



London
CANADA

COUNCIL MINUTES 13TH MEETING

May 20, 2014

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

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

ABSENT: Councillors N. Branscombe, S. Orser and P. Van Meerbergen.

ALSO PRESENT: A. Zuidema, R. Andrushevich, J.P. Barber, J. Braam, D. Bryant (McKenzie Lake Lawyers), C. Colvin, B. Coxhead, S. Datars Bere, K. Dawtrey, C. Dziedzic, J.M. Fleming, P. Foto, M. Hayward, G.T. Hopcroft, G. Kotsifas, L. Livingstone, R. Paynter, B. Warner and B. Westlake-Power.

At the beginning of the Meeting all Members are present except Councillors N. Branscombe, D.G. Henderson, S. Orser and P. Van Meerbergen.

I DISCLOSURES OF PECUNIARY INTEREST

Councillor J.B. Swan discloses a pecuniary interest in clause 5 of the 7th Report of the Investment and Economic Prosperity Committee having to do with a Mixed-Use Facility, by indicating that Orchestra London is his employer. Councillor J.B. Swan further discloses a pecuniary interest in clause 3 of the 8th Report of the Investment and Economic Prosperity Committee having to do with an update from Music London, by indicating that Orchestra London is his employer.

Councillor P. Hubert discloses a pecuniary interest in clause 5 of the 14th Report of the Corporate Services Committee having to do with the 2013 Compliance Report for the Procurement of Goods and Services, by indicating that his employer, Pathways, is one of the suppliers noted in the report.

Councillor D.G. Henderson enters the meeting at 4:11 PM.

II REVIEW OF CONFIDENTIAL MATTERS TO BE CONSIDERED IN PUBLIC

None.

III ADDED REPORTS

None.

V RECOGNITIONS

1. His Worship The Mayor presents a plaque for "London's Featured Company" to Hrdownloads.
2. His Worship The Mayor presents a certificate for "London's Featured Community Organization" to Youth For Christ.

IV COMMITTEE OF THE WHOLE, IN CAMERA

MOTION FOR IN CAMERA SESSION

Motion made by Councillor J.L. Baechler and seconded by Councillor S.E. White to Approve that Council rise and go into Committee of the Whole, in camera, for the purpose of considering the following:

- a) A matter pertaining to instructions and directions to officers and employees of the Corporation pertaining to a proposed acquisition of land; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; reports or advice or recommendations of officers and employees of the Corporation pertaining to a proposed acquisition of land; commercial and financial information supplied in confidence pertaining to the proposed acquisition the disclosure of which could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of the Corporation, result in similar information no longer being supplied to the Corporation where it is in the public interest that similar information continue to be so supplied, and result in undue loss or gain to any person, group, committee or financial institution or agency; commercial, information relating to the proposed acquisition that belongs to the Corporation that has monetary value or potential monetary value; information concerning the proposed acquisition whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or its competitive position; information concerning the proposed acquisition whose disclosure could reasonably be expected to be injurious to the financial interests of the Corporation; and instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the Corporation concerning the proposed acquisition. (C1/14/CSC)
- b) A matter pertaining to the purpose of instructions and directions to officers and employees of the Corporation pertaining to a proposed 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 disposition of land; commercial and financial information supplied in confidence pertaining to the proposed 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 disposition that belongs to the Corporation that has monetary value or potential monetary value; information concerning the proposed disposition whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or its competitive position; information concerning the proposed 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 disposition. (C1/7/IEPC)
- c) A matter pertaining to personal matters about identifiable individuals, including municipal or local board employees; advice and recommendations of officers and employees of the Corporation and communications necessary for that purpose; employee negotiations; and advice that is subject to solicitor-client privilege, including communications necessary for that purpose. (C2/14/CSC)

Councillor H.L. Usher leaves the meeting at 4:21 PM.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, B. Armstrong, J.B. Swan, J.L. Baechler, M. Brown, P. Hubert, D.G. Henderson, D. Brown, J.P. Bryant, S.E. White (11)

The Council rises and goes into Committee of the Whole at 4:22 PM, with Mayor J.F. Fontana in the Chair and all Members present, except Councillors N. Branscombe, S. Orser and P. Van Meerbergen.

The Committee of the Whole rises at 5:22 PM and Council reconvenes at 5:31 PM, with Mayor J.F. Fontana in the Chair and all Members present, except Councillors N. Branscombe, S. Orser, J.B. Swan, P. Van Meerbergen and S.E. White.

Councillor J.B. Swan enters the meeting at 5:33 PM

VI CONFIRMATION AND SIGNING OF THE MINUTES OF THE TWELFTH MEETING HELD ON MAY 6, 2014

Motion made by Councillor D. Brown and seconded by Councillor P. Hubert to Approve the Minutes of 12th Meeting held on May 6, 2014.

Motion Passed

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

VII COMMUNICATIONS AND PETITIONS

Motion made by Councillor D. Brown and seconded by Councillor P. Hubert to Approve the receipt and referral of Communication No.s 3 and 4, as noted on the Agenda.

3. C. Mackie, MD, Middlesex-London Health Unit - Sale of VQA Wine at Eligible Ontario Farmers' Market (Refer to the Corporate Services Committee Stage for Consideration with Clause 9 of the 14th Report of the Corporate Services Committee.)
4. (ADDED) D. Dimitrie, 412-1128 Adelaide Street North - Property located at 1103 Adelaide Street North (Refer to the Planning and Environment Committee Stage for Consideration with Clause 10 of the 9th Report of the Planning and Environment Committee.)

Motion Passed

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

Motion made by Councillor B. Polhill and seconded by Councillor P. Hubert to Approve that Council convene as the Approval Authority pursuant to the provisions of the Expropriation Act, R.S.O. 1990, c.E.26, as amended, for the purpose of considering Communication No. 2 from the Manager, Realty Services, dealing with the proposed expropriation of lands for the Hyde Park Road Widening Project.

Motion Passed

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

The Council rises and convenes as the Approval Authority at 5:35 PM, with Mayor J.F. Fontana in the Chair and all Members present except Councillors N. Branscombe, S. Orser, P. Van Meerbergen and S.E. White.

Motion made by Councillor B. Polhill and seconded by Councillor J.B. Swan to Approve the staff recommendation contained in Communication No. 1.

1. Managing Director and City Engineer, Environmental and Engineering Services
- Expropriation of Lands - Hyde Park Road Widening Project - Phase II - TS1477-2

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, on the advice of the Manager of Realty Services, with the review and concurrence of the Director, Roads and Transportation, the following actions be taken with respect to the expropriation of lands for the a project known as Hyde Park Road Widening and Improvements Project - Phase II, between South Carriage Road and Fanshawe Park Road,:

- a) The Council of The Corporation of the City of London, as Approving Authority pursuant to the Expropriations Act, R.S.O. 1990, c. E.26, as amended, HEREBY APPROVES the proposed expropriation of land, as described in Appendix "A" ~~attached~~ hereto, in the

City of London, County of Middlesex; it being pointed out that the reasons for making this decision are as follows:

- i) the subject lands are required by The Corporation of the City of London for the widening of Hyde Park Road;
 - ii) the design of the project will address the current and future transportation demands along the corridor; and,
 - iii) the design is in accordance with the Municipal Class Environmental Assessment Study Recommendations for the Hyde Park Road Widening and Improvements accepted by Council on January 10, 2012;
- b) a certificate of approval BE ISSUED by the City Clerk on behalf of the Approving Authority in the prescribed form;

it being noted that there were no requests for a Hearing of Necessity received for the parcels included in Appendix "A".

Motion Passed

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

Councillor S.E. White enters the meeting at 5:37 PM.

Motion made by Councillor D. Brown and seconded by Councillor P. Hubert to Approve that the meeting of the Approval Authority be adjourned and that the City Council reconvene in regular session.

Motion Passed

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

The Council reconvenes in regular session at 5:38 PM with Mayor J.F. Fontana in the Chair and all Members present except Councillors N. Branscombe, S. Orser and P. Van Meerbergen.

Motion made by Councillor B. Polhill and seconded by Councillor D. Brown to Approve the staff recommendation as contained in Communication No. 2.

2. Managing Director and City Engineer, Environmental and Engineering Services
- Expropriation of Lands - Hyde Park Road Widening Project - Phase II -
TS1477-2

That, on the recommendation of the Managing Director and City Engineer, Environmental and Engineering Services, on the advice of the Manager of Realty Services, with the review and concurrence of the Director, Roads and Transportation, with respect to the expropriation of lands for the project known as the Hyde Park Road Widening and Improvements Project - Phase II, between South Carriage Road and Fanshawe Park Road, the following actions be taken:

- a) the proposed by-law ~~attached~~ as Schedule 'B' BE INTRODUCED at the Municipal Council meeting on May 20, 2014 by The Corporation of the City of London as Expropriating Authority, with respect to the lands described in Schedule 'A' ~~attached~~ hereto (the "Expropriated Lands");
- b) the Civic Administration BE DIRECTED to take all necessary steps to prepare a plan or plans showing the Expropriated Lands and to register such plan or plans in the appropriate registry or land titles office, pursuant to the Expropriations Act, R.S.O. 1990, c. E.26, within three (3) months of the Approving Authority granting approval of the said expropriation;
- c) the City Clerk BE AUTHORIZED to sign on behalf of the Expropriating Authority, the plan or plans as signed by an Ontario Land Surveyor showing the Expropriated Lands; and,

- d) the City Clerk BE AUTHORIZED AND DIRECTED to execute and serve the notices of expropriation required by the Expropriations Act, R.S.O. 1990, c. E.26 and such notices of possession that may be required to obtain possession of the Expropriated Lands.

Motion Passed

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

VIII MOTIONS OF WHICH NOTICE IS GIVEN

None.

IX REPORTS

9th Report of the Planning and Environment Committee
Councillor J.L. Baechler presents.

Motion made by Councillor J.L. Baechler to Approve clauses 1 to 11, excluding clause 8.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. 5th Report of the Environmental and Ecological Planning Advisory Committee

That the 5th Report of the Environmental and Ecological Planning Advisory Committee from its meeting held on April 17, 2014 BE RECEIVED.

3. Properties located at 56-82 Wellington Street, 283-323 South Street and 69-77 Waterloo Street (OZ-8114)

That, on the recommendation of the Managing Director, Planning and City Planner, the report dated May 13, 2014, relating to the decision by the Ontario Municipal Board, concerning the appeals by Jeffery Brick, on behalf of Upper Thames River Conservation Authority and by Fred Tranquilli, on behalf of Stan Worbel, Ann Worbel, Ed Dziadura and Peter Dziadura, pertaining to an application for an amendment to the Official Plan and Zoning By-law No. OZ-8114 by the Municipal Council, concerning the properties located at 56 to 82 Wellington Street, 283 to 323 South Street and 69 to 77 Waterloo Street BE RECEIVED. (2014-D14)

4. Property located at 1671 Fanshawe Park Road East - Cedarhollow Draft Plan - Request for Extension of Draft Approval (39T-03518)

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the request for extension of the Draft Plan Approval application of Auburn Developments Inc., relating to the property located at 1671 Fanshawe Park Road East:

- a) the Approval Authority BE REQUESTED to approve a three (3) year extension to the Draft Plan Approval for the residential plan of subdivision, as red-line amended, SUBJECT TO the revised conditions appended to the associated staff report dated May 13, 2014, as Schedule "A" 39T-03518; and,
- b) the financing for the project BE APPROVED in accordance with the "Related Estimated Costs and Revenues" as appended to the associated staff report dated May 13, 2014, as Schedule "B" 39T-03518. (2014-D12)

5. Properties located at 3924 and 4138 Colonel Talbot Road (39T-12503/OZ-8052)

That, on the recommendation of the Senior Planner, Development Planning, the report dated May 13, 2014, relating to the decision by the Ontario Municipal Board, concerning the appeal by Colonel Talbot Developments Inc., pertaining to a proposed residential plan of subdivision, Official Plan and Zoning By-law amendments, concerning the properties located at 3924 and 4138 Colonel Talbot Road BE RECEIVED. (2014-D12)

6. Southside Construction of Companies - 3804 South Winds Drive - Appeal to the Ontario Municipal Board

That, on the recommendation of the Senior Planner, Development Services, in response to letters of appeal, relating to the property located at 3804 South Winds Drive, the following actions be taken:

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

it being noted that the following letters of appeal were received for information regarding this matter:

- a communication dated February 10, 2014, submitted by Valerie M'Garry, Valerie M'Garry Law Office, on behalf of Doug Dittmer and Elizabeth MacKinnon; and,
- a communication dated February 7, 2014 submitted by Stephen Gibson, McKenzie Lake Lawyers, on behalf of James Waldie and Joseph Liberatore. (2014-L01)

7. Properties located at 583, 585 and 589 Oxford Street East

That, on the recommendation of the Manager, Development Services and Planning Liaison, the following actions be taken with respect to the site plan approval application of Salt Clinic Canada Inc. for a new day care building to be located at 583 Oxford Street East and a new commercial building to be located at 589 Oxford Street East:

- a) the Approval Authority BE ADVISED that, at the public participation meeting of the Planning and Environment Committee held with respect to these matters, the following issues were raised:
 - i) urban design guideline requirements; and,
 - ii) tree preservation;
- b) the Site Plan Approval Authority BE ADVISED that the Municipal Council supports the Site Plan Application for a day care at 583 Oxford Street East and a commercial building at 589 Oxford Street East;

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-D11)

9. 4th Report of the Trees and Forests Advisory Committee

The following actions be taken with respect to the 4th Report of the Trees and Forests Advisory Committee (TFAC) from its meeting held on April 23, 2014:

- a) the following actions be taken with respect to a Weed Inspector:
 - i) the Forestry Staff BE REQUESTED to engage the services of the Middlesex-London Weed Inspector to address invasive species concerns on private and public properties, as needed; and,
 - ii) the Forestry Staff BE REQUESTED to report to the appropriate standing committee with respect to local invasive weed species that should be recommended for inclusion as a designated weed under the Weed Control Act;
- b) that clauses 2 to 7, inclusive, of the 4th Report of the TFAC BE RECEIVED.

10. Property located at 1103 Adelaide Street North

That, the Civic Administration BE REQUESTED to report back at a future meeting of the Planning and Environment Committee with respect to providing tenants and area residents with notice of any proposed development and/or redevelopment, including, but not limited to, reviewing what other municipalities are doing, placing signs on the property and requesting that owners post notices on bulletin boards; it being noted that the Planning and Environment

Committee reviewed and received a communication dated April 29, 2014, from D. Dimitrie, 412-1128 Adelaide Street North, with respect to the redevelopment of the property located at 1103 Adelaide Street North. (2014-D14)

11. Property located at 230 Victoria Street

That the ~~attached~~ presentation and the communication dated May 4, 2014, from K. McKeating and B. Jones, with respect to the property located at 230 Victoria Street BE RECEIVED. (2014-D14)

Motion Passed

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

Motion made by Councillor B. Polhill to Approve clause 8.

8. Entertainment on Outdoor Patios (Z-8335)

That, on the recommendation of the Manager, Zoning and Public Property Compliance, based on the direction received by the Municipal Council, relating to amendments to the City's Zoning By-law for Entertainment on Outdoor Patios associated with Restaurants and Taverns, the following actions be taken:

- a) the proposed by-law, as appended to the staff report dated May 13, 2014, BE INTRODUCED at the Municipal Council meeting to be held on May 20, 2014, to amend Zoning By-law No. Z-1, (in conformity with the Official Plan), to permit non-amplified acoustical music; it being noted that this amendment will allow the Civic Administration to assess any impacts of permitting non-amplified acoustical music on outdoor patios for all restaurants and taverns throughout the City for the 2014 patio season and report back on any impacts of the amendment in early 2015;
- b) the Civic Administration BE REQUESTED to report back, at a public participation meeting of the Planning and Environment Committee, in early 2015 with respect to the impact of removing dancing from the by-law;

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)

Motion made by Councillor J.L. Baechler and seconded by Councillor J.P. Bryant to Amend clause 8 to exclude locations that are adjacent to an R-1 zone property (abutting properties), and to further Amend clause 8 to add the words "other live entertainment" following the words "acoustical music".

Motion Failed

YEAS: B. Armstrong, J.L. Baechler, J.P. Bryant (3)

NAYS: J.F. Fontana, B. Polhill, J.B. Swan, M. Brown, P. Hubert, D.G. Henderson, D. Brown, H.L. Usher, S.E. White (9)

The motion to Approve clause 8 is put.

Motion Passed

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

11th Report of the Community and Protective Services Committee
Councillor M. Brown presents.

Motion made by Councillor M. Brown to Approve clauses 1, 2, 4 and 5.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. 4th Report of the Accessibility Advisory Committee

That the 4th Report of the Accessibility Advisory Committee, from its meeting held on April 24, 2014, BE RECEIVED.

4. 2nd Report of the London Diversity and Race Relations Advisory Committee

That the following actions be taken with respect to the 2nd Report of the London Diversity Race Relations Advisory Committee, from its meeting held on April 17, 2014:

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

"1. (E,5) That the Human Resources Division and the Communications Division BE REQUESTED to provide leadership responsibility for the Diversity, Race Relations and Inclusivity Award (DRRIA), with the London Diversity and Race Relations Advisory Committee (LDRRAC), and its Sub-Committees, to act in a support capacity, as outlined in Council Policy 1(10) – Diversity, Race Relations and Inclusivity Award; it being noted that:

- a) DRRIA leadership responsibility would entail administering and promoting the Award and acting as a liaison with the LDRRAC on matters pertaining to the Award; and,
- b) the DRRIA leadership role, noted in a) above, would include, but not be limited to, creating and implementing a communications strategy to promote the Award, creating and distributing promotional materials, actively soliciting city-wide nominations, coordinating aspects of Award-related event planning at City Hall, communicating with Award nominees and Award winners, etc;

it being noted that the London Diversity and Race Relations Advisory Committee (LDRRAC) heard a verbal update from T. Tomchick-Condon, and reviewed and received the Nominations Sub-Committee minutes from its meeting held on April 8, 2014" and;

- b) clauses 2 to 10 BE RECEIVED.

5. Request to Have By-law PW-11 (Fireworks) Revised to Include the Weekend Before Canada Day

That the communication from J. Bialkowski BE FORWARDED to the Civic Administration, and the Civic Administration BE DIRECTED to draft the appropriate by-law amendment, to permit the use of retail grade fireworks on the weekend prior to the Canada Day holiday.

Motion Passed

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

Motion made by Councillor M. Brown to Approve clause 3.

3. Animal Welfare Advisory Committee

That, on the recommendation of the Animal Welfare Advisory Committee (AWAC), the following actions be taken with respect the 6th Report of the AWAC, from its meeting held on May 1, 2014:

- a) clause 1 BE REFERRED to the Civic Administration for a report back within two meeting cycles with respect to this matter; clause 1 reads as follows:

"1. That the Civic Administration BE REQUESTED to report to the appropriate standing committee with respect to:

- a) the feasibility of the City implementing a humane wildlife management policy, such that lethal actions are considered only as a last resort; and,

- b) the background information as to why and when lethal management would be used without prior consideration or attempts of non-lethal options;

it being noted that the AWAC appointed S. Rans to speak to this recommendation when it is considered by the Community and Protective Services Committee at their meeting to be held on May 12, 2014; it being further noted that the AWAC reviewed and received the a communication from S. Rans, with respect to this matter, and a communication dated April 11, 2014, from J. Woodyer, Chair, Aspen Valley Wildlife Sanctuary, with respect to an offer of assistance for wildlife-conflict issues;"

it being noted that Community and Protective Services received verbal delegations from V. Van Linden, Chair AWAC, F. Morrison and M. Blosch with respect to this matter;

- b) the Civic Administration BE REQUESTED to consider the ~~attached~~ communication, prepared by the Animal Welfare Advisory Committee, with respect to the proposed Pet Limit By-law;
- c) the Civic Administration BE REQUESTED to establish a protocol whereby Advisory Committees receive adequate time and opportunity to provide comment, input and/or advice, prior to Staff recommendations being presented to Standing Committees, release of Requests for Proposals and/or the creation of staff positions which are directly related to the mandates and work of the City's Advisory Committees;
- d) the communication dated April 2014, prepared by the Animal Welfare Advisory Committee (AWAC), with respect to improving the City of London animal service model, BE RECEIVED for information; and,
- e) clauses 5 to 8 BE RECEIVED for information.

Motion made by Councillor M. Brown and seconded by Councillor J.B. Swan to Amend clause 3 in part a) to add the words "BE ENDORSED IN PRINCIPLE and" before the words, "BE REFERRED".

Motion Passed

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

Motion made by Councillor M. Brown and seconded by Councillor P. Hubert to Amend clause 3, in clause 1 of the Animal Welfare Advisory Committee's clause 1, part a), by deleting the words "feasibility of the City implementing a" and by replacing them with the words "a draft".

Councillor D. Brown leaves the meeting at 6:13 PM.

Motion Passed

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

Motion made by Councillor B. Polhill and seconded by Councillor P. Hubert to Approve clause 3, as amended.

Motion Passed

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

Clause 3, as amended, reads as follows:

That, on the recommendation of the Animal Welfare Advisory Committee (AWAC), the following actions be taken with respect the 6th Report of the AWAC, from its meeting held on May 1, 2014:

- a) clause 1 BE ENDORSED IN PRINCIPLE and BE REFERRED to the Civic Administration for a report back within two meeting cycles with respect to this matter; clause 1 reads as follows:

"1. That the Civic Administration BE REQUESTED to report to the appropriate standing committee with respect to:

- a) a draft humane wildlife management policy, such that lethal actions are considered only as a last resort; and,
- b) the background information as to why and when lethal management would be used without prior consideration or attempts of non-lethal options;

it being noted that the AWAC appointed S. Rans to speak to this recommendation when it is considered by the Community and Protective Services Committee at their meeting to be held on May 12, 2014; it being further noted that the AWAC reviewed and received the a communication from S. Rans, with respect to this matter, and a communication dated April 11, 2014, from J. Woodyer, Chair, Aspen Valley Wildlife Sanctuary, with respect to an offer of assistance for wildlife-conflict issues;"

it being noted that Community and Protective Services received verbal delegations from V. Van Linden, Chair AWAC, F. Morrison and M. Blosch with respect to this matter;

- b) the Civic Administration BE REQUESTED to consider the ~~attached~~ communication, prepared by the Animal Welfare Advisory Committee, with respect to the proposed Pet Limit By-law;
- c) the Civic Administration BE REQUESTED to establish a protocol whereby Advisory Committees receive adequate time and opportunity to provide comment, input and/or advice, prior to Staff recommendations being presented to Standing Committees, release of Requests for Proposals and/or the creation of staff positions which are directly related to the mandates and work of the City's Advisory Committees;
- d) the communication dated April 2014, prepared by the Animal Welfare Advisory Committee (AWAC), with respect to improving the City of London animal service model, BE RECEIVED for information; and,
- e) clauses 5 to 8 BE RECEIVED for information.

14th Report of the Corporate Services Committee
Councillor B. Polhill presents.

Motion made by Councillor B. Polhill to Approve clauses 1 to 9, excluding clause 5.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Declare Surplus and Transfer to Abutting Property Owner Tow Metre Strip of Road Allowance Abutting 2627 and 2633 Asima Drive and Reserve Block 116

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, on the advice of the Manager of Realty Services, the following actions be taken with respect to a two metre wide portion of road allowance abutting 2627 and 2633 Asima Drive and reserve block 116, further described as Parts 1, 2, 3 and 4, Plan 33R-18819:

- a) the subject property BE DECLARED surplus; and
- b) the subject property BE OFFERED for sale to the abutting property owner, for nominal consideration.

3. Declare Surplus - City-Owned Property - 1192 Highbury Avenue, Former Fire Station #7

That, on the recommendation of the Managing Director of Corporate Services and City Treasurer, Chief Financial Officer, with the advice of the Manager of Realty Services, the following actions be taken with respect to the City-owned property at 1192 Highbury Avenue, legally described as Part of Block B on Plan 775, designated as Parts 1-6 on 33R-6089, east side of Highbury Avenue north of Cheapside Street, as shown on Schedule "A" ~~attached~~:

- a) the subject property BE DECLARED surplus; and
- b) the subject property BE DISPOSED OF in compliance with the Sale and Other Disposition of Land Policy.

4. Properties Beyond Useful Economic Life

That, on the recommendation of the Managing Director of Corporate Services and City Treasurer, Chief Financial Officer, with the advice of the Manager of Realty Services, with respect to the properties located at 3666 Scotland Drive, 5529 Wellington Road South, 7 Oxford Street East, 55 Wharnccliffe Road, 57 Wharnccliffe Road and 73 Evergreen Avenue, as shown on Schedule "A" attached to the staff report dated May 13, 2014, the Civic Administration BE DIRECTED to take all necessary steps to demolish certain buildings, including completing a request for quotation for work to be completed, obtaining a demolition permit, completion of an Application to Terminate a Tenancy and Evict a Tenant where applicable, and any other activities to facilitate demolition of the improvements on the sites as detailed in the staff report dated May 13, 2014.

6. Residential Tax By-law for Affordable Housing Program - Project at 219 St. George Street

That, on the recommendation of the Director of Municipal Housing, with the concurrence of the Managing Director Corporate Services and City Treasurer, Chief Financial Officer, the proposed by-law appended to the staff report dated May 13, 2014 BE INTRODUCED at the Municipal Council meeting to be held on May 20, 2014, to tax the affordable housing property at 219 St. George Street at an effective tax rate equal to the residential tax rate; and the City Clerk BE DIRECTED to give written notice of the by-law to the Municipal Property Assessment Corporation and the secretary of all area school boards.

7. Residential Tax By-law for Affordable Housing Program - Project at 392 Richmond Street

That, on the recommendation of the Director of Municipal Housing, with the concurrence of the Managing Director Corporate Services and City Treasurer, Chief Financial Officer, the proposed by-law appended to the staff report dated May 13, 2014 BE INTRODUCED at the Municipal Council meeting to be held on May 20, 2014, to tax the affordable housing property at 392 Richmond Street at an effective tax rate equal to the residential tax rate; and the City Clerk BE DIRECTED to give written notice of the by-law to the Municipal Property Assessment Corporation and the secretary of all area school boards.

8. Accessible Voting Machines, Vote Counting Equipment, Voting by Mail, Advance and Proxy Voting

That, on the recommendation of the City Clerk, the proposed by-law (Appendix "A") as appended to the staff report dated May 13, 2014 BE INTRODUCED at the Municipal Council meeting to be held on May 20, 2014 to authorize the use of accessible voting machines, poll optical scanning vote tabulators, central count optical scanning tabulator, voting by mail, advance voting and proxy voting for the 2014 municipal election.

9. Sale of VQA Wine at Eligible Ontario Farmers' Market

That the following actions be taken with respect to the sale of VQA wine at eligible Ontario farmers' markets within the City of London:

- a) NO ACTION BE TAKEN to advise the Registrar, in writing, of any objection to the sale of VQA wine at eligible Ontario farmers' markets within the City of London;
- b) NO ACTION BE TAKEN, at this time, to place any restrictions on municipally-run farmers' markets or farmers' markets operating on municipal property; and
- c) the Civic Administration BE REQUESTED to monitor the Province's pilot program for the sale of VQA wine at eligible Ontario farmers' markets and report back to the Corporate Services Committee, in one year's time, with respect to the City of London's experience regarding the pilot program.

Motion Passed

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

Motion made by Councillor B. Polhill to Approve clause 5.

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

That, on the recommendation of the Deputy City Treasurer, the following actions be taken with respect to the 2013 Compliance Report in accordance with the Procurement of Goods and Services Policy:

- a) as per the Procurement of Goods and Services Policy, Section 8.11 (c), an annual report of total payments required where a supplier has invoiced the City a cumulative total value of \$100,000 or more in a calendar year, BE RECEIVED for information (Appendix "A" to the staff report dated May 13, 2014);
- b) the administrative contract awards for Professional Consulting Services with an aggregate total greater than \$100,000, as per Section 15.1 (g) of the Procurement of Goods and Services Policy, decentralized from Purchasing and Supply that have been reported to the Manager of Purchasing and Supply and have been reviewed for compliance to the Procurement of Goods and Services Policy, BE RECEIVED for information (Appendix "B" to the staff report dated May 13, 2014);
- c) the list of administrative contract awards for Tenders with a value up to \$1,000,000 that do not have an irregular result, as per Section 13.2 of the Procurement of Goods and Services Policy, BE RECEIVED for information (Appendix "C" to the staff report dated May 13, 2014);
- d) the City Treasurer or delegate is hereby delegated authority to at any time refer questions concerning compliance with the Procurement of Goods and Services Policy to the City's internal auditor and the City Treasurer or delegate is hereby further authorized to ratify and confirm completed awards or purchases between \$10,000 and \$50,000 where the City Treasurer or delegate is of the opinion that the awards or purchases was in the best interests of the Corporation; and
- e) subject to d), the Deputy City Treasurer and Manager of Purchasing and Supply certify the awards are in compliance with this Policy.

Motion Passed

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

RECUSED: P. Hubert (1)

Councillor D. Brown enters the meeting at 6:15 PM.

9th Report of the Civic Works Committee
Councillor H.L. Usher presents.

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

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. 1st Report of LTC Long Term Growth Report Working Group

That the following actions be taken with respect to the 1st Report of the LTC Long Term Growth Report Working Group from its meeting held on April 23, 2014:

- a) the London Transit Commission's (LTC) 2013 Performance Report BE REFERRED to the Municipal Council, through the Civic Works Committee, to:

- i) consider the two part service review to be undertaken in 2014; and,
- ii) consider the need to increase future funding for transit; and,
- b) the LTC BE ENCOURAGED to advise the Municipal Council of its communications strategy supporting investment in transit;

it being noted that the LTC Long Term Growth Report Working Group (LTCWG) received a presentation dated April 9, 2014, from L. DuCharme, General Manager, LTC with respect to the LTC's 2013 Performance Report; and,
- c) clauses 2 and 3 BE RECEIVED.

3. Appointment of Consulting Engineers for Inspection, Contract Administration and Engineering Services Associated with the Construction of 2014 Infrastructure Lifecycle Renewal Projects: Contracts #2, #3 and #10

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the appointment of Consulting Engineers for the following 2014 Infrastructure Lifecycle Renewal Projects; Contract #2: St. James Street & Willingdon Avenue, Contract #3: William Street, and Contract #10: Commissioners Road:

- 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 #2: R.V. Anderson Associates Limited (RVA); in the amount of \$247,049.00, including contingency, excluding HST;
 - ii) Contract #3: AECOM Canada Ltd. (AECOM); in the amount of \$229,223.50, including contingency, excluding HST;
 - iii) Contract #10: Delcan Corporation (DELCAN); in the amount of \$215,039.00, including contingency, excluding HST;
- b) the financing for the work identified in a), above, BE APPROVED in accordance with the Sources of Financing Report appended to the staff report dated May 12, 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)

4. Sunningdale Road and Wonderland Road North Roundabout Construction Administration-Appointment of Consulting Engineer

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the 2014 Sunningdale Road and Wonderland Road North Roundabout project:

- a) Dillon Consulting Limited BE APPOINTED Consulting Engineers for the contract administration and resident supervision of the said project in the amount of \$315,949.15, excluding HST, in accordance with Section 15.2 (g) of the Procurement of Goods and Services Policy;
- b) the financing for this project BE APPROVED as set out in the Sources of Financing Report appended to the staff report dated May 12, 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 14-53); and,
 - e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, including purchase orders and agreements required to give effect to these recommendations. (2014-A05)
5. Southwest Area Trunk Sanitary Sewer Detailed Design-Appointment of Consulting Engineer: Phase 1- Wonderland Road South (Dingman Drive to Wharncliffe Road South) and Hamlyn Street (Wonderland Road South to Campbell Street)

That, on the recommendation of the Director, Water, Wastewater and Treatment, the following actions be taken with respect to the Phase 1 Southwest Area Sanitary Sewer Detailed Design (ES5260 & ES5247):

- a) AECOM Canada Limited BE APPOINTED Consulting Engineers in the amount of \$399,926.00, including 10% contingency, excluding HST, based upon the Fee Guideline for Professional Engineering Services, recommended by the Ontario Society of Professional Engineers; and in accordance with Section 15.2 (e) of the City of London's Procurement of Goods and Services Policy;
- b) the financing for the project BE APPROVED in accordance with the Sources of Financing Report appended to the staff report dated May 12, 2014;
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project;
- d) the approvals given herein BE CONDITIONAL upon the Corporation entering into a formal contract; 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)

6. Funding for 2014 Thames Region Ecological Association Bicycle Festival

That, on the recommendation of the City Clerk, the following actions be taken regarding financial grants/contributions or awards to third party individuals, organizations or groups by an Advisory Committee:

- a) notwithstanding Council Policy 5(16) General Policy for Advisory Committees, which indicates that financial grants/contributions or awards to third party individuals, organizations or groups shall be directed to the appropriate Civic Department to be addressed through the approval and reporting processes already established by the Municipal Council for those situations, and due to the timing of the establishment of the Cycling Advisory Committee, the City Clerk BE DIRECTED, on a one-time basis, to release the amount of \$1,500.00 from the Transportation Advisory Committee's (TAC) 2014 Budget, to support the 2014 Thames Region Ecological Association Bicycle Festival; it being noted that the TAC has contributed towards the TREA Bicycle Festival for a number of years in an effort to educate the public on different modes of transportation;
- b) the 2015 Draft Budget for the Transportation Advisory Committee BE REDUCED by the amount of \$1,500, and those funds BE REALLOCATED to the 2015 Draft Budget for the City of London's Environmental Programs area; it being noted that this will assist in supporting programs such as the Bicycle Festival, as part of the City's efforts to assist its community partners undertake promotional and awareness initiatives that are a key part of the 2-Year Implementation Plan for Active Transportation and Transportation Demand Management initiatives approved by Council in Fall 2013;
- c) NO ACTION BE TAKEN to amend Council Policy 5(16) General Policy for Advisory Committees with respect to financial grants/contributions or awards to third party individuals, organizations or groups, as it is currently very explicit that an Advisory

Committee may not make a financial grant/contribution or award to third party individuals, organizations or groups unless that ability is explicitly provided for within the Advisory Committee's mandate; and,

- d) the City Clerk BE DIRECTED to ensure that all Advisory Committees are made aware, through the orientation process, that they do not have the ability to provide financial grants/contributions or awards to third party individuals, organizations or groups unless that is explicitly provided for within the Advisory Committee's mandate, and that no exceptions shall be made to this Policy given the Corporation's recently-updated granting process.

7. Wellington Road Sidewalk

That it BE NOTED that Councillor J.L. Baechler enquired about the possibility of installing a sidewalk on the east side of Wellington Road between Bradley Avenue and Commissioners Road. The Director, Roads and Transportation advised that consideration of this request would be taken when completing the Environmental Assessment for the Bus Rapid Transit.

8. Quebec Street Bridge Pedestrian Safety Rail

That it BE NOTED that Councillor S. Orser enquired about the possibility of installing a pedestrian railing on the Quebec Street Bridge and working with property owners to install and maintain a united fence to improve pedestrian safety for the students travelling to Bishop Townsend Public School. The Managing Director, Environmental and Engineering Services and City Engineer advised that a site review would be completed, the results of which would be reported back to the Civic Works Committee.

Motion Passed

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

11th Report of the Strategic Priorities and Policy Committee
Councillor D. Brown presents.

Motion made by Councillor D. Brown to Approve clauses 1 to 6, excluding clauses 4 and 5.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Industrial Land Development Strategy Implementation Options

That, on the recommendation of the City Manager, with respect to options for implementing the 2014 Industrial Land Development Strategy, the following actions be taken:

- a) as an interim step, the City Manager BE DIRECTED to identify an internal lead and supporting team of staff resources responsible for the immediate actions associated with implementing the Industrial Land Development Strategy (ILDS); and
- b) the City Manager, in collaboration with the identified internal lead and staff team, BE DIRECTED to develop a business case for the an Industrial Land Development Corporation, which would be responsible for long-term implementation of the Industrial Land Development Strategy (ILDS), and report back to the Strategic Priorities and Policy Committee by September 2014; it being noted that this direction reflects the Municipal Council's support in principle, for an external model for implementing the ILDS;

it being noted that the Corporate Services Committee heard a verbal overview from the City Manager with respect to this matter.

3. London Hydro Inc. - 2013 Annual Meeting of the Shareholder - Annual Resolutions

That, on the recommendation of the City Manager, the by-law appended to the staff report dated May 5, 2014 as Attachment "A" BE INTRODUCED at the Municipal Council meeting to be held May 20, 2014 to:

- a) ratify and confirm the Annual Resolutions of the Shareholder of London Hydro Inc. attached as Schedule "1" to the by-law; and
- b) authorize the Mayor and the City Clerk to execute the Annual Resolutions of the Shareholder of London Hydro Inc. attached as Schedule "1" to the by-law;

it being noted that the Strategic Priorities and Policy Committee heard the ~~attached~~ presentation from P. Johnson, Board Chair, London Hydro Inc. and V. Sharma, Chief Executive Officer, London Hydro Inc.

6. Consideration of Nominees for Appointment to the Board of Directors of the Greater London International Airport Authority

That the names and applications of the following nominees BE FORWARDED to the Greater London International Airport Authority Board of Directors for consideration for appointment to the Greater London International Airport Authority (GLIAA) Board of Directors, for the term August 1, 2014 to July 31, 2017; it being noted that there is only one vacancy on the GLIAA Board of Directors to fill at this time:

- Bill Graham
- Gus Kotsiomitis

Motion Passed

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

Motion made by Councillor D. Brown to Approve clause 4.

4. London & Middlesex Housing Corporation - 2013 Annual Meeting of the Shareholder - Annual Resolutions and Declaration of the Sole Shareholder and Accountability Rules

That, on the recommendation of the City Manager, the following actions be taken with respect to the London & Middlesex Housing Corporation (LMHC):

- a) the proposed by-law appended to the staff report dated May 5, 2014 as Attachment "A" BE INTRODUCED at the Municipal Council Meeting to be held on May 20, 2014 to:
 - i) ratify and confirm the Annual Resolutions of the Shareholder of the London & Middlesex Housing Corporation, attached as Schedule "1" to the by-law; and,
 - ii) authorize the Mayor and the City Clerk to execute the Annual Resolutions of the Shareholder of London & Middlesex Housing Corporation, attached as Schedule "1" to the by-law; and
- b) the following changes to the "Declaration of the Sole Shareholder" by the City of London to the London & Middlesex Housing Corporation (LMHC), including Appendix "A" - "Accountability Rules" BE ENDORSED IN PRINCIPLE; and the Civic Administration BE DIRECTED to bring forward the necessary by-law at the May 20, 2014 meeting of the Municipal Council to implement the following proposed changes:
 - i) amend the Board composition (Section 6.2(c)), as follows:
 - 1 City Council representative
 - 1 Council Council-recommended representative
 - 7 Citizens-at-Large;
 - ii) provide for staggered Board terms (Section 6.2(f)), which may require a one-time extension of a current appointment(s) in order to provide continuity, with the transition process to be implemented in consultation with the LMHC;
 - iii) provide for the LMHC to advise the Municipal Council of desired competencies when seeking applicants for vacancies on the Board (Section 6.2(b)), and to have the ability to put forward the names of applicants they would like to have considered for those vacancies;

- iv) amend the attendance requirements for the Board (Section 4.5) to reflect removal in the event of absence from three (3) meetings, consecutive or non-consecutive, in any 12 month period, without prior written approval of the Board; and
- v) other minor housekeeping changes to reflect current legislative references and position titles and to better reflect the ongoing work of the LMHC Board and Administration;

it being noted that the Strategic Priorities and Policy Committee heard the ~~attached~~ presentation from D. Reycraft, LMHC Board Chair, and S. Matthew, Executive Director, LMHC, with respect to this matter.

Motion made by Councillor J.B. Swan and seconded by Councillor P. Hubert to Amend clause 4 b) in part i) by deleting the word "City" and by replacing it with the word "County".

Motion Passed

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

Motion made by Councillor D. Brown and seconded by Councillor B. Polhill to Amend clause 4 in line 5 of part b) by deleting the words "at the May 20, 2014" and by replacing them with the words "to a future".

Motion Passed

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

Motion made by Councillor D. Brown and seconded by Councillor J.B. Swan to Approve clause 4, as amended.

Motion Passed

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

Clause 4, as amended, reads as follows:

That, on the recommendation of the City Manager, the following actions be taken with respect to the London & Middlesex Housing Corporation (LMHC):

- a) the proposed by-law appended to the staff report dated May 5, 2014 as Attachment "A" BE INTRODUCED at the Municipal Council Meeting to be held on May 20, 2014 to:
 - i) ratify and confirm the Annual Resolutions of the Shareholder of the London & Middlesex Housing Corporation, attached as Schedule "1" to the by-law; and,
 - ii) authorize the Mayor and the City Clerk to execute the Annual Resolutions of the Shareholder of London & Middlesex Housing Corporation, attached as Schedule "1" to the by-law; and
- b) the following changes to the "Declaration of the Sole Shareholder" by the City of London to the London & Middlesex Housing Corporation (LMHC), including Appendix "A" - "Accountability Rules" BE ENDORSED IN PRINCIPLE; and the Civic Administration BE DIRECTED to bring forward the necessary by-law at a future meeting of the Municipal Council to implement the following proposed changes:
 - i) amend the Board composition (Section 6.2(c)), as follows:
 - 1 City Council representative
 - 1 County Council-recommended representative
 - 7 Citizens-at-Large;
 - ii) provide for staggered Board terms (Section 6.2(f)), which may require a one-time extension of a current appointment(s) in order to provide continuity, with the transition process to be implemented in consultation with the LMHC;

- iii) provide for the LMHC to advise the Municipal Council of desired competencies when seeking applicants for vacancies on the Board (Section 6.2(b)), and to have the ability to put forward the names of applicants they would like to have considered for those vacancies;
- iv) amend the attendance requirements for the Board (Section 4.5) to reflect removal in the event of absence from three (3) meetings, consecutive or non-consecutive, in any 12 month period, without prior written approval of the Board; and
- v) other minor housekeeping changes to reflect current legislative references and position titles and to better reflect the ongoing work of the LMHC Board and Administration;

it being noted that the Strategic Priorities and Policy Committee heard the attached presentation from D. Reycraft, LMHC Board Chair, and S. Matthew, Executive Director, LMHC, with respect to this matter.

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

5. 2014 Development Charges

That the following actions be taken with respect to the 2014 Development Charges (DC) Background Study, and the 2014 Draft DC By-law:

- a) the revised Commercial growth projections, as described in Appendix H.5 of the staff report dated April 14, 2014, BE ADOPTED; it being noted that the revised projections arose 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, changes through the Capital Budget approval process, and collection of sufficient DC revenues;
- c) the draft DC By-law (attached as Appendix J to the staff report dated April 14, 2014) BE AMENDED as follows:
 - i) the definition of "development" being amended from "'development' means...as per section 10 of the Ontario Building Code..." to "'development' means...as per Section C.1.3.1.4 of the Ontario Building Code...";
 - ii) section 15 of the 2014 Draft DC By-law (Appendix J of the staff report dated April 14, 2014) being amended to the wording identified for section 15 identified in Appendix A of the staff report dated May 5, 2014;
 - iii) Schedule 1 being the proposed DC rates identified in the 2014 Draft DC By-law (Appendix J of the staff report dated April 14, 2014) being amended to reflect a revised Schedule 1 as identified in Appendix A of the staff report dated May 5, 2014; it being noted that the changes include minor revisions to the recommended DC rates as well as the addition of text at the bottom of the schedule;

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;
- d) the staff report dated May 5, 2014, regarding the impact of the water supply development charge on the water rate, BE RECEIVED for information;
- e) the staff report dated May 5, 2014, including the study by Watson & Associates entitled "City of London: Economic Impact of Proposed Development Charges", BE RECEIVED for information;

- f) the draft DC By-law and Background Study BE REFERRED back to staff to:
- i) further refine the recommendations, giving consideration to:
 - A) the input to date, including the comments provided at the public participation meeting held on May 5, 2014, as well as input received through further consultation with the External Stakeholders Committee;
 - B) the incorporation of the recommendations contained in the staff report dated May 5, 2014 entitled "Revisions to the Draft 2014 Development Charges By-law and Background Study";
 - C) inclusion of two additional recommendations as follows:
 - "a) in accordance with the Development Charges Act, 1997, it BE CONFIRMED that Municipal Council has expressed its intention that excess capacity of the works identified in the Development Charges Background Study be collected from development charges; and,
 - b) it BE CONFIRMED that the Municipal Council has determined that no further notice or public meetings are required pursuant to Section 12 of the Development Charges Act, 1997";
 - ii) further refine the DC Background Study dated April, 2014, giving consideration to the amendments outlined in Appendix B to the staff report dated May 5, 2014, in order to reflect comments provided by members of the Strategic Priorities and Policy Committee on April 14, 2014, and comments received from the Development Charges External Stakeholders Committee members;
 - iii) report back at a special meeting of the Strategic Priorities and Policy Committee, to be held immediately following the Investment and Economic Prosperity Committee scheduled for June 9, 2014, in order to accommodate final adoption at the Council meeting to be held on June 24, 2014, with:
 - A) revised recommendations as noted in f)i) and f)ii), above, subject to any further refinements that may arise from B) and C) below;
 - B) details of options and implications of removing the water supply charge from the proposed 2014 DC By-law; and
 - C) details of options and implications of placing a cap of 25% on the calculated commercial DC rate, as identified in the proposed 2014 DC By-law;

it being noted that:

- the Municipal Council received an earlier report which contained the proposed schedule of DC rates contained in the proposed 2014 DC By-law, which included a Water Supply Component (Appendix D of the staff report dated April 14, 2014 and Schedule 1 of the proposed 2014 DC By-law);
- the exemptions identified in By-law CP-1473-212, as amended (i.e. the 50% institutional exemption, industrial development exemption and the Downtown residential exemption) are contained in the proposed 2014 DC By-law, but will expire upon passage of CIP by-laws to amend and replace the same, consistent with Municipal Council's decision on August 27, 2013;
- in accordance with the Municipal Council's direction, the Civic Administration has responded to comments and concerns raised in relation to the report on draft DC rate calculations (submitted at the Strategic Priorities and Policy Committee meeting of February 20, 2014, as Appendix H); and
- the proposed 2014 DC By-law (included as Appendix J to the staff report dated April 14, 2014), includes amendments to the DC Policy considered and approved in the preceding two years, as well as technical amendments intended to add clarity to the By-law (summarized in Appendix I to the staff report dated April 14, 2014);

it being further noted that the Strategic Priorities and Policy Committee heard the ~~attached~~ presentation from P. Christiaans, Director, Development Finance and S. Mathers, Manager, Development Finance with respect to this matter; it being further noted that the SPPC received the following communications on its Added Agenda, with respect to this matter:

- a) a staff information report dated May 5, 2014 from the Managing Director, Environmental and Engineering Services and City Engineer, with respect to the impact of the water supply development charge on the water rate;
- b) a staff information report dated May 5, 2014 from the Director, Development Finance, with respect to Watson & Associates' study entitled "City of London" Economic Impact of Proposed Development Charges";
- c) commentary from Dr. G. Arku, Western University, Department of Geography, on Watson & Associates' Report entitled "City of London's Economic Impact of Proposed Development Charges";
- d) a staff report detailing proposed revisions to the draft 2014 Development Charges By-law and Background Study;
- e) a communication from A. Soufan, President, York Developments Inc., regarding the proposed development charges rates;
- f) a communication from M. Noskiewicz, Goodmans LLP, representing Smartcentres Inc., Calloway REIT and Greenhills Shopping Centres Limited regarding the development charges review;
- g) a communication from D. Wastell, President, London Homebuilders' Association, with respect to the 2014 Development Charges By-law;
- h) a communication from J. Kennedy, President, London Development Institute, regarding the Development Charge Review 2014, Water Supply Charge; and
- i) a communication from J. Kennedy, President, London Development Institute, regarding delegation status for the 2014 Development Charges By-law Update;

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

Motion Passed

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

7th Report of the Investment and Economic Prosperity Committee
Councillor J.B. Swan presents.

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

1. Disclosures of Pecuniary Interest

That it BE NOTED that Councillor J. Swan disclosed a pecuniary interest in clause 5 of this Report, having to do with a Special Meeting of the Investment and Economic Prosperity Committee, specifically as it relates to a mixed-use development including a Performing Arts Centre, by indicating that his employer, Orchestra London, is a proponent.

2. Mayor's Economic Prosperity Council - November 2013

That the November 2013 Report and Recommendations of the Mayor's Economic Prosperity Council (MEPC), BE REFERRED to the Civic Administration and other City partners, to link the MEPC's recommendations into the broader economic development strategy for the City of London.

4. High Speed Rail – Moving Ontario Forward

That the following actions be taken with respect to high speed rail in Ontario:

- a) Whereas knowledge-based economies thrive on convenient connectivity; and,

Whereas frequent High Speed Rail service between Downtown London and Toronto will bring immediate and long-term benefits to London and region; and,

Whereas the Minister of Transportation, Glen Murray, announced on April 30, 2014 that Ontario is moving forward with plans for a high speed rail line connecting London, Kitchener-Waterloo, Pearson Airport and Downtown Toronto to improve travel options, reduce travel times and support economic development; and,

Whereas London Municipal Council has previously endorsed High Speed Rail Service in the Windsor-Quebec City Corridor;

Therefore be it resolved that all Parties in the Provincial Legislature and the Government of Canada BE ENCOURAGED to support finalizing the business case and the beginning of an environmental assessment for implementation of High Speed Rail in the London, Kitchener-Waterloo, Pearson Airport, Toronto corridor; it being noted that The Corporation of the City of London reaffirms its support for High Speed Rail serving the City of London; and,

Therefore be it further resolved that this resolution BE CIRCULATED to the Premier, the Prime Minister, Provincial and Federal Opposition Party Leaders, the Provincial and Federal Ministers of Transport and Opposition Critics, London MPPs and MPs; and,

- b) the Civic Administration BE DIRECTED to report back to the appropriate standing committee on strategies to support this initiative;

it being noted that the Investment and Economic Prosperity Committee reviewed and received a News Release dated April 30, 2014 by G.R. Murray, Minister of Transportation and Minister of Infrastructure, with respect to this matter.

Motion Passed

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

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

3. Tourism London - Destination Marketing Fund

That, notwithstanding the Municipal Council resolution adopted at its meeting on April 1, 2014, with respect to a potential levy related to hotel / motel rates and Council's desire that a voluntary Destination Marketing Program be established for the London Community, it BE CLARIFIED that it is not the intent of the City of London to offset its investment in Tourism London by any revenues that are generated by the Destination Marketing Program, subject to annual budget reviews; it being noted that the Investment and Economic Prosperity Committee reviewed and received a communication dated April 28, 2014, from J. Winston, General Manager, Tourism London, with respect to this matter.

Motion Passed

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

NAYS: S.E. White (1)

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

5. IEPC Special Meeting

That a Special Meeting of the Investment and Economic Prosperity Committee BE SCHEDULED for May 14, 2014 at 4:00 PM to receive updates on the following matters:

1. Mixed-Use Development
2. 111 Horton Street Redevelopment

Motion Passed

YEAS: J.F. Fontana, B. Polhill, B. Armstrong, J.L. Baechler, M. Brown, P. Hubert, D.G. Henderson, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (11)

RECUSED: J.B. Swan (1)

8th 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 2.

1. Disclosures of Pecuniary Interest

That it BE NOTED that Councillor J. Swan disclosed a pecuniary interest in clause 3 of this report, having to do with a mixed-use development including a Performing Arts Centre, by indicating that his employer, Orchestra London, is a proponent.

2. Prosperity Projects: 111 Horton Street East - Redevelopment Opportunity

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the following actions be taken with respect to 111 Horton Street East:

- a) the report dated May 14, 2014, with respect to this matter, BE RECEIVED for information; and,
- b) the Civic Administration BE DIRECTED to continue to investigate and work with identified project stakeholders in order move this proposed project forward; it being noted that the Reach Study is in the process of being finalized;

it being further noted that the Investment and Economic Prosperity Committee received the ~~attached~~ presentation from Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, with respect to this matter.

Motion Passed

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

Motion made by Councillor M. Brown to Approve clause 3.

3. Music London Progress Update

That the Music London Business Plan dated May 2014, for a mix-use development including a Performing Arts Centre BE REFERRED to the Civic Administration for further review and for an independent peer-review by Novita Interpares Ltd., with a report back to the Investment and Economic Prosperity Committee (IEPC), as soon as possible; it being noted that the IEPC received the ~~attached~~ presentation from J. Caskey, Chair, Downtown Performing Arts and Entertainment Task Force and M. Faulkner, Music London, with respect to this matter.

(Secretary's Note: an electronic copy of the above-noted business plan is available on the city website; a hard-copy is available for viewing in the City Clerk's Office.)

Motion Passed

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

NAYS: D.G. Henderson (1)

RECUSED: J.B. Swan (1)

12th Report of the Committee of the Whole
Councillor J.L. Baechler presents.

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

ABSENT: N. Branscombe, S. Orser and P. Van Meerbergen.

ALSO PRESENT: A. Zuidema, J.P. Barber, D. Bryant (McKenzie Lake Lawyers), K. Dawtrey, C. Dziedzic, M. Hayward, L. Livingstone, L. Rowe and B. Warner.

Motion made by Councillor J.L. Baechler to Approve clause 1.

1. That it BE NOTED that the Committee of the Whole made progress with respect to the following matters:

- a) A matter pertaining to instructions and directions to officers and employees of the Corporation pertaining to a proposed acquisition of land; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; reports or advice or recommendations of officers and employees of the Corporation pertaining to a proposed acquisition of land; commercial and financial information supplied in confidence pertaining to the proposed acquisition the disclosure of which could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of the Corporation, result in similar information no longer being supplied to the Corporation where it is in the public interest that similar information continue to be so supplied, and result in undue loss or gain to any person, group, committee or financial institution or agency; commercial, information relating to the proposed acquisition that belongs to the Corporation that has monetary value or potential monetary value; information concerning the proposed acquisition whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or its competitive position; information concerning the proposed acquisition whose disclosure could reasonably be expected to be injurious to the financial interests of the Corporation; and instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the Corporation concerning the proposed acquisition. (C1/14/CSC)
- b) A matter pertaining to the purpose of instructions and directions to officers and employees of the Corporation pertaining to a proposed 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 disposition of land; commercial and financial information supplied in confidence pertaining to the proposed 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 disposition that belongs to the Corporation that has monetary value or potential monetary value; information concerning the proposed disposition whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or its competitive position; information concerning the proposed 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 disposition. (C1/7/IEPC)
- c) A matter pertaining to personal matters about identifiable individuals, including municipal or local board employees; advice and recommendations of officers and employees of the Corporation and communications necessary for that purpose; employee negotiations; and advice that is subject to solicitor-client privilege, including communications necessary for that purpose. (C2/14/CSC)

Motion Passed

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

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 P. Hubert to Approve Introduction and First Reading of Bill No.s 253 to 269.

Motion Passed

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

Motion made by Councillor D. Brown and seconded by Councillor H.L. Usher to Approve Second Reading of Bill No.s 253 to 269.

Motion Passed

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

Motion made by Councillor B. Polhill and seconded by Councillor H.L. Usher to Approve Third Reading and Enactment of Bill No.s 253 to 269

Motion Passed

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

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

<p>Bill No. 253 270*</p> <p>By-law No. A.-7110-189</p> <p><small>*Due to a typographical error, this Bill has been subsequently renumbered as Bill No. 270.</small></p>	<p>A by-law to confirm the proceedings of the Council Meeting held on the 20th day of May, 2014. (City Clerk)</p>
<p>Bill No. 254</p> <p>By-law No. A.-7111-190</p>	<p>A By-law to exempt from taxation for municipal and school purposes a portion of the multi-residential assessed value of the property at 219 St. George Street, in the City of London. (14/6/CSC)</p>
<p>Bill No. 255</p> <p>By-law No. A.-7112-191</p>	<p>A By-law to exempt from taxation for municipal and school purposes a portion of the multi-residential assessed value of the property at 392 Richmond Street, in the City of London. (14/7/CSC)</p>
<p>Bill No. 256</p> <p>By-law No. E.-178-192</p>	<p>A by-law to authorize the use of accessible voting machines, poll optical scanning vote tabulators, central count optical scanning tabulator, voting by mail, advance voting and proxy voting for the 2014 municipal election; and to repeal By-law No. E.-172-166 entitled "A by-law to authorize the use of accessible voting machines, optical scanning vote tabulators, mail in voting, advance voting and proxy voting at municipal elections." (14/8/CSC)</p>

Bill No. 257 By-law No. L.S.P.-3438-193	A By-law to expropriate lands in the City of London, in the County of Middlesex, for the Hyde Park Road Widening and Improvements Project - Phase II between South Carriage Road and Fanshawe Park Road West. (3/8/CSC-2013)
Bill No. 258 By-law No. S.-5658-194	A by-law to repeal By-law No. S.-1870-241 entitled "A By-law to widen Corley Drive, south of Windermere Road, in the City of London." (Chief Surveyor)
Bill No. 259 By-law No. S.-5659-195	A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Wharncliffe Road South, north of Tecumseh Avenue West) (Chief Surveyor)
Bill No. 260 By-law No. S.-5660-196	A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Hyde Park Road, south of Gainsborough Road) (Chief Surveyor)
Bill No. 261 By-law No. S.-5661-197	A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Oxford Street West and Wonderland Road North) (Chief Surveyor)
Bill No. 262 By-law No. W.-5558-198	A by-law to authorize the Mud Creek Erosion and Flooding Remediation. (Project No. ES2681) (5/2/CWC-2012)
Bill No. 263 By-law No. W.-5559-199	A by-law to authorize the 2013 New Major Open Spaces. (Project No. PD2043-13) (8/6/CWC)
Bill No. 264 By-law No. W.-5560-200	A by-law to authorize the SWM Facility – Hyde Park No. 5. (Project No. ESSWM-HP5) (8/7/CWC)
Bill No. 265 By-law No. W.-5326(a)-201	A by-law to amend By-law No. W.-5326-259 entitled, "A by-law to authorize the Gore Road Bridge Project. (Project No. TS1214)" (8/3/CWC)
Bill No. 266 By-law No. Z.-1-142302	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 2237 Wharncliffe Road South. (15/14/PEC-2013)
Bill No. 267 By-law No. Z.-1-142303	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 entertainment on an Outdoor Patio associated with a Restaurant or Tavern. (8/9/PEC)
Bill No. 268 By-law No. A.-7113-202	A by-law to ratify and confirm the Annual Resolutions of the Shareholder of London Hydro Inc. (3/11/SPPC)
Bill No. 269 By-law No. A.-7114-203	A by-law to ratify and confirm the Annual Resolutions of the Shareholder of London & Middlesex Housing Corporation. (4/11/ SPPC)

XIV ADJOURNMENT

Motion made by Councillor P. Hubert and seconded by Councillor D. Brown to Adjourn.

Motion Passed

The meeting adjourned at 6:50 PM.

Joe Fontana, Mayor

Catharine Saunders, City Clerk