2362, 2370, and 2378 Meadowlands Way; 2337, 2345, 2353, 2361, 2369, 2373, 2387, 2395 Humberside Common; 137,143, 149, 161, 177, 195, 209, 215, 223, 231, 239, 247, 255, 261, 267, 275, 283, 297 Bradwell Chase; and 2079, 2085, 2093 Pelkey Road. (12/6/PEC)
Bill No. 190 By-law No. Z.-1-142287	A by-law to amend Section 2 (Definitions), Section 40 (Light Industrial (LI) Zone) and Section 41 (General Industrial (GI) Zone) of By-law No. Z.-1 to address non-industrial uses in the City of London. (13/6/PEC)
Bill No. 191 By-law No. Z.-1-142288	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 457 Southdale Road West. (14/6/PEC)
Bill No. 192 By-law No. Z.-1-142289	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 73, 77, 81 & 91 Southdale Road East, 3021 & 3033 White Oak Road. (15/6/PEC)
Bill No. 193 By-law No. Z.-1-142290	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 2250 Blackwater Road, 660 & 670 Garibaldi Avenue. (16/6/PEC)
Bill No. 194 By-law No. Z.-1-142291	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 1140 Southdale Road West. (17/6/PEC)
Bill No. 195 By-law No. Z.-1-142292	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 1444 Adelaide Street North. (18/6/PEC)
Bill No. 196 By-law No. Z.-1-142293	A by-law to amend By-law No. Z.-1 to rezone an area of land located 3100 Colonel Talbot Road. (21/6/PEC)
Bill No. 197 By-law No. Z.-1-142294	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 545 Fanshawe Park Road West. (23/6/PEC)
Bill No. 198 By-law No. A.-7096-144	A By-law to authorize a Letter of Intent to negotiate a Lease Agreement between The Corporation of the City of London and the YMCA of Western Ontario, for the City owned building at 165 Elmwood Avenue, London, Ontario, and to authorize the Mayor and the City Clerk to execute the Letter of Intent to negotiate a Lease Agreement. (C-1/10/CSC)

Bill No. 199 By-law No. A.-7097-145	A By-law to authorize an Agreement of Purchase and Sale between The Corporation of the City of London and Ivan Milicevic, for the acquisition of a 145 acre portion of the property municipally known as 5529 Wellington Road South, for the City's W12A landfill site, and to authorize the Mayor and the City Clerk to execute the Agreement. (C-2/10/CSC)
Bill No. 200 By-law No. W.-1716(f)-146	A by-law to amend By-law No. W.-1716-76 entitled "A by-law to authorize the Acquisition of Industrial Land. (Project No. ID1145)". (C-1/3/CSC-2013)

XIV ADJOURNMENT

Motion made by Councillor M. Brown and seconded by Councillor J.P. Bryant to Adjourn.

Motion Passed

The meeting adjourns at 10:55 PM.

Joe Fontana, Mayor

Catharine Saunders, City Clerk