



London
C A N A D A

COUNCIL MINUTES 11TH MEETING

April 15, 2014

The Council meets in Regular Session in the Council Chambers this day at 4:03 PM.

PRESENT: Mayor 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 and C. Saunders (City Clerk).

ABSENT: Councillor B. Armstrong.

ALSO PRESENT: A. Zuidema, R. Andrusevich, B. Baar, J.P. Barber, J. Braam, B. Coxhead, S. Datars Bere, K. Dawtrey, J.M. Fleming, G. Kotsifas, M. Hayward, G.T. Hopcroft, L. Livingstone, V. McAlea Major, D. Mounteer, D. O'Brien, R. Paynter, M. Ribera, L.M. Rowe, B. Warner and B. Westlake-Power.

At the beginning of the Meeting all Members are present except Councillors B. Armstrong and P. Van Meerbergen.

I DISCLOSURES OF PECUNIARY INTEREST

Councillor M. Brown disclosed a pecuniary interest in clause C-1 of the 12th Report of the Corporate Services Committee, having to do with a matter pertaining to instructions and directions to officers and employees of the Corporation pertaining to a proposed acquisition and/or disposition of land; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; reports or advice or recommendations of officers and employees of the Corporation pertaining to a proposed acquisition and/or disposition of land; commercial and financial information supplied in confidence pertaining to the proposed acquisition and/or disposition the disclosure of which could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of the Corporation, result in similar information no longer being supplied to the Corporation where it is in the public interest that similar information continue to be so supplied, and result in undue loss or gain to any person, group, committee or financial institution or agency; commercial information relating to the proposed acquisition and/or disposition that belongs to the Corporation that has monetary value or potential monetary value; information concerning the proposed acquisition and/or disposition whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or its competitive position; information concerning the proposed acquisition and/or disposition whose disclosure could reasonably be expected to be injurious to the financial interests of the Corporation; and instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the Corporation concerning the proposed acquisition and/or disposition, by indicating that the Thames Valley District School Board (TVDSB) is his employer. Councillor M. Brown further discloses a pecuniary interest in Clause C-2 of the 12th Report of the Corporate Services Committee, and related Bill No. 232, both having to do with a matter pertaining to instructions and directions to officers and employees of the Corporation pertaining to a proposed acquisition and/or disposition of land; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; reports or advice or recommendations of officers and employees of the Corporation pertaining to a proposed acquisition and/or disposition of land; commercial and financial information supplied in confidence pertaining to the proposed acquisition and/or disposition the disclosure of which could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of the Corporation, result in similar information no longer being supplied to the Corporation where it is in the public interest that similar information continue to be so supplied, and result in undue loss or gain to any person, group, committee or financial institution or agency; commercial information relating to the proposed acquisition and/or disposition that belongs to the Corporation that has monetary value or potential monetary value; information concerning the proposed acquisition and/or disposition whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or its competitive position; information concerning the proposed acquisition and/or disposition whose disclosure could reasonably be expected to be injurious to the financial interests of the Corporation; and instructions to be applied to any negotiations carried

on or to be carried on by or on behalf of the Corporation concerning the proposed acquisition and/or disposition, by indicating that Thames Valley District School Board (TVDSB) is his employer.

Councillor S.E. White discloses a pecuniary interest in clause 13 of the 7th Report of Planning and Environment Committee, having to do with the application of St. Leonard's Community Services, regarding the property located at 313 Clarke Road, specifically as it relates to discussions about children under the care of the Children's Aid Society, by indicating that the Children's Aid Society is her employer.

Councillor J.P. Bryant discloses a pecuniary interest in clause 14 of the 7th Report of Planning and Environment Committee, having to do with the application of Western University, regarding the property located at 1836 Richmond Street, by indicating that her spouse is a faculty member at Western University.

At 4:11 PM Councillor P. Van Meerbergen enters the meeting.

II REVIEW OF CONFIDENTIAL MATTERS TO BE CONSIDERED IN PUBLIC

None.

III ADDED REPORTS

1. 12th Report of the Corporate Services Committee
2. 6th Report of the Investment and Economic Prosperity Committee
3. 10th 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 S. Orser to Approve that Council rise and go in Committee of the Whole, in camera, for the following reasons:

- a) A matter pertaining to personal matters about identifiable individuals, including municipal or local board employees, and advice and recommendations of officers and employees of the Corporation and communications necessary for that purpose, and advice subject to solicitor-client privilege, including communications necessary for that purpose. (C-1/11/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-2/11/CSC)

- c) (ADDED) A matter pertaining to instructions and directions to officers and employees of the Corporation pertaining to a proposed acquisition and/or disposition of land; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; reports or advice or recommendations of officers and employees of the Corporation pertaining to a proposed acquisition and/or disposition of land; commercial and financial information supplied in confidence pertaining to the proposed acquisition and/or disposition the disclosure of which could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of the Corporation, result in similar information no longer being supplied to the Corporation where it is in the public interest that similar information continue to be so supplied, and result in undue loss or gain to any person, group, committee or financial institution or agency; commercial information relating to the proposed acquisition and/or disposition that belongs to the Corporation that has monetary value or potential monetary value; information concerning the proposed acquisition and/or disposition whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or its competitive position; information concerning the proposed acquisition and/or disposition whose disclosure could reasonably be expected to be injurious to the financial interests of the Corporation; and instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the Corporation concerning the proposed acquisition and/or disposition. (C-1/12/CSC)
- d) (ADDED) A matter pertaining to instructions and directions to officers and employees of the Corporation pertaining to a proposed acquisition and/or disposition of land; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; reports or advice or recommendations of officers and employees of the Corporation pertaining to a proposed acquisition and/or disposition of land; commercial and financial information supplied in confidence pertaining to the proposed acquisition and/or disposition the disclosure of which could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of the Corporation, result in similar information no longer being supplied to the Corporation where it is in the public interest that similar information continue to be so supplied, and result in undue loss or gain to any person, group, committee or financial institution or agency; commercial information relating to the proposed acquisition and/or disposition that belongs to the Corporation that has monetary value or potential monetary value; information concerning the proposed acquisition and/or disposition whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or its competitive position; information concerning the proposed acquisition and/or disposition whose disclosure could reasonably be expected to be injurious to the financial interests of the Corporation; and instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the Corporation concerning the proposed acquisition and/or disposition. (C-2/12/CSC)
- e) (ADDED) A matter pertaining to advice that is subject to solicitor-client privilege, including communications necessary for that purpose, as it relates to the Western Fair Association. (C-1/10/SPPC)
- f) (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-2/10/SPPC)

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 Council rises and goes into Committee of the Whole at 4:18 PM, with Mayor J.F. Fontana in the Chair and all Members present, except Councillor B. Armstrong.

The Committee of the Whole rises at 6:06 PM and Council reconvenes at 6:12 PM with all Members present, except Councillors B. Armstrong and J.B. Swan.

Motion made by Councillor S.E. White and seconded by Councillor S. Orser, that pursuant to section 7.4 of the Council Procedure By-law, the order of business be changed to permit consideration of clause 10 of the 8th Report of the Community and Protective Services Committee, having to do with wood burning stoves, at this time.

Motion Passed

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

At 6:14 PM Councillor J.B. Swan enters the meeting.

8th Report of the Community and Protective Services Committee
Councillor M. Brown presents.

Motion made by Councillor M. Brown to Approve clause 10.

10. Wood Burning Stoves

That the communication dated March 28, 2014 from Councillor S.E. White with respect to wood burning stoves BE RECEIVED and the Civic Administration BE DIRECTED to resubmit the previous staff report (2010) submitted in this regard for the information of the Committee.(2014-P11/C01)

Motion made by Councillor S.E. White and seconded by Councillor N. Branscombe to Approve that clause 10 be amended by deleting the clause in its entirety and by replacing it with the following new clause:

That the following actions be taken with respect to the communication dated March 28, 2014 from Councillor S.E. White regarding wood burning stoves:

- a) the communication BE RECEIVED;
- b) the Civic Administration BE DIRECTED resubmit the previous staff report (2010) submitted in this regard for the information of the Committee; and,
- c) the Civic Administration BE DIRECTED to submit a report at a future meeting of the Community and Protective Services Committee with respect to options for the inclusion of best practices for the use of wood burning stoves, referencing suggested practices contained in the *Code of Practice for Residential Wood Burning Appliances (2012)*, produced by the Canadian Council of Ministers of the Environment, for possible inclusion within an existing by-law or a stand alone 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 S.E. White and seconded by Councillor B. Polhill to Approve clause 10, 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 10, as amended, reads as follows:

That the following actions be taken with respect to the communication dated March 28, 2014 from Councillor S.E. White regarding wood burning stoves:

- a) the communication BE RECEIVED;
- b) the Civic Administration BE DIRECTED resubmit the previous staff report (2010) submitted in this regard for the information of the Committee; and,
- c) the Civic Administration BE DIRECTED to submit a report at a future meeting of the Community and Protective Services Committee with respect to options for the inclusion of best practices for the use of wood burning stoves, referencing suggested practices contained in the *Code of Practice for Residential Wood Burning Appliances (2012)*, produced by the Canadian Council of Ministers of the Environment, for possible inclusion within an existing by-law or a stand alone by-law.

V RECOGNITIONS

1. His Worship the Mayor presents a certificate for "London's Featured Community Organization" to the London Lesbian Film Festival.

VI CONFIRMATION AND SIGNING OF THE MINUTES OF THE TENTH MEETING HELD ON APRIL 1, 2014

Motion made by Councillor D. Brown and seconded by Councillor S. Orser to Approve the Minutes of the 10th Meeting held on April 1, 2014.

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)

VII COMMUNICATIONS AND PETITIONS

None.

VIII MOTIONS OF WHICH NOTICE IS GIVEN

None.

IX REPORTS

11th Report of the Corporate Services Committee
Councillor J.P. Bryant presents.

Motion made by Councillor J.P. Bryant to Approve clauses 1 to 11, inclusive.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. 2014 Debenture Issuance

That the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer BE AUTHORIZED to proceed with the issuance of debentures to provide permanent financing for capital works in an amount not to exceed \$30,000,000 (Appendix A, as appended to the staff report dated April 8, 2014) through debentures in the capital markets, with the flexibility to postpone the issuance due to unfavourable market conditions.

3. 2013 Operating Budget Status - Fourth Quarter Report

That the following actions be taken with respect to the 2013 Operating Budget Status – Fourth Quarter Report for the General Budget (Property Tax Supported referred to in Appendix A of the staff report dated April 8, 2014), Water Budget and Wastewater and Treatment Budget;

- a) the staff report dated April 8, 2014 BE RECEIVED for information; it being noted that:
 - i) there was \$7.3 million in net savings in the General (Property Tax Supported) Budget, as identified by Civic Service Areas and Boards & Commissions; it being noted that the year-end savings are \$0.4 million higher than projected in the 2013 Operating Budget Status – 3rd Quarter Report and the \$7.3 million Operating surplus was contributed to the Operating Budget Contingency Reserve, consistent with Council direction; it being further noted that the \$7.3 million net savings has been allocated in accordance with Council direction relative to the 2014 Budget, as follows:
 - A) \$3.8 million to the Economic Development Reserve Fund to be reinvested into Industrial Land Development initiatives;
 - B) \$2.3 million to the City Facilities Reserve Fund in order to provide a “potential” source of funding for facility related initiatives such as Ontario Works Decentralization;
 - C) \$0.5 million as a funding source for the Veterans Memorial Parkway noise wall capital project;
 - D) \$0.4 million as a funding source for Enhanced Animal Welfare capital projects;
 - E) \$0.2 million to St. Joseph’s Hospice for one-time capital funding;
 - F) \$0.1 million to the Grand Theatre for one-time capital funding;
 - ii) there was \$2.9 million in net savings for the Water rate supported budget; it being noted that the year-end surplus is \$0.8 million less than projected in the 2013 Operating Budget Status – 3rd Quarter Report; it being further noted that the \$2.9 million in savings has been contributed to the Water Works Capital Reserve Fund and will assist in funding future capital expenditures, consistent with Council direction;
 - iii) there was \$0.7 million in net savings for the Wastewater and Treatment rate supported budget; it being noted that the year-end surplus is \$1.1 million less than projected in the 2013 Operating Budget Status – 3rd Quarter Report; it being further noted that the \$0.7 million savings has been contributed to the Sewage Works Reserve Fund, consistent with Council direction; and
 - iv) the Civic Administration contributed \$2,907,800 (\$2,483,521 – property tax supported; \$295,652 – wastewater; and \$128,627 – water) to the Efficiency, Effectiveness and Economy reserves in 2013; and
- b) NO ACTION BE TAKEN to utilize the Operating Budget Contingency Reserve as the source of funding for the London Police Service operational deficit of \$0.3 million.

4. 2013 Capital Budget Status - Fourth Quarter Report

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the 2013 Capital Budget Status - Fourth Quarter Report BE RECEIVED for information.

5. 2013 Compliance Report in Accordance with the Procurement of Goods and Services Policy

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the report dated April 8, 2014 regarding the status of the 2013 Compliance Report required in accordance with the Procurement of Goods and Services Policy BE RECEIVED for information.

6. Procurement of Goods and Services Policy Revisions

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the proposed by-law, appended to the staff report dated April 8, 2014, to amend Schedule "C" to By-law No. A-6151-17, being "A By-law to establish policies for the sale and other disposition of land, hiring of employees, procurement of goods and services, public notice, accountability and transparency, and delegation of powers and duties, as required under section 270(1) of the Municipal Act, 2001", BE INTRODUCED at the Municipal Council meeting on April 15, 2014 in order to revise the Procurement of Goods and Services Policy to:

- a) add "Investment Management Services" to the Procurement of Goods and Services Policy in Schedule "B" as Item 3.x;
- b) move "Employee Group Benefits" in Schedule "B" from Item 8.v to Item 3.xi and reword as "Employee Group Benefits, Compensation, Programs, Consulting and Reviews";
- c) move "Legal Services" and "Labour Relations Services" in Schedule "B" from Item 8. ii and ix, to create a new Item 12 with a \$250,000 limit;
- d) add construction relocations as approved by the City Utilities Co-ordination Committee to Schedule "B" as a new Item 13;
- e) add services provided for City construction projects within a railway right-of-way as required by the rail authority having jurisdiction to Schedule "B" as a new Item 14; and
- f) remove wording related to Dispute Forms under Section 18.2 Program Administration, Audit and Monthly Reconciliation for Purchasing Cards.

7. Advance Voting Days for the 2014 Municipal Election

That, on the recommendation of the City Clerk, the proposed by-law (Appendix "A"), appended to the staff report dated April 8, 2014, BE INTRODUCED at the Municipal Council meeting to be held on April 15, 2014 to establish the following advance voting dates and times:

- Saturday October 11, 2014 from 10:00 AM to 8:00 PM
- Tuesday October 14, 2014 to Saturday, October 18, 2014, inclusive, from 10:00 AM to 8:00 PM;

it being noted that the Corporate Services Committee heard a verbal overview, from the City Clerk, with respect to the various enhancements that have been identified and will be, or have already been, undertaken by the City Clerk's Office with respect to voter and candidate engagement for the 2014 Election.

8. Apprenticeship Training Tax Credit

That, on the recommendation of the Director of Intergovernmental and Community Liaison, the following actions be taken with respect to the changes to the Apprenticeship Training Tax Credit:

- a) Mayor Fontana BE REQUESTED to send a letter to Ontario Premier Kathleen Wynne expressing concern regarding the impact of the changes of the Apprenticeship Training Tax Credit on London contact centres; and
- b) Mayor Fontana BE REQUESTED to continue to collaborate with the task force established by Mayor Tony Van Bynen of Newmarket, and other forums, on this issue.

9. Report of the Federation of Canadian Municipalities Board of Directors Meeting - Thunder Bay, ON - March 3-8, 2014

That the communication dated March 19, 2014 from Councillor H.L. Usher and Councillor J.L. Baechler regarding the Federation of Canadian Municipalities Board of Directors meeting held on March 3-8, 2014 in Thunder Bay, Ontario BE RECEIVED for information.

10. Application Tourism Exemption - Retail Business Holiday Act, R.S.O. 1990, c.R.30 - Labatt Breweries of Canada LP

That the ~~attached~~ revised proposed by-law to exempt Labatt Breweries of Canada LP's London brewery and the associated retail store located at 150 Simcoe Street, London, Ontario under section 4(1) of the Retail Business Holidays Act, R.S.O. 1990, Chapter R.30, to permit the brewery and the associated retail store to be opened on Victoria Day, Canada Day, Labour Day and Thanksgiving Day, from 11 AM to 6 PM, BE INTRODUCED at the Municipal Council meeting to be held on April 15, 2014; it being noted that the Corporate Services Committee took into consideration the criteria for such an exemption;

it being pointed out that at the public participation meeting associated with this matter Mr. Chris Morley, Senior Director, Corporate Affairs, Labatt, reiterated the basis for the request and how the request meets the legislated criteria for such an exemption, as detailed in his communication dated January 24, 2014, appended to the associated staff report.

11. Spam Legislation

That the update from the Director, Communications, with respect to legislation regarding "spam" messaging, BE RECEIVED for information; it being noted that the City has a staff working group reviewing and developing a plan for addressing the legislation, including appropriate training as may be required.

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)

7th Report of the Civic Works Committee
Councillor H.L. Usher presents.

Motion made by Councillor H.L. Usher to Approve clauses 1 to 14, inclusive.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Single Source Procurement of Positive Displacement Cold Water Meters with Encoder-Receiver Transmitter Attached

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the single source procurement of positive displacement cold water meters with encoder-receiver-transmitter attached:

- a) the quoted price from EMCO Corporation Waterworks, for the supply, delivery and storage of 10,000 positive displacement cold water meters with attached ERT, for the price of \$1,300,000, excluding HST, BE ACCEPTED on a single source basis as per section 14.4 (k) of the Procurement of Goods and Services Policy;
- b) the funding for this purchase BE APPROVED as set out in the Source of Finance Report appended to the staff report dated April 7, 2014;
- c) the 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)

3. Timeline for Major Environmental and Engineering Reports

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following report BE RECEIVED for information; it being noted that the Civic Works Committee heard a verbal presentation from the Managing Director, Environmental and Engineering Services and City Engineer, the Director of Roads and Transportation, the Director of Environment, Fleet and Solid Waste and the Director of Water, Wastewater and Treatment with respect to this matter. (2014-C03)

4. Community Carshare in London

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to supporting community car sharing in London:

- a) use, at no charge, of the following six municipal parking spots for a 2-year pilot project to be undertaken by The People's Car Co-Operative Inc. (operating as Community CarShare), BE APPROVED IN PRINCIPLE subject to the Municipal Council's review and approval of an appropriate agreement; it being noted that it is anticipated that the agreement will be brought forward in late April or May 2014:
 - i) Municipal Lot 2 near Banting House;
 - ii) Municipal Lot 4 at Tolpuddle Housing Co-Op;
 - iii) Municipal Lot 3E near Oxford/Richmond;
 - iv) Municipal Lot 8 Budweiser Gardens;
 - v) Municipal Lot 12 PUC Lot Ridout and Horton;
 - vi) Municipal Lot 7 at the Parking Enforcement Office; and,
- b) the Civic Administration BE DIRECTED to review and report back at a future meeting of the Civic Works Committee with respect to other requests made of the City of London regarding community car sharing, which includes the purchase of a corporate membership for City business and a \$150,000 line of credit;

it being noted that Community CarShare will be initiating a community car sharing program in London, irrespective of the Municipal Council's decision with respect to b), above. (2014-D19)

5. Supply and Delivery of Diesel, Biodiesel and Gasoline (Elgin, Middlesex, Oxford Purchasing Co-operative) (Tender No. 14-53)

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to a three (3) year contract with two (2), one (1) year extensions for the supply and delivery of diesel, biodiesel and gasoline:

- a) the tender submitted by Dowler-Karn/ESSO, for the supply of Diesel, Biodiesel and Gasoline, BE ACCEPTED;
- b) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this award, and;
- c) the approval given herein BE CONDITIONAL upon the Corporation entering into a formal contract or issuing a purchase order relating to the subject matter of this approval. (2014-F17)

6. Contract Award: Replacement of Sidewalks, Curb and Gutter and Hot Mix Asphalt (Tender 14-22)

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 a contract for Tender 14-22, Replacement of Sidewalks, Curb & Gutter and Hot Mix Asphalt:

- a) the bid submitted by Ro-Buck Contracting Limited, at their tendered price of \$3,531,329.38, excluding HST, BE ACCEPTED; it being noted that the bid submitted by Ro-Buck Contracting Limited was the lowest of three bids 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 Source of Financing Report appended to the staff report dated April 7, 2014;
- c) the Civic Administration BE AUTHORIZED to undertake all of the administrative acts that are necessary in connection with this contract;
- d) 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 14-22); 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-L04A)

7. Contract Award: 2014 Hyde Park Industrial Subdivision (Tender No14-34)

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 a contract for the 2014 Hyde Park Industrial Subdivision Project:

- a) the bid submitted by J-AAR Excavating Limited, at its tendered price of \$3,625,603.80, excluding HST, BE ACCEPTED; it being noted that the bid submitted by J-AAR Excavating Limited, was the lowest of five bids received and meets the City's specifications and requirements in all areas;
- b) future additional annual operating costs of \$3,000 for sewers and \$10,600 for the water distribution system 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 & Treatment and Water operating budgets;
- c) the financing for this project BE APPROVED as set out in the Source of Financing Report appended to the staff report dated April 7, 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 14-34); and,
- f) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2014-L04A)

8. Southdale Road West Widening Contract - 2013 Growth Management Implementation Strategy (GMIS) (Tender No T13-32)

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the contract for the Southdale Road West Widening from Wonderland Road to Wharnccliffe Road (TS1486, TS1254-12, ES2467, EW3543):

- a) the 2013 Southdale Road Widening contract with Bre-Ex Limited BE INCREASED by \$950,000 to \$6,951,132.08, excluding HST; and,
- b) the financing for this project BE APPROVED as set out in the Source of Financing Report appended to the staff report dated April 7, 2014. (2014-T04B)

9. Appointment of Consulting Engineers for Inspection, Contract Administration and Engineering Services Associated with the Construction of 2014 Infrastructure Lifecycle Renewal Projects: Contracts #4, #6, #9 and Victoria Street Area Storm Sewer

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the appointment of Consulting Engineers for the following 2014 Infrastructure Lifecycle Renewal Projects: Contract #4: Edward Street; Contract #6: Central Avenue and Cartwright Street; Contract #9: Nelson and Maitland Streets; and, the Victoria Street Area Storm Sewer:

- a) the following Consulting Engineering firms BE AUTHORIZED to carry out the inspection, contract administration and engineering services, including geotechnical services for the said projects, at the upset amounts identified below, in accordance with the estimate, on file, 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:
 - i) Contract 4: Archibald, Gray & McKay Engineering Limited (AGM), in the amount of \$200,172.50, including contingency, excluding HST;
 - ii) Contract 6: IBI Group (IBI), in the amount of \$155,262.36, including contingency, excluding HST;
 - iii) Contract 9: AECOM Canada Ltd. (AECOM), in the amount of \$217,453.50, including contingency, excluding HST;
 - iv) Victoria Street Area Storm Sewer: Spriet Associates (Spriet), in the amount of \$247,337.75, including contingency, excluding HST;
- b) the financing for the work identified in a), above, BE APPROVED in accordance with the Source of Financing Report appended to the staff report dated April 7, 2014;
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this work;
- d) the approvals given herein BE CONDITIONAL upon the Corporation entering into a formal contract with each Consultant for the respective project; 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)

10. Contract Award: 2014 Arterial Road Rehabilitation (Tender No.14-28)

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 a contract for the 2014 Arterial Road Rehabilitation (TS1446-14):

- a) the bid submitted by Coco Paving Inc., at its submitted tendered price of \$3,937,000, excluding HST, for the 2014 Arterial Road Rehabilitation, BE ACCEPTED, it being noted that the bid submitted by Coco Paving Inc. was the lowest of two (2) bids received and meets the City's specifications and requirements in all areas; it being further noted that there is no anticipated additional operating costs to the Environmental and Engineering Services budget in 2014 and subsequent years associated with approval of this tender;
- b) the financing for this project BE APPROVED as set out in the Source of Financing Report appended to the staff report dated April 7, 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 purchase order for the material to be supplied and the work to be done relating to this project (Tender 14-28); 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-L04A)
11. Appointment of Consulting Engineer for Engineering Services for the Functional Design of the Tributary "C" Stormwater Management Servicing Works (ES3020-RVBTC)

That, on the recommendation of the Director, Roads and Transportation, the following actions be taken with respect to the appointment of a consultant for engineering services for the functional design of the Tributary 'C' Stormwater Management Servicing Works (ES3020-RVBTC):

- a) Matrix Solutions Inc., BE APPOINTED Consulting Engineers to carry out the functional design of the Tributary 'C' Stormwater Management Servicing Works in the total amount of \$448,020, including contingency, excluding HST; in accordance with Section 15.2(e) of the Procurement of Goods and Services Policy;
- b) the financing for the project BE APPROVED in accordance with the Source of Financing Report appended to the staff report dated April 7, 2014;
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this work;
- 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 the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2014-A05)

12. Appointment of Consulting Engineer for Engineering Services for the Functional and Detailed Design of the Hyde Park No. 6 SWMF (ES3020-HP6)

That, on the recommendation of the Director, Roads and Transportation, the following actions be taken with respect to appointment of a consultant for Engineering Services Functional & Detailed Design of the Hyde Park No. 6 SWM Facility:

- a) AMEC Americas Limited, BE APPOINTED to carry out the functional and detailed design of the Hyde Park No. 6 Stormwater Management Facility (ES3020-HP6) in the total amount of \$119,100, including contingency, excluding HST; in accordance with Section 15.2(d) of the Procurement of Goods and Services Policy;
- b) the financing for the project BE APPROVED in accordance with the Source of Financing Report appended to the staff report dated April 7, 2014;
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this work;
- 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 the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2014-A05)

13. Closing of Asima Drive

That, on the recommendation of the Director of Roads and Transportation, the following actions be taken with respect to Asima Drive:

- a) the closing of a 2.0 metre wide portion of Asima Drive and reserve Block 116 on 33M-533 abutting Municipal Numbers 2627 and 2633 Asima Drive BE APPROVED; and,
- b) the Chief Surveyor BE AUTHORIZED to initiate the process of legally closing the said portion of Asima Drive and reserve Block 116 as public highway by by-law, subject to all necessary approvals being obtained. (2014-T09)

14. Street Renaming of Tennent Avenue (East Leg)

That, on the recommendation of the Manager of Development Services, the following actions be taken with respect to the application by City of London, for the municipal addressing reassignment of Tennent Avenue between Glengarry Avenue and A.B. Lucas Secondary School:

- a) the Civic Administration BE REQUESTED to take all necessary steps to undertake readdressing of three (3) properties on the south side of Tennent Avenue, between Glengarry Avenue and A.B. Lucas Secondary School, from 659 Tennent Avenue to 695 Tennent Avenue; from 663 Tennent Avenue to 697 Tennent Avenue; and, from 667 Tennent Avenue to 699 Tennent Avenue;
- b) the owners of the three (3) affected lots on Tennent Avenue BE COMPENSATED One Hundred Dollars (\$100.00) each for the costs associated with the municipal address change; and,
- c) the change in municipal addresses BE EFFECTIVE on the 1st day of June, 2014;

it being pointed out that there were no oral submissions made at the public participation meeting associated with this matter. (2014-D29)

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

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

The motion to Approve clauses 1 to 14, except clauses 4 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 4 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 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)

12th Report of the Corporate Services Committee
Councillor J.P. Bryant presents.

Motion made by Councillor J.P. Bryant to Approve clause 1.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

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)

7th Report of the Planning and Environment Committee
Councillor J.L. Baechler presents.

Motion made by Councillor J.L. Baechler to Approve clauses 1 to 16, excluding clauses 4 and 14.

1. Disclosures of Pecuniary Interest

That it BE NOTED that Councillor S.E. White disclosed a pecuniary interest in clause 13 of this Report having to do with the application of St. Leonard's Community Services, regarding the property located at 313 Clarke Road, specifically as it relates to discussions about children under the care of the Children's Aid Society, as the Children's Aid Society is her employer.

2. 2nd Report of the Agricultural Advisory Committee

That the 2nd Report of the Agricultural Advisory Committee from its meeting held on March 19, 2014 BE RECEIVED.

3. Blackfriars/Petersville Official Plan/Zoning Study (OZ-8295)

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the Official Plan and Zoning By-law review undertaken by the City of London relating to the Blackfriars/Petersville Neighbourhood:

- a) the draft report, as appended to the staff report dated April 8, 2014, BE CIRCULATED to the public, landowners and agencies for review and comment; and,
- b) the City, in consultation with the Upper Thames River Conservation Authority, the Ministry of Natural Resources and the Ministry of Municipal Affairs and Housing, BE REQUESTED to initiate the process to designate the Blackfriars/Petersville area as a Special Policy Area consistent with the Provincial Policy Statement. (2014-D14)

5. 3rd Report of the Trees and Forests Advisory Committee

That, the following actions be taken with respect to Clause 1 of the 3rd Report of the Trees and Forests Advisory Committee (TFAC) from its meeting held on March 26, 2014:

- a) clause 1 of the 3rd Report of the TFAC BE REFERRED to a future meeting of the Planning and Environment Committee when the Urban Forest Strategy is being considered:

Clause 1 of the 3rd Report of the TFAC reads as follows:

- a) the Civic Administration BE REQUESTED to consider the feedback comments from the TFAC, with respect to the Urban Forest Strategy;
- b) the Municipal Council BE REQUESTED to adopt the proposed Urban Forest Strategy; it being noted that the ultimate success of the strategy will depend on the manner in which it is implemented, and that the TFAC would look forward to the opportunity to be engaged in the development of the Urban Forest Strategy implementation plan; and,
- c) upon the final approval of the Urban Forest Strategy:
 - i) the Civic Administration BE REQUESTED to proceed with the first two years of implementation; and,
 - ii) the necessary staff resources and funding to successfully implement this strategy (which is critical to maintaining the livable quality and character of "London –The Forest City") BE SECURED;

it being noted that the TFAC received the following delegations and communications with respect to this matter:

- a delegation from I. Listar, Manager, Urban Forestry;
- a delegation from T. Rutten, 903 Trafalgar Street;
- a delegation from J. Robertson;
- a communication, dated March 23, 2014, from R. Cory;
- a communication, dated March 25, 2014, from L. Neumann;

- a communication, dated March 22, 2014, from N. Hébert;
- a communication, dated March 26, 2014, from M. Temme;
- a communication, dated March 26, 2014, from G. Sinclair, Old South Community Organization;

it being noted that the Civic Administration is considering the recommendations of the TFAC from its meeting held on March 26, 2014, with respect to this matter;

b) that clauses 2 to 5, inclusive, of the 3rd Report of the TFAC BE RECEIVED;

it being noted that the Planning and Environment Committee heard a verbal presentation from A. Cantell, Vice Chair, TFAC, with respect to this matter.

6. Amendments to Fees and Charges By-law A-47 - Planning Fees - Extension of a Draft Plan of Subdivision

That, on the recommendation of the City Clerk, on the advice of the Managing Director, Development & Compliance Services and Chief Building Official, the proposed by-law, as appended to the staff report dated April 8, 2014, BE INTRODUCED at the Municipal Council meeting to be held on April 15, 2014, to amend By-law No. A-47 entitled "A by-law to provide for Various Fees and Charges" in order to amend the fees related to applications for an extension of a draft plan of subdivision approval, by deleting the fee of \$3000.00;

it being pointed out that at the public participation meeting associated with this matter, the individual indicated on the ~~attached~~ public participation meeting record made an oral submission in connection therewith. (2014-C01)

7. City-Wide Changes to Vacant Land Condominium Policies (OZ-8288)

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the application of Sifton Properties Limited, relating to policies and zoning on Vacant Land Condominiums:

a) the proposed by-law, as appended to the staff report dated April 8, 2014, BE INTRODUCED at the Municipal Council meeting to be held on April 15, 2014, to amend the Official Plan to change Policy 19.15.4. Vacant Land Condominiums by deleting and replacing subsection iii) and iv) with the following:

- iii) proposals for vacant land condominiums which will result in units above or below any other unit will not be supported;
- iv) only one dwelling will be permitted per unit;
- v) at the time of registration, structures cannot cross unit boundaries;
- vi) the registration of a proposed development, as more than one vacant land condominium corporation may be permitted if the proposal is supportive of comprehensive development and planning goals. The minimum number of units to be included in each condominium corporation shall be more than adequate to allow for the reasonable, independent operation of the condominium corporation;

b) the proposed by-law, as appended to the staff report dated April 8, 2014, BE INTRODUCED at the Municipal Council meeting to be held on April 15, 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 By-law No. Z.-1 by deleting and replacing "UNIT IN A VACANT LAND CONDOMINIUM" with the following: "UNIT IN A VACANT LAND CONDOMINIUM" means a parcel of land within a vacant land condominium for the purpose of constructing one dwelling.";
- ii) amend section 9.3 R5 Zone Regulations by adding the following sub-bullet:
 - "3) For the purposes of the R5 Zone variations, only one townhouse dwelling is permitted to be constructed on a unit in a Vacant Land Condominium.

No townhouse dwellings are permitted to be constructed within a proposed Vacant Land Condominium until after registration of the plan of condominium has occurred.”;

- iii) amend section 10.3 R6 Zone Regulations by deleting sub bullet 2) and by replacing it with the following:

“2) Only one dwelling is permitted to be constructed on a unit in a Vacant Land Condominium.

No dwellings are permitted to be constructed within a proposed Vacant Land Condominium until after registration of the plan of condominium has occurred, except for a single detached dwelling.

No attached dwellings are permitted to be constructed within a proposed Vacant Land Condominium until after registration of the plan of condominium has occurred.”; and,

- c) subject to the approval of parts a) and b), above, the Civic Administration BE DIRECTED to report back at a future meeting of the Planning and Environment Committee with respect to proposed policy guideline amendments that would permit a ‘two-step building permit process’ to implement the proposed changes to Vacant Land Condominiums;

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

8. Property located on a portion of 240 Waterloo Street (Z-8317)

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of Caranci Consulting & Public Affairs, relating to the property located at 240 Waterloo Street:

- a) the proposed by-law, as appended to the staff report dated April 8, 2014, BE INTRODUCED at the Municipal Council meeting to be held on April 15, 2014 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning on a portion of the subject property FROM a Restricted Service Commercial (RSC1) Zone, TO a Business District Commercial Special Provision (BDC(_)) Zone; and,
- b) the Civic Administration BE DIRECTED to work with the London Advisory Committee on Heritage and the Owner to prepare a statement of cultural heritage value and interest for the property at 240 Waterloo Street and report back to the Planning and Environment Committee with respect to a possible Notice of Intent to Designate, at a future date;

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

9. Properties located at 221-225 Queens Avenue (Z-8312)

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of Sifton Properties Ltd., relating to the properties located at 221-225 Queens Avenue:

- a) the proposed by-law, as appended to the revised staff report dated April 8, 2014, BE INTRODUCED at the Municipal Council meeting to be held on April 15, 2014 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM a holding Downtown Area (h-3*DA2*D350) Zone TO a holding Downtown Area/ Temporary (h-3*DA2*D350/T(_)) Zone; and
- b) the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject property FROM a holding Downtown Area (h-3*DA2*D350) Zone TO a holding Downtown Area Special Provision (h-3*DA2(_)*D350) Zone BE REFUSED for the following reasons:

- i) a permanent commercial surface parking lot within the downtown is not in keeping with the goals of the Provincial Policy Statement, 2005 for maintaining strong communities, a clean and healthy environment and a strong economy;
- ii) the Official Plan discourages permanent surface level commercial parking lots within the Downtown Shopping Area;
- iii) a permanent commercial surface parking lot at this location is not in keeping with the recommendations of the Downtown London Heritage Conservation District Plan, 2012;
- iv) a permanent commercial surface parking lot at this location is not in keeping with strategies of SmartMoves 2030 Transportation Master Plan, 2013; and,
- v) a permanent commercial surface parking lot at this location is not consistent with the Draft Downtown Master Plan;

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

10. Properties located at 486, 486B and 500 Clarke Road (Z-8309)

That, on the recommendation of the Managing Director, Planning and City Planner, with respect to the application of 780612 Ontario Ltd., relating to the properties located at 486, 486B and 500 Clarke Road, the proposed by-law, as appended to the staff report dated April 8, 2014, BE INTRODUCED at the Municipal Council meeting to be held on April 15, 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 Restricted Service Commercial Special Provision (RSC1(5)/RSC4/RSC5) Zone TO a Restricted Service Commercial Special Provision (RSC1(5)/RSC2/RSC3(_)/RSC4/RSC5) Zone;

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

11. Property located at 2825 Tokala Trail (Z-8326)

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of York Development (London) Inc., relating to the property located at 2825 Tokala Trail, the proposed by-law, as appended to the staff report dated April 8, 2014, BE INTRODUCED at the Municipal Council meeting to be held on April 15, 2014 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM a Holding Neighbourhood Shopping Area Special Provision (h-120*NSA5(6)) Zone TO a Holding Neighbourhood Shopping Area Special Provision (h-(_)*h-120*NSA5(6)) Zone;

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

12. Property located at 1550 Sunningdale Road West (Z-8079)

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the application of Mike Ansari, relating to the property located at 1550 Sunningdale Road West, the proposed by-law, as appended to the staff report dated April 8, 2014, BE INTRODUCED at the Municipal Council meeting to be held on April 15, 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 Residential (R1-16) Zone, which permits single detached lots with a minimum lot frontage of 50 metres and a minimum lot area of 4000 square metres TO a Holding Residential R1 (h*h-39*h-100*R1-3) Zone, which permits single detached lots with a minimum lot frontage of 10 metres and a minimum lot area of 300 square metres, subject to holding provisions to ensure that an agreement is executed by the applicant and the City prior to development, that the lotting pattern be established to the satisfaction of the City and that water looping and access is available to the satisfaction of the City Engineer and a Holding Residential R1 Special Provision (h-110*R1-10 (_)) Zone, which permits single detached lots with a minimum lot frontage of 22 metres, a minimum lot area of 925 square metres, a minimum south side yard setback of 2.3 metres and a minimum east side yard setback of 7.0 metres subject to a holding provision to ensure that municipal servicing and access are adequately addressed through future planning applications to the satisfaction of the City and a Holding Residential R5/R6(h*h-53*h-54*h-100*h-110*R5-6/R6-5) Zone, which permits cluster housing in the form of single detached dwellings, semi-detached dwellings, duplex dwellings,

triplex dwellings, fourplex dwellings, townhouse dwellings, stacked townhouse dwellings and apartment buildings subject to holding provisions to ensure that a development agreement is executed by the applicant and the City prior to development, to encourage street-oriented development and to discourage noise attenuation walls along arterial roads, a development agreement shall be entered into to ensure that new development is designed and approved, consistent with the Community Plan, to the satisfaction of the City, that a noise assessment report be submitted and noise attenuation measures as recommended be implemented to the satisfaction of the City, that access is adequately addressed through future planning applications to the satisfaction of the City and that water looping and access is available to the satisfaction of the City Engineer;

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

13. Property located at 313 Clarke Road (OZ-8300)

That, the application of St. Leonard's Community Services, relating to the property located at 313 Clarke Road BE REFERRED back to the Civic Administration to report back at a future meeting of the Planning and Environment Committee, with respect to the following:

- a) a reduction of the maximum number of occupants to four or five, with the appropriate staffing levels;
- b) a further review of the amenity space; and,
- c) a further review of the number of parking spaces required;

it being noted that Councillor S.E. White removed herself from the meeting during the discussion of children under the care of the Children's Aid Society as the Children's Aid Society is her employer;

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

- a communication, dated March 27, 2014, from R. Knutson, Knutson Development Consultants Inc.; and,
- a communication, dated March 31, 2014, from L. Davis, Area Resident's Committee; (Secretary's Note: a petition signed by 105 individuals is available for viewing in the City Clerk's Office);

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)

15. Strategies for Reducing Bird Deaths as a Result of High-Rise Developments

That the communication, dated April 8, 2014, from Councillor J.P. Bryant, BE REFERRED to the Civic Administration for consideration and to report back at a future meeting of the Planning and Environment Committee. (2014-P14)

16. Request to start the April 29, 2014 Planning and Environment Committee meeting at 5:30 PM

That, notwithstanding Section 24.11 of the Council Procedure By-law, the April 29, 2014 meeting of the Planning and Environment Committee commence at 5:30 PM.

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 to Approve clause 4.

4. 4th Report of the Environmental and Ecological Planning Advisory Committee

That, the following actions be taken with respect to the 4th Report of the Environmental and Ecological Planning Advisory Committee from its meeting held on March 20, 2014:

- a) the following actions be taken with respect to the Sifton Bog Monitoring Committee:
- i) the Civic Administration BE DIRECTED to reimplement the Sifton Bog Monitoring Committee;
 - ii) the Sifton Bog Monitoring Committee BE CHAIRED by the Managing Director, Planning and City Planner or his designate; it being noted that this will ensure that the monitoring of the health of this unique ecosystem will be ongoing and reported to the Planning and Environment Committee on a regular basis, not less than annually, and to allow informed management;
 - iii) the Sifton Bog Monitoring Committee membership BE REQUIRED to include a City of London Ecologist, a representative from Stormwater Management, a representative from the Environmental and Ecological Planning Advisory Committee, a representative from the Upper Thames River Conservation Authority and the Ministry of Environment and other such City representation and expertise as effective management should require;
 - iv) the Civic Administration BE DIRECTED to retain a consultant to initiate and sustain monitoring of the quality and quantity of surface water inflows, storage and drainage of the bog waters or to make such data public if it has been collected, as required in development conditions applicable to those properties north and east of the Sifton Bog; and,
 - v) the Civic Administration BE DIRECTED to retain a consultant to update the inventory of vegetation communities in Sifton Bog and to report on the changes that have occurred since completion of construction and subsequent to the existing report; it being noted that the most recent report was provided by Bradwill Consulting in 2012, which reported on conditions up to 2008;
- b) that clauses 2 to 11, inclusive, of the 4th Report of the EEPAC BE RECEIVED;

it being noted that the Planning and Environment Committee heard a verbal presentation from C. Smart, EEPAC, with respect to these matters.

Motion made by Councillor P. Hubert and seconded by Councillor J.P. Bryant to Amend part a) i) of clause 4, by adding the following words after the word "Committee:

"and until such time as the Sifton Bog Monitoring Committee is re-implemented, the Environmental and Ecological Planning Advisory Committee, or a sub-committee thereof, fulfill the role of the Sifton Bog Monitoring Committee;"

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 4, 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 4, as amended, reads as follows:

That, the following actions be taken with respect to the 4th Report of the Environmental and Ecological Planning Advisory Committee from its meeting held on March 20, 2014:

- a) the following actions be taken with respect to the Sifton Bog Monitoring Committee:
 - i) the Civic Administration BE DIRECTED to re-implement the Sifton Bog Monitoring Committee and until such time as the Sifton Bog Monitoring Committee is re-implemented, the Environmental and Ecological Planning Advisory Committee, or a sub-committee thereof, fulfill the role of the Sifton Bog Monitoring Committee;
 - ii) the Sifton Bog Monitoring Committee BE CHAIRED by the Managing Director, Planning and City Planner or his designate; it being noted that this will ensure that the monitoring of the health of this unique ecosystem will be ongoing and reported to the Planning and Environment Committee on a regular basis, not less than annually, and to allow informed management;
 - iii) the Sifton Bog Monitoring Committee membership BE REQUIRED to include a City of London Ecologist, a representative from Stormwater Management, a representative from the Environmental and Ecological Planning Advisory Committee, a representative from the Upper Thames River Conservation Authority and the Ministry of Environment and other such City representation and expertise as effective management should require;
 - iv) the Civic Administration BE DIRECTED to retain a consultant to initiate and sustain monitoring of the quality and quantity of surface water inflows, storage and drainage of the bog waters or to make such data public if it has been collected, as required in development conditions applicable to those properties north and east of the Sifton Bog; and,
 - v) the Civic Administration BE DIRECTED to retain a consultant to update the inventory of vegetation communities in Sifton Bog and to report on the changes that have occurred since completion of construction and subsequent to the existing report; it being noted that the most recent report was provided by Bradwill Consulting in 2012, which reported on conditions up to 2008;
- b) that clauses 2 to 11, inclusive, of the 4th Report of the EEPAC BE RECEIVED;

it being noted that the Planning and Environment Committee heard a verbal presentation from C. Smart, EEPAC, with respect to these matters.

Motion made by Councillor J.L. Baechler to Approve clause 14.

14. Property located at 1836 Richmond Street (Z-8229)

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of Western University relating to the property located at 1836 Richmond Street:

- a) the proposed by-law, as appended to the staff report dated April 8, 2014, BE INTRODUCED at the Municipal Council meeting to be held on April 15, 2014, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM an Urban Reserve (UR2) Zone TO a Holding Residential R5/Residential R7/Residential R8 Special Provision (h-4•h-5•h-18•h-54•h-55•h-79•h-89•R5-7(*)/R7(*)/R8-4(*) Zone, an Open Space Special Provision (OS5(*)), an Open Space Special Provision (OS5(**)) Zone and an Urban Reserve Special Provision (UR2(*) Zone;
- b) the Site Plan Approval Authority BE REQUESTED to consider the following issues through the site plan process:
 - i) a concept plan for the entire site, including urban design guidelines and principles as per the Placemaking Guidelines, to ensure that the property is developed in a logical and comprehensive fashion;

- ii) locating buildings close to, and oriented towards, Richmond Street to create an active street edge and contribute to the character of the future transit node at Richmond Street and Fanshawe Park Road West;
 - iii) locating taller buildings adjacent to Richmond Street rather than internal to the site, to enclose the street and create a transition in height through the site;
 - iv) using a combination of setback, built form, building orientation and height for buildings at the north-west corner of the site to provide a sensitive transition from the existing residential development to the north to the new development on the subject site;
 - v) locating parking underground or in the side or rear yards of proposed buildings and away from Richmond Street or any other future street frontages, to screen the parking and provide active uses at the street edge. Where this is not possible, screen any parking that is visible from a public street with enhanced landscaping such as shrubs and/or low landscape walls;
 - vi) including convenient, safe and direct pedestrian connections from the public sidewalk to the building entrances, through the site and between buildings to facilitate pedestrian movement to and through the site;
 - vii) retaining the necessary topography and design the site to protect and enhance unobstructed view(s) of the Downtown skyline in order to create amenity for all future residents of the property;
 - viii) incorporating Gibbon's Lodge and any other historic features identified through the statement of cultural heritage value and interest for the property in a functional and meaningful way into the new development;
 - ix) incorporating trees identified in the required tree retention plan into the landscaping plans for new development in order to retain some of the existing vegetation; and,
 - x) preparing and implement to the satisfaction of the Managing Director of Environmental and Engineering Services and City Engineer, the recommendations of a hydrogeological and geotechnical report;
- c) the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject property FROM an Urban Reserve (UR2) Zone TO a Residential R5/Residential R7/Residential R8 Special Provision (R5-7(_)/R7(_)/R8-4(_)) Zone, a Holding Residential R5/Residential R7/Residential R8 Special Provision (h-_*R5-7(_)/R7(_)/R8-4(_)) Zone, an Open Space Special Provision (OS5(_)) Zone and an Open Space Special Provision (OS5(_)) Zone, BE REFUSED for the following reasons:
- i) on the development lands, consideration of a 0.0 metre building setback from the ecological buffer is premature until a more detailed Environmental Impact Study is prepared by the developer, which is based on detailed development plans and includes recommendations and conclusions accepted by the City addressing building setbacks;
 - ii) on the development lands, it is appropriate to include a reduced front yard setback, (not requested by the applicant), in order to facilitate the placement of buildings close to the street in support of urban design principles;
 - iii) on the development lands, it is appropriate to include holding provisions, (not requested by the applicant), to ensure that detailed geotechnical studies, public site plan approval, archaeological assessment, noise, traffic impact, tree preservation, storm/drainage and stormwater servicing are addressed prior to development, at the site plan approval stage;
 - iv) on the maximum ecological buffer, an alternative is recommended to the requested Residential Zones with a holding provision requiring the completion of an EIS which reviews detailed development plans and refines the exact boundaries of the Maximum Ecological Buffer. The recommended Urban Reserve Special Provision (UR2(*)) Zone provides impartiality on the ultimate outcome of a more detailed Environmental Impact Study, and provides an explanation of the expectations to be met before Residential and/or Open Space Zones are applied to the area to delineate the development limit;
 - v) it is appropriate to extend the minimum ecological buffer through the existing developed area on the property to prevent future development or site alteration in the area intended to protect the Environmentally Significant Area and Provincially Significant Wetland;
 - vi) it is appropriate to extend the maximum ecological buffer to the area between the minimum ecological buffer and the existing dwelling to prevent future development or site alteration in the area until the final development limit is determined; and,

- vii) it is appropriate to include a limited range of non-residential uses, not requested by the applicant, as permitted uses within the existing buildings which have heritage significance, in order to facilitate their conservation;
- d) the Civic Administration BE DIRECTED to work with the London Advisory Committee on Heritage and the Owner to prepare a statement of cultural heritage value and interest for the property at 1836 Richmond Street;

it being noted that the Planning and Environment Committee reviewed and received a communication, dated April 3, 2014, from S. Jarrett, Legal Counsel, Western University, 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 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)

8th Report of the Community and Protective Services Committee (continued)
Councillor M. Brown presents.

Motion made by Councillor M. Brown to Approve clauses 1 to 12, excluding clause 10.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. 2nd Report of the Community Safety and Crime Prevention Advisory Committee

That the 2nd Report of the Community Safety and Crime Prevention Advisory Committee, from its meeting held on March 27, 2014, BE RECEIVED.

3. Community-Led Parks Projects - 2013 Yearly Update

That, on the recommendation of the Managing Director, Planning and City Planner, the staff report dated April 7, 2014, with respect to an update on the 2013 community-led parks projects, BE RECEIVED. (2014-S12)

4. Service Contracts/Agreements with the Province

That, on the recommendation of the Senior Financial Business Administrator, with the concurrence of the Managing Director, Housing, Social Services and Dearness Home, and the Managing Director, Neighbourhood, Children and Fire Services, the proposed by-laws, as appended to the staff report dated April 7, 2014, BE INTRODUCED at the Municipal Council meeting on April 15, 2014 to:

- a) delegate the authority to approve various Service Contracts/Agreements, Schedules, and amendments, with Her Majesty the Queen in Right of Ontario; and
- b) authorize the Mayor and the City Clerk to execute the Service Contracts/Agreements, Schedules and amendments so approved under section a) above;

it being noted that these are standard Service Contracts/Agreements issued annually by the Province as the vehicle for receiving Provincial subsidy, the funding for these programs is contained in the City's annual budget process, and the Service Contracts/Agreements are with respect to the following Ministries:

- The Ministry of Community and Social Services, for programs legislated under the Ontario Works Act;
- The Ministry of Children and Youth Services, for programs legislated under the Day Nurseries Act; and,

- The Ministry of Education, for programs legislated under the Day Nurseries Act and the Ontario Works Act. (2014-L04A)

5. Elderly Persons Centres Funding Agreement

That, on the recommendation of the Managing Director of Neighbourhood, Children and Fire Services, the proposed by-law as appended to the staff report dated April 7, 2014 BE INTRODUCED at the Municipal Council meeting to be held on April 15, 2014 to:

- a) authorize and approve an Elderly Persons Centres Funding Agreement, substantially in the form ~~attached~~ as Schedule 1 to the by-law, between The Corporation of the City of London and Her Majesty the Queen in Right of Ontario as represented by the Ministry of Citizenship and Immigration; and
- b) delegate authority to the Mayor and the City Clerk to execute the Agreement authorized and approved above. (2014-L04A)

6. Report to the Licensee of the Dearness Home Regarding the 2013-2016 Long-Term Care Home Service Accountability Agreement between The Corporation of the City of London (Dearness Home) and the South East Local Health Integration Network (LHIN) Declaration of Compliance 2013

That, on the recommendation of the Managing Director, Housing, Social Services and Dearness Home, and with the concurrence of the City Manager, the report dated April 7, 2014 to the Licensee of the Dearness Home regarding the Dearness Home Committee of Management direction to execute the Declaration of Compliance under the Long-Term Care Home Service Accountability Agreement for the reporting period of January 1 to December 31, 2013, BE RECEIVED for information.(2014-L04A)

7. Multi-Sector Service Accountability Agreement (M-SAA) between The Corporation of The City of London and the South West Local Health Integration Network (LHIN)

That, on the recommendation of the Managing Director, Housing, Social Services and Dearness Home, with the concurrence of the City Manager, the proposed by-law, as appended to the staff report dated April 7, 2014, BE INTRODUCED at the Municipal Council meeting of April 15, 2014 to:

- a) approve the Multi-Sector Accountability Agreement (M-SAA) between The Corporation of the City of London and the South West Local Health Integration Network (SW-LHIN) to provide funding for the 2014-2017 fiscal periods for the delivery of the Dearness Adult Day Program; and
- b) authorize the Mayor and the City Clerk to execute the Agreement in (a), above. (2014-L04A)

8. PUBLIC PARTICIPATION MEETING - Extension of Hours for Amplified Sound at the Memorial Cup

That, on the recommendation of the Managing Director, Parks and Recreation, the proposed by-law appended to the staff report dated March 24, 2014, BE INTRODUCED at the Municipal Council Meeting to be held on April 15, 2014 to extend the hours for amplified sound for the 2014 Mastercard Memorial Cup, in section 13.0 of the City of London Special Events Policies and Procedures Manual on May 16/17 and May 24/25, 2014. (2014-C01)

9. 3rd Report of the Accessibility Advisory Committee

That the following actions be taken with respect to the 3rd Report of the Accessibility Advisory Committee (ACCAC), from its meeting held on March 27, 2014:

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

“1. That the following actions be taken with respect to the By-laws, Policy and Training Sub-committee report from its meeting held on March 11, 2014:

- a) the Civic Administration BE REQUESTED to attend a meeting of the ACCAC to discuss:
 - i) the potential re-naming of Sanitorium Road; and
 - ii) a review, and potential amendment to Section 4.8 Group Homes, of the Z-1 Zoning By-law, with respect to potential changes to minimum separation distance requirements;
- b) the ACCAC Chair BE DIRECTED to discuss Spectrum program costs with the Civic Administration, and to report back at a future ACCAC meeting with respect to this matter; it being noted that the ACCAC would like to explore improved program cost equity;” and,
- b) clauses 2 to 12 BE RECEIVED.

11. 1st Report of the Council Housing Leadership Committee

That, on the recommendation of the Council Housing Leadership Committee, based on the recommendation of the Director of Housing, with the concurrence of the Managing Director, Housing, Social Services, and Dearness Home, the following actions be taken with respect to the 1st Report of the Council Housing Leadership Committee (CHLC):

- a) the following actions be taken with respect to a proposed Housing Development Corporation (HDC):
 - i) the report entitled “A (Draft) Business Plan for a Housing Development Corporation for the City of London” BE RECEIVED; it being noted that this is a draft report and the recommendations in the report are not being adopted at this time;
 - ii) the Civic Administration BE DIRECTED to consult with key stakeholders engaged in affordable housing development to inform the preparation of a final business plan which will be presented to the Council Housing Leadership Committee at its meeting to be held on May 12, 2014; and,
 - iii) the City Solicitors Office and Finance also BE INCLUDED in the above-noted consultation process;

it being noted that the CHLC received the ~~attached~~ presentation from C. Pacini, SHS Consulting, A. Spence, MaRS and N. Tasevski, Purpose Capital, with respect to this matter;

- b) the following actions be taken with respect to the Convert-to-Rent/Rehabilitation Program, and the corresponding Contribution Agreement, for the property located at 660 Dundas Street:
 - i) Vernon Martin and Adam Woodhouse BE APPROVED to receive a municipal allocation of \$288,000 for six (6) units at 660 Dundas Street East as per the ~~attached~~ Sources of Financing Report;
 - ii) the proposed by-law, as appended to the 1st Report of the CHLC from its meeting held on April 3, 2014, BE INTRODUCED at the Municipal Council meeting to be held on April 15, 2014, to approve the Contribution Agreement pertaining to the above-noted proposal substantially in the form of agreement appended to the aforementioned by-law and to the satisfaction of the City Solicitor; and,
 - iii) the Mayor and the City Clerk BE AUTHORIZED to execute the said Agreement; and,
- c) clause 3 BE RECEIVED.

12. Public Submission - Business License - Late Payment Fee

That the following actions be taken with respect to the Business Licence Late Payment Fee:

- a) the communication dated March 31, 2014, from Mark Watson, Phoenix Car Wash, BE RECEIVED and BE REFERRED to the Civic Administration to follow up directly with the individual;
- b) in accordance with the "At Your Service" initiative, the Civic Administration BE REQUESTED to investigate and report back at a future meeting of Community and Protective Services Committee, regarding an enhanced notification process with respect to the renewal of Business Licences to ensure that Licensees are given adequate notice of the need to renew their Business Licence;
- c) the Civic Administration BE REQUESTED to report back on potential options regarding the "Renewal Late Fee" for Business Licences that may provide for the following:
 - i) the removal of the Late Payment Fee;
 - ii) a grace period before the Late Payment Fee would be applied; or
 - iii) an escalated Renewal Fee based on the lateness of the payment.

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)

6th Report of the Investment and Economic Prosperity Committee
Councillor J.B. Swan presents.

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

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

3. London's Music Industry Strategy – Terms of Reference

That, on the recommendation of the Director, Corporate Investments and Partnerships, the attached revised Terms of Reference for the proposed London's Music Industry Development Task Force BE ENDORSED; it being noted that the above-noted Terms of Reference were amended to reflect a minimum composition of 13 Members on the Task Force.

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.B. Swan to Approve clause 2.

2. Key Cultural Prosperity Plan Initiatives to be Funded by the Culture Office in 2014

That, on the recommendation of the Director of Corporate Investments and Partnerships, the following actions be taken with respect to the funding of key cultural initiatives:

- a) the following BE FUNDED from the existing 2014 Culture Office budget to further the actions of London's Cultural Prosperity Plan:
 - i) the London Arts Council (LAC) in the amount of \$55,000 for the purpose of administering the following projects:
 - \$30,000 to the London Artists In Residence (LAIR) Program;
 - \$25,000 to London's September 27 & 28, 2014 Culture Days weekend celebration; and,

- ii) the London Heritage Council (LHC) in the amount of \$35,000 for the purpose of administering the following projects:
 - \$25,000 to Trails Open London to be presented in June 2015;
 - \$10,000 to Museum School; and,
- b) \$20,000 BE UTILIZED by the Culture Office to celebrate and promote London's cultural assets, programming and other defining characteristics of London's Cultural Prosperity Plan/Profile to create a stronger appreciation of culture in our community.

Motion Passed

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

RECUSED: M. Brown (1)

10th Report of the Strategic Priorities and Policy Committee
Councillor D. Brown presents.

Motion made by Councillor D. Brown to Approve clauses 1 to 10.

1. Disclosure of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Service London Update

That, on the recommendation of the Managing Director of Neighbourhood, Children and Fire Services, the following actions be taken with respect to the Customer Relationship Management software system and the Service London Business Initiative:

- a) the update on the Customer Relationship Management (CRM) software system BE RECEIVED for information; and
- b) the next steps associated with the Service London Business Initiative BE ENDORSED;

it being noted that the Strategic Priorities and Policy Committee heard the ~~attached~~ presentation from R. Wilcox with respect to this matter.

3. ReThink London - Update

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to ReThink London:

- a) the staff report dated April 14, 2014, outlining the next steps of the public engagement and review process for ReThink London, BE RECEIVED; and,
- b) a Special Strategic Priorities and Policy Committee meeting BE HELD on May 22, 2014 to receive a presentation on the draft new Official Plan, prior to its public release, to initiate the public engagement and review process;

it being noted that the new Official Plan will be adopted pursuant to Section 17 of the Planning Act, and that the process for adoption, public participation, and notice shall be in accordance with the provisions of that Section.

4. Industrial Land Development Strategy Update (City Manager)

That the verbal update from the City Manager and the Director of Intergovernmental and Community Liaison, with respect to the Industrial Land Development Strategy, BE RECEIVED for information; it being noted that the City Manager indicated that a further report will be forthcoming at the May 5, 2014 meeting of the Strategic Priorities and Policy Committee.

5. 2014 Development Charges – Covering Report and Draft DC Rate By-law

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, on the advice of the Director, Development Finance, the 2014 Development Charges (DC) Background Study, and the 2014 draft DC by-law, as appended to the staff report dated April 14, 2014, BE RECEIVED and the following recommendations BE REFERRED to the statutory public meeting as required under the Development Charges Act, 1997, on May 5, 2014:

- “a) the revised Commercial growth projections, as described in Appendix H.5, BE ADOPTED; it being noted that the revised projections arise out of a review by Altus of the commercial space factors used in the previous forecasts;
- b) in accordance with the DC legislation, the intention to meet the capital project needs of growth, as listed in the rate calculations contained in Appendices "B" through "M" of the 2014 DC Background Study - March, 2014 BE CONFIRMED subject to ongoing reviews afforded by the annual Growth Management Implementation Strategy process, and changes through the Capital Budget approval process, and subject to collection of sufficient DC revenues;
- c) the DC Background Study dated April, 2014 BE APPROVED;
- d) the draft DC by-law (attached as Appendix J to the staff report dated April 14, 2014) BE APPROVED effective August 4, 2014; it being noted that By-law C.P.-1473-212 (as amended), being the City's existing Development Charges By-law will expire coincidental with the coming into force of the new by-law which incorporates the new DC rates identified in Appendix D of the staff report dated April 14, 2014;
- e) in considering this matter, it be noted that:
 - i) Council received a report which contained, among other things:
 - A) the proposed schedule of Development Charge rates contained in the by-law (Appendix D of the report and Schedule 1 of the Draft DC rate by-law). The rates tabled for Council consideration include a Water Supply component (\$400/single detached);
 - B) the exemptions identified in By-law CP1473-212 (as amended), namely:
 - the 50% Institutional exemption,
 - the Industrial development exemption,
 - the Downtown Residential exemption,

are all continued in the draft DC by-law but will expire upon passage of CIP by-laws to amend and replace the same consistent with Council's resolution August 27, 2013;
 - ii) in accordance with the direction of Council, Administration has responded to comments and concerns raised in relation to the report on Draft DC Rate Calculations at the SPPC meeting of February 20, 2014 in Appendix H of the staff report dated April 14, 2014; and
 - iii) the draft DC by-law (Appendix J to the staff report dated April 14, 2014), includes amendments to DC Policy considered and approved in the preceding two years, as well as technical amendments intended to add clarity to the by-law (amendments summarized in Appendix I to the staff report dated April 14, 2014);

it being noted that the Strategic Priorities and Policy Committee heard the ~~attached~~ presentation from the Director, Development Finance, with respect to this matter.”

6. Request for Delegation Status at the May 5, 2014 Strategic Priorities and Policy Committee Meeting re London & Middlesex Housing Corporation (LMHC Annual General Meeting)

That the following actions be taken with respect to the 2013 Annual General Meeting of the Shareholder for the London & Middlesex Housing Corporation:

- a) the 2013 Annual General Meeting of the Shareholder for the London & Middlesex Housing Corporation BE HELD at a meeting of the Strategic Priorities and Policy Committee on May 5, 2014, for the purpose of receiving the report from the Board of Directors of the London & Middlesex Housing Corporation in accordance with the Shareholder Declaration and the Business Corporations Act, R.S.O. 1990, c. B.16; and
- b) the City Clerk BE DIRECTED to provide notice of the 2013 Annual Meeting to the Board of Directors for the London & Middlesex Housing Corporation and to invite the Chair of the Board and the Executive Director of the London & Middlesex Housing Corporation to attend at the Annual Meeting and present the report of the Board in accordance with Article 7.1 of the Shareholder Declaration;

it being noted that the Strategic Priorities and Policy Committee received a communication dated February 3, 2014, from S. Matthew, Executive Director, London & Middlesex Housing Corporation with respect to this matter.

7. Request for Delegation Status at the May 5, 2014 Strategic Priorities and Policy Committee Meeting re London Hydro (LHI) Annual General Meeting

That the following actions be taken with respect to the 2013 Annual General Meeting of the Shareholder for London Hydro Inc.:

- a) the 2013 Annual General Meeting of the Shareholder for London Hydro Inc. BE HELD at a meeting of the Strategic Priorities and Policy Committee on May 5, 2014, for the purpose of receiving the report from the Board of London Hydro Inc. in accordance with the Shareholder Declaration and the Business Corporations Act, R.S.O. 1990, c. B.16; and,
- b) the City Clerk BE DIRECTED to provide notice of the 2013 Annual Meeting to the Board of Directors for London Hydro Inc., and to invite the Chair of the Board and Chief Executive Officer of London Hydro Inc. to attend at the Annual Meeting and present the report of the Board in accordance with Article 7.1 of the Shareholder Declaration; and,

it being noted that the Strategic Priorities and Policy Committee received a communication dated March 26, 2014, from P. C. Johnson, Chair, London Hydro Inc., with respect to this matter.

8. London Hydro By-law Request for VISA Payments

That the City Clerk BE DIRECTED to bring forward the necessary by-law to implement the request by London Hydro to continue to accept payments on account via credit card.

9. London Hydro Public Consultation

That it BE NOTED that the Chair advised that implementation of the public education, dialogue and consultation plan for future options for London Hydro has been postponed at this time.

10. Ombudsman Investigation

That it BE NOTED that the Chair advised that the Ombudsman's Office will be releasing a report within the next few days regarding certain closed meetings of the Municipal Council and its Committees and further, that the City Clerk will release the report publicly once it is available.

Motion made by Councillor D. Brown and seconded by Councillor B. Polhill to Amend clause 3 by adding the following new part c):

- c) the Managing Director, Corporate Services and City Solicitor BE DIRECTED to report back at the May 22, 2014 special meeting of the Strategic Priorities and Policy Committee with respect to the process and legislation under which the new Official Plan is to be adopted;

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 D. Brown and seconded by Councillor S. Orser to Amend the end of clause 3 as follows: by deleting the words "Section 17 of" and further by deleting the words "provisions of that Section" and by replacing them with the word "Act".

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 D. Brown and seconded by Councillor B. Polhill 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:

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to ReThink London:

- a) the staff report dated April 14, 2014, outlining the next steps of the public engagement and review process for ReThink London, BE RECEIVED; and,
- b) a Special Strategic Priorities and Policy Committee meeting BE HELD on May 22, 2014 to receive a presentation on the draft new Official Plan, prior to its public release, to initiate the public engagement and review process;
- c) the Managing Director, Corporate Services and City Solicitor BE DIRECTED to report back at the May 22, 2014 special meeting of the Strategic Priorities and Policy Committee with respect to the process and legislation under which the new Official Plan is to be adopted;

it being noted that the new Official Plan will be adopted pursuant to the Planning Act, and that the process for adoption, public participation, and notice shall be in accordance with the Act.

Motion made by Councillor D. Brown and seconded by Councillor N. Branscombe to Amend clause 5 in the first line of part d), by deleting the words "BE APPROVED effective August 4, 2014;" and by replacing them with the words "BE INTRODUCED at a future meeting of the Municipal Council, to come into effect on August 4, 2014;"

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 D. Brown and seconded by Councillor B. Polhill to Approve clause 5, 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 5, as amended, reads as follows:

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, on the advice of the Director, Development Finance, the 2014 Development Charges (DC) Background Study, and the 2014 draft DC by-law, as appended to the staff report dated April 14, 2014, BE RECEIVED and the following recommendations BE REFERRED to the statutory public meeting as required under the Development Charges Act, 1997, on May 5, 2014:

- "a) the revised Commercial growth projections, as described in Appendix H.5, BE ADOPTED; it being noted that the revised projections arise out of a review by Altus of the commercial space factors used in the previous forecasts;
- b) in accordance with the DC legislation, the intention to meet the capital project needs of growth, as listed in the rate calculations contained in Appendices "B" through "M" of the 2014 DC Background Study - March, 2014 BE CONFIRMED subject to ongoing reviews afforded by the annual Growth Management Implementation Strategy process, and changes through the Capital Budget approval process, and subject to collection of sufficient DC revenues;
- c) the DC Background Study dated April, 2014 BE APPROVED;
- d) the draft DC by-law (attached as Appendix J to the staff report dated April 14, 2014) BE INTRODUCED at a future meeting of Municipal Council, to come into effective August 4, 2014; it being noted that By-law C.P.-1473-212 (as amended), being the City's existing Development Charges By-law will expire coincidental with the coming into force of the new by-law which incorporates the new DC rates identified in Appendix D of the staff report dated April 14, 2014;
- e) in considering this matter, it be noted that:
 - i) Council received a report which contained, among other things:
 - A) the proposed schedule of Development Charge rates contained in the by-law (Appendix D of the report and Schedule 1 of the Draft DC rate by-law). The rates tabled for Council consideration include a Water Supply component (\$400/single detached);
 - B) the exemptions identified in By-law CP1473-212 (as amended), namely:
 - the 50% Institutional exemption,
 - the Industrial development exemption,
 - the Downtown Residential exemption,are all continued in the draft DC by-law but will expire upon passage of CIP by-laws to amend and replace the same consistent with Council's resolution August 27, 2013;
 - ii) in accordance with the direction of Council, Administration has responded to comments and concerns raised in relation to the report on Draft DC Rate Calculations at the SPPC meeting of February 20, 2014 in Appendix H of the staff report dated April 14, 2014; and
 - iii) the draft DC by-law (Appendix J to the staff report dated April 14, 2014), includes amendments to DC Policy considered and approved in the preceding two years, as well as technical amendments intended to add clarity to the by-law (amendments summarized in Appendix I to the staff report dated April 14, 2014);

it being noted that the Strategic Priorities and Policy Committee heard the ~~attached~~ presentation from the Director, Development Finance, with respect to this matter."

The motion to adopt clauses 1, 2, 4, 6, 7, 8, 9 and 10 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)

V. RECOGNITIONS (continued)

2. His Worship the Mayor and Members of Council welcome and recognize representatives of the Students' Councils from Western University, Huron University College, Brescia University College, King's University College, Society of Graduate Students and Fanshawe College, including the following:

Adam Fearnal, President and Patrick Whelan, President-Elect, University Students' Council, Western University;

Vivek Prabhu, President, Huron University College Students' Council;

Jazmyn Jansen, President and Emily Addison, President-Elect, Brescia University College Students' Council;

David Ennett, President and Jen Carter, President-Elect, Society of Graduate Students, Western University;

Christopher Shirreff, President and Kevin Godbout, President-Elect, King's University College Students' Council; and,

Zach Dodge, President and Adam Gourley, President-Elect, Fanshawe Student Union

Motion made by Councillor J.P. Bryant and seconded by Councillor H.L. Usher to Recess.

Motion Passed

The Council recesses at 6:25 PM and reconvenes at 8:10 PM with Mayor J.F. Fontana in the Chair and all Members present except Councillor B. Armstrong.

10th Report of the Committee of the Whole
Councillor. D. G. Henderson presents.

PRESENT: Mayor 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, L.L. Usher, J.P. Bryant, S.E. White and C. Saunders (City Clerk).

ABSENT: Councillor B. Armstrong

ALSO PRESENT: A. Zuidema, B. Baar, J.P. Barber, J. Braam, B. Coxhead, S. Datars Bere, K. Dawtrey, J.M. Fleming, M. Hayward, G.T. Hopcroft, L. Livingstone, V. McAlea Major, D. Munteer, R. Paynter, L.M. Rowe and B. Warner.

Motion made by Councillor D. G. Henderson and seconded by Councillor P. Hubert to Approve clause 1.

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, with the concurrence of the Managing Director, Parks and Recreation, on the advice of the Manager of Realty Services, the following actions be taken with respect to the property located at 3080 Bostwick Road:

- a) the offer submitted by 731675 Ontario Limited, 1767130 Ontario Limited, and 1767131 Ontario Limited to sell to the City a portion of the land municipally known as 3080 Bostwick Road, located on the south side of Southdale Road West between Bostwick Road and Wonderland Road South, further described as Part Lot 38, Concession 2, Designated Part 2, 33R7568 subject to WU36574, 273469 London/Westminster in the City of London, County of Middlesex containing an area of approximately 11 acres, for the purpose of a community centre, for the sum of \$2,000,000.00, BE ACCEPTED subject to the following conditions:
- i) the City obtaining the associated amendments to Official Plan and Zoning within 180 days of acceptance;

- ii) the City contributing an additional \$600,000.00 towards servicing the site;
- iii) the City accepting the property subject to a Union Gas Easement;
- iv) the City having 90 days to perform soil, geotechnical, and environmental due diligence;
- v) the City providing a donation receipt subject to compliance with Canada Revenue Agency regulations (appraised value of donation receipt \$2,380,000.00);
- vi) the City completing a reference plan;
- vii) the site area being confirmed with allowance being made for adjustment at the agreed upon purchase price;
- viii) the Vendor completing the servicing associated with the site in the specified time frame;
- ix) the Vendor discharging an existing Hydro One easement;
- x) the Vendor obtaining clearances associated for an existing L-shaped farm house located on the property; and
- xi) the City agreeing to prepare and deposit a reference plan on title on or before closing;

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, 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.L. Baechler to Approve clause 2.

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, on the advice of the Manager of Realty Services, the Civic Administration BE DIRECTED to take the necessary steps to amend the Agreement of Purchase and Sale regarding the property municipally known as 7 Annadale Drive (former Sherwood Forest Public School), described as All of Lots 225-227, 242-245, 267-271, Block "I" and part of Block "K", Registered Plan No. 891, in the City of London, County of Middlesex, containing a land area of approximately 5.508 acres, improved with a one-storey former institutional building and freestanding gymnasium building, in order to amend Section 2 of the Offer to Purchase and Section 2 of Schedule "A" attached to the Offer to Purchase by deleting those sections in their entirety and by replacing them with the following:

"2. PURCHASE PRICE: The Purchaser agrees to purchase the Property for the amount of One Million Two Hundred Fifty Thousand Dollars CAD (\$1,250,000.00) (the "Purchase Price") to be paid as follows:

- a) a deposit equal to Ten percent (10%) of the Purchase Price payable by way of certified cheque or bank draft upon acceptance of this Offer as a deposit payable to the Vendor's solicitors, "Harrison Pensa LLP, In Trust"; and
- b) the balance of the Purchase Price, subject to adjustments, payable by certified cheque on completion of this Agreement.

Provided that in the event the Purchaser sells, transfers, disposes of, conveys all or any portion of its legal or beneficial ownership in the Property (a "Third Party Transfer") within three (3) years of the date the transfer between the Vendor and the Purchaser is registered (the "Transfer"), then the Purchaser agrees to pay to the Vendor a further amount of Two Hundred and Fifty Thousand Dollars CAD (\$250,000.00) such amount to be paid within five (5) days from the date of the Third Party Transfer.

Notwithstanding the foregoing, a Third Party Transfer shall not include a sale, transfer, disposal or conveyance by the Purchaser to an entity wholly owned by the Purchaser, including, but not limited to a Municipal Service Corporation, a Municipal Services Board or a Local Board of the Municipality. In the event of a sale, transfer, disposal or conveyance of the Property by the entity wholly owned by the Purchaser within the three (3) year period following the date upon which the Transfer is registered, the Purchaser shall also be required to pay to the Vendor the further amount of (\$250,000.00) as set forth above.”

it being noted that Corporate Services Committee heard a verbal update from the Manager, Realty Services with respect to this matter.

Motion Passed

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

RECUSED: M. Brown (1)

Motion made by Councillor N. Branscombe and seconded by Councillor J.P. Bryant to Approve clause 3.

(ADDED) 3. 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 the following actions be taken with respect to the land municipally known as 1060 and 1066 Byron Baseline Road:

- a) the offer submitted by Highcrest Properties (London) Ltd.; and, Nicholas Spivak; Walter Spivak; James Nicholas Spivak; Michael James Spivak & Spivak Partnership to sell to the City a portion of the land municipally known as 1060 and 1066 Byron Baseline Road, located on the southeast corner of Byron Baseline and Colonel Talbot Road, further described as Part of Lot 42, Concession 1, Westminster as in 941482 & 180330 save & except Part 1 on Reference Plan 33R-17709; subject to WU59496; Formerly in Westminster Township, County of Middlesex, Ontario containing an area of approximately 20 acres, for future use to be determined by the City of London, for the sum of \$2,950,000.00, BE ACCEPTED subject to the following conditions:
 - i) the City obtaining the associated amendments to Official plan and Zoning within 180 days of acceptance;
 - ii) the City having 180 days to perform Soil, Geotechnical, and Environmental due diligence;
 - iii) the City having 180 days to evaluate Accessibility to Services, and conduct Density Tests;
 - iv) the City having 180 days to perform Noise, Vibration, and Dust studies;
 - v) the City having the right to inspect the property;
 - vi) the City agreeing to prepare and deposit a reference plan on title if required on or before closing;
 - vii) the Vendor obtaining a surrender of right of way WU59496;
 - viii) the Vendor having 180 days to Execute the Rehabilitation of the site subject to the satisfaction of the Ministry of Natural Resources removing its former use as an Aggregate Extraction Operation; and;
 - ix) the Vendor having 180 days to Surrender its Aggregate Extraction license in accordance with the Aggregate Resources Act subject to final rehabilitation of the site.
- b) the financing for the acquisition noted in c), above, BE APPROVED as debt issuance to be offset by other one-time sources of financing that may be identified by the Managing Director, Corporate Services and City Treasurer/Chief Financial Officer.

Motion made by Councillor S.E. White and seconded by Councillor J.B. Swan to Approve that Council rise and go into Committee of the Whole, in camera, at 8:27 PM regarding a matter pertaining to instructions and directions to officers and employees of the Corporation pertaining to a proposed acquisition and/or disposition of land; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; reports or advice or recommendations of officers and employees of the Corporation pertaining to a proposed acquisition and/or disposition of land; commercial and financial information supplied in confidence pertaining to the proposed acquisition and/or disposition the disclosure of which

could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of the Corporation, result in similar information no longer being supplied to the Corporation where it is in the public interest that similar information continue to be so supplied, and result in undue loss or gain to any person, group, committee or financial institution or agency; commercial information relating to the proposed acquisition and/or disposition that belongs to the Corporation that has monetary value or potential monetary value; information concerning the proposed acquisition and/or disposition whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or its competitive position; information concerning the proposed acquisition and/or disposition whose disclosure could reasonably be expected to be injurious to the financial interests of the Corporation; and instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the Corporation concerning the proposed acquisition and/or disposition.

Motion Failed

YEAS: J.F. Fontana, B. Polhill, J.B. Swan, D.G. Henderson, P. Van Meerbergen, S.E. White (6)

NAYS: S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D. Brown, H.L. Usher, J.P. Bryant (8)

Motion made by Councillor P. Van Meerbergen and seconded by Councillor J.B. Swan to Refer consideration of clause 3 to a future date.

At 8:40 PM, His Worship the Mayor places Councillor P. Hubert in the Chair, and takes a seat at the Council Board.

At 8:48 PM, His Worship the Mayor resumes the Chair and Councillor P. Hubert takes his seat at the Council Board.

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

Motion made by Councillor N. Branscombe and seconded by Councillor J.L. Baechler to Amend clause 3 in line 8 of part a), by removing the words "for future use to be determined by the City of London" and by replacing it with the words "for future multiple uses including Open Space, future access road and other future municipal uses".

Motion Passed

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

NAYS: D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher (4)

Motion made by Councillor P. Hubert and seconded by Councillor N. Branscombe 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, J.P. Bryant, S.E. White (10)

NAYS: D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher (4)

Clause 3, as amended, reads as follows:

(ADDED) 3. 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 the following actions be taken with respect to the land municipally known as 1060 and 1066 Byron Baseline Road:

- a) the offer submitted by Highcrest Properties (London) Ltd.; and, Nicholas Spivak; Walter Spivak; James Nicholas Spivak; Michael James Spivak & Spivak Partnership to sell to the City a portion of the land municipally known as 1060 and 1066 Byron Baseline Road, located on the southeast corner of Byron Baseline and Colonel Talbot Road, further described as Part of Lot 42, Concession 1, Westminster as in 941482 & 180330 save & except Part 1 on Reference Plan 33R-17709; subject to WU59496; Formerly in Westminster Township, County of Middlesex, Ontario containing an area of approximately 20 acres, for multiple uses including Open Space, future access road and other future municipal uses, for the sum of \$2,950,000.00, BE ACCEPTED subject to the following conditions:
 - i) the City obtaining the associated amendments to Official plan and Zoning within 180 days of acceptance;
 - ii) the City having 180 days to perform Soil, Geotechnical, and Environmental due diligence;
 - iii) the City having 180 days to evaluate Accessibility to Services, and conduct Density Tests;
 - iv) the City having 180 days to perform Noise, Vibration, and Dust studies;
 - v) the City having the right to Inspect the property;
 - vi) the City agreeing to prepare and deposit a reference plan on title if required on or before closing;
 - vii) the Vendor obtaining a surrender of right of way WU59496;
 - viii) the Vendor having 180 days to Execute the Rehabilitation of the site subject to the satisfaction of the Ministry of Natural Resources removing its former use as an Aggregate Extraction Operation; and;
 - ix) the Vendor having 180 days to Surrender its Aggregate Extraction license in accordance with the Aggregate Resources Act subject to final rehabilitation of the site.
- b) the financing for the acquisition noted in c), above, BE APPROVED as debt issuance to be offset by other one-time sources of financing that may be identified by the Managing Director, Corporate Services and City Treasurer/Chief Financial Officer.

X DEFERRED MATTERS

None.

XI ENQUIRIES

None.

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 D. Brown to Approve First Reading and Introduction of Bill No.s 201 to 230, excluding Bill No. 210, including added Bill No.s 231 and 233.

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 B. Polhill and seconded by Councillor P. Hubert to Approve Second Reading of Bill No.s 201 to 230, excluding Bill No. 210, including added Bill No.s 231 and 233.

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 B. Polhill and seconded by Councillor P. Hubert to Approve Third Reading and Enactment of Bill No.s 201 to 230, excluding Bill No. 210, including added Bill No.s 231 and 233.

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 D. Brown and seconded by Councillor P. Hubert to Approve First Reading and Introduction of Bill No. 210.

Motion Passed

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

NAYS: B. Polhill, S. Orser, D.G. Henderson, P. Van Meerbergen (4)

Motion made by Councillor D. Brown and seconded by Councillor P. Hubert to Approve Second Reading of Bill No. 210.

Motion Passed

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

NAYS: B. Polhill, S. Orser, D.G. Henderson, P. Van Meerbergen (4)

Motion made by Councillor D. Brown and seconded by Councillor P. Hubert to Approve Third Reading and Enactment of Bill No. 210.

Motion Passed

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

NAYS: B. Polhill, S. Orser, D.G. Henderson, P. Van Meerbergen (4)

Motion made by Councillor B. Polhill and seconded by Councillor N. Branscombe to Approve First Reading and Introduction of Bill No. 232.

Motion Passed

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

RECUSED: M. Brown (1)

Motion made by Councillor D. Brown and seconded by Councillor B. Polhill to Approve Second Reading of Bill No. 232.

Motion Passed

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

RECUSED: M. Brown (1)

Motion made by Councillor D. Brown and seconded by Councillor N. Branscombe to Approve Third Reading and Enactment of Bill No. 232.

Motion Passed

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

RECUSED: M. Brown (1)

Motion made by Councillor B. Polhill and seconded by Councillor S. Orser to Approve reconsideration of Bill No. 233.

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 B. Polhill and seconded by Councillor P. Hubert to Approve First Reading and Introduction of Bill No. 233.

Motion Passed

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

NAYS: D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher (4)

Motion made by Councillor B. Polhill and seconded by Councillor P. Hubert to Approve Second Reading of Bill No. 233.

Motion Passed

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

NAYS: D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher (4)

Motion made by Councillor B. Polhill and seconded by Councillor N. Branscombe to Approve Third Reading and Enactment of Bill No. 233.

Motion Passed

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

NAYS: D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher (4)

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

<p>Bill No. 201 By-law No. A.-7098-147</p>	<p>A by-law to confirm the proceedings of the Council Meeting held on the 15th day of April, 2014. (City Clerk)</p>
<p>Bill No. 202 By-law No. A-47-14002</p>	<p>A by-law to amend By-law A-47, being "A by-law to provide for Various Fees and Charges" as it relates to application fees for the extension of draft plan of subdivision approval. (6/7/PEC)</p>
<p>Bill No. 203 By-law No. A.-6151(k)-148</p>	<p>A By-law to amend By-law A.-6151-17, being a by-law to establish policies for the sale and other disposition of land, hiring of employees, procurement of goods and services, public notice, accountability and transparency, and delegation of powers and duties, as required under section 270(1) of the <i>Municipal Act</i>, 2001. (6/11/CSC)</p>

<p>Bill No. 204 By-law No. A.-7099-149</p>	<p>A by-law to exempt the Labatt Breweries of Canada LP London brewery and the associated retail store located at 150 Simcoe Street, London, Ontario under section 4 of the <i>Retail Business Holidays Act</i>, R.S.O. 1990, Chapter R.30, to permit the brewery and the associated retail store to be opened on Victoria Day, Canada Day, Labour Day and Thanksgiving Day. (10/11/CSC)</p>
<p>Bill No. 205 By-law No. A.-7100-150</p>	<p>A By-law to approve Service Contracts/Agreements, Schedules, and Amendments with Her Majesty the Queen in right of Ontario with respect to Social Services; and to authorize the Mayor and the City Clerk to execute these Contracts/Agreements. (4a/8/CPSC)</p>
<p>Bill No. 206 By-law No. A.-7101-151</p>	<p>A By-law to approve Service Contracts/Agreements, Schedules, and Amendments with Her Majesty the Queen in right of Ontario with respect to Social Services; and to authorize the Mayor and the City Clerk to execute these Contracts/Agreements. (4b/8/CPSC)</p>
<p>Bill No. 207 By-law No. A.-7102-152</p>	<p>A By-law to approve the Elderly Persons Centres Funding Agreement with Her Majesty the Queen in Right of Ontario as represented by the Minister of Citizenship and Immigration; and to authorize the Mayor and the City Clerk to execute the Agreement. (5/8/CPSC)</p>
<p>Bill No. 208 By-law No. A.-7103-153</p>	<p>A By-law to approve the 2014-2017 Multi-Sector Service Accountability Agreement between The Corporation of the City of London and the South West Local Health Integration Network, for funding for the Adult Day Program; and to authorize the Mayor and the City Clerk to execute such agreement. (7/8/CPSC)</p>
<p>Bill No. 209 By-law No. A.-7104-154</p>	<p>A by-law to extend the hours for amplified sound for the 2014 Mastercard Memorial Cup in section 13.0 of the City of London Special Events Policies and Procedures Manual on May 16/17 and May 24/25, 2014. (8/8/CPSC)</p>
<p>Bill No. 210 By-law No. A.-7105-155</p>	<p>A by-law levying tax rates for property classes in 2014. (3q/5/SPPC)</p>
<p>Bill No. 211 By-law No. A.-7106-156</p>	<p>A by-law to approve an agreement between The Corporation of the City of London (the City) and Vernon Martin and Adam Woodhouse (the Proponent) for the purpose of establishing the Proponent's obligations under the Convert-to-Rent/Rehabilitation Program and the City's obligation to provide funding to the Proponent; and to authorize the Mayor and the City Clerk to execute the agreement. (11/8/CPSC)</p>
<p>Bill No. 212 By-law No. C.P.-1284(ug)-157</p>	<p>A by-law to amend the Official Plan for the City of London, 1989 relating to Policy 19.15.4. Vacant Land Condominiums. (7/7/PEC)</p>
<p>Bill No. 213 By-law No. E.-177-158</p>	<p>A by-law to establish the dates for advance voting and the hours during which voting places shall be open on those dates for the 2014 Municipal Election. (7/11/CSC)</p>
<p>Bill No. 214 By-law No. S.-5645-159</p>	<p>A by-law to permit Rebecca Anne Mclean and James Jenkins to maintain and use a boulevard parking area upon the road allowance for 21 Briscoe Street West, City of London. (Manager, Licensing and Elections)</p>
<p>Bill No. 215 By-law No. S.-5646-160</p>	<p>A by-law to lay out, constitute, establish and assume certain reserves in the City of London as public highway. (as widening to Corley Drive, south of Windermere Road). (Chief Surveyor)</p>
<p>Bill No. 216 By-law No. S.-5647-161</p>	<p>A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Gainsborough Road, west of Aldersbrook Road). (Chief Surveyor)</p>

Bill No. 217 By-law No. S.-5648-162	A by-law to lay out, constitute, establish and assume certain reserves in the City of London as public highway. (as part of Pelkey Road, north of Quarrier Road). (Chief Surveyor)
Bill No. 218 By-law No. S.-5649-163	A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Huron Street, west of Adelaide Street North and as widening to Adelaide Street North, north of Huron Street) (Chief Surveyor)
Bill No. 219 By-law No. W.-5554-164	A by-law to authorize the SWM Facility – Hyde Park No. 6. (Project No.ES3020-HP6) (6/4/CWC)
Bill No. 220 By-law No. W.-2067(a)-165	A by-law to authorize the Hyde Park Road Widening - Oxford Street to Gainsborough Road Project. (Project No. TS1477) (6/4/CWC)
Bill No. 221 By-law No. W.-5555-166	A by-law to authorize the Replacement & Relocation of Fire Training Tower (Project No. PP1091) (7/5/CPSC)
Bill No. 222 By-law No. W.-5556-167	A by-law to authorize the Purchase and Renovation of Normal School (Project No. GG1558) (7/10/CSC)
Bill No. 223 By-law No. Z.-1-142295	A by-law to amend By-law No. Z.-1 to apply to all lands within the City of London for the purpose of regulating vacant land condominiums. (7/7/PEC)
Bill No. 224 By-law No. Z.-1-142296	A by-law to amend By-law No. Z.-1 to rezone a portion of an area of land located at 240 Waterloo Street. (8/7/PEC)
Bill No. 225 By-law No. Z.-1-142297	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 221-225 Queens Avenue. (9/7/PEC)
Bill No. 226 By-law No. Z.-1-142298	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 486, 486B and 500 Clarke Road. (10/7/PEC)
Bill No. 227 By-law No. Z.-1-142299	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 2825 Tokala Trail. (11/7/PEC)
Bill No. 228 By-law No. Z.-1-142300	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 1550 Sunningdale Road West. (12/7/PEC)
Bill No. 229 By-law No. Z.-1-142301	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 1836 Richmond Street. (14/7/PEC)
Bill No. 230 By-law No. W.-1716(g)-168	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)”. (3c/16/FAC-2013)
(ADDED) Bill No. 231 By-law No. A.-7017-169	A By-law to authorize an Agreement of Purchase and Sale between The Corporation of the City of London and 731675 Ontario Limited, 1767130 Ontario Limited, and 1767131 Ontario Limited for the acquisition of an 11 acre portion of the property municipally known as 3080 Bostwick Road, for a Community Centre, and to authorize the Mayor and the City Clerk to execute the Agreement. (C-1/11/CSC)
(ADDED) Bill No. 232 By-law No. A.-7083(a)-170	A by-law to amend By-law No. A.-7083-118 being a By-law to authorize an Agreement of Purchase and Sale between The Corporation of the City of London and the Thames Valley District School Board for the acquisition of property located at 7 Annadale Drive, London, Ontario, for parks preservation and future residential development, and to authorize the Mayor and the City Clerk to execute the Agreement. (C-2/11/CSC)

<p>(ADDED) Bill No. 233 By-law No. A.-7018-171</p>	<p>A by-law to authorize an Agreement of Purchase and Sale between The Corporation of the City of London and Highcrest Properties (London) Ltd.; and, Nicholas Spivak; Walter Spivak; James Nicholas Spivak; Michael James Spivak & Spivak Partnership for the acquisition of a 20 acre property municipally known as 1060 and 1066 Byron Baseline Road, for multiple uses including Open Space, future access road and other future municipal uses, and to authorize the Mayor and the City Clerk to execute the Agreement. (3/10/CW)</p>
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XIV ADJOURNMENT

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

Motion Passed

The meeting adjourns at 9:14 PM.

Joe Fontana, Mayor

Catharine Saunders, City Clerk