



London
CANADA

COUNCIL MINUTES FIFTEENTH MEETING

September 19, 2011

The Council meets in Regular Session in the Council Chambers this day at 5:02 p.m.

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

ALSO PRESENT: J.A. Fielding, R.L. Fair, M. Hayward, P. McNally, G.T. Hopcroft, E. Gamble, B. Westlake-Power, V. McAlea Major, J. Braam, J. Stanford, T.A. Johnson, M. Turner, J. Kobarda, D. Ailles, S. Axford

ABSENT WITH REGRETS: Councillor N. Branscombe

I RECOGNITIONS

1. His Worship the Mayor presents a plaque for "London's Featured Company" to Andrew McClenaghan, Owner and CEO and Victor Harris, Manager of Business Development representing Echidna Solutions Corp.
2. His Worship the Mayor presents a certificate for "London's Featured Community Organization" to Mike Malleck, Board President, John Van Osch, Vice-President and Margaret Anderson, Executive Director of Ronald McDonald House.
3. His Worship the Mayor presents a certificate for "London's Featured Community Organization" to Andrew Lockie from The United Way.
4. Councillor Paul Hubert makes a presentation to His Worship the Mayor, on behalf of the University of Western Ontario and WORLDiscoveries.
5. Councillor Harold Usher acknowledges the success of the 2011 Western Fair and the Mayor notes that a congratulatory message will be forwarded to the Western Fair District, from his office.

Motion made by Councillor M. Brown and seconded by Councillor B. Polhill to Approve a test vote.

Motion Passed

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

NAYS: M. Brown (1)

RECUSED: P. Van Meerbergen (1)

II DISCLOSURES OF PECUNIARY INTEREST

268. Councillor S. White discloses a pecuniary interest in clause 18 of the 21st Report of the Built and Natural Environment Committee, having to do with Beaufort Street, Irwin Street, Gunn Street and Saunby Street Neighbourhood Planning Options, by indicating that her employer owns property and has an office that Councillor White occasionally works out of an office on Gunn Street.
269. Councillor Hubert discloses a pecuniary interest on clause C-3 of the Confidential Appendix to the 21st Report of the Finance and Administration Committee, having to do with a matter pertaining to litigation commenced by Practical Plumbing Co. Ltd. against The Corporation of the City of London in connection with a flooding at 76 Brunswick Avenue, by indicating that he has a personal relationship with the owners of 76 Brunswick Avenue. Councillor Hubert further discloses a pecuniary interest in clause 3 of the 21st Report of the Built and Natural Environment Committee Meeting, having to do with an agreement and grant toward the revitalization of the Red Antiquities Building, 129 Wellington Street, and the associated By-law No. 371, by indicating that he is the Executive Director of Pathways Skill Development &

Placement Centre, a party to the Agreement.

270. **III CONFIRMATION AND SIGNING OF THE MINUTES OF THE FOURTEENTH MEETING HELD ON AUGUST 29, 2011**

Motion made by Councillor M. Brown and seconded by Councillor P. Hubert to Approve the Minutes of the fourteenth meeting of London Council; it being noted that the Minutes should reflect that Councillor H. Usher left the meeting at 1:00 a.m.

Motion Passed

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

271. **IV REVIEW OF CONFIDENTIAL MATTERS TO BE CONSIDERED IN PUBLIC**

The Council reviews the confidential matters listed for consideration at this meeting and determines that none should be considered in public.

272. **V COMMUNICATIONS AND PETITIONS**

1. G. Murray and J. Savage, 790 Colborne Street - 1307918 Ontario Limited (Helen Wilson) - 763 Colborne Street (Z-7916). (Refer to the Built and Natural Environment Committee Stage for Consideration with Clause 17 of the 21st Report of the Built and Natural Environment Committee.)
2. B. and R. Odegaard, By E-mail - Ayerswood Development Corp. - Site Plan Application - 940 Springbank Drive (Referred to the Built and Natural Environment Committee stage for consideration with clause 7 of the 21st Report of the Built and Natural Environment Committee.
3. Councillor B. Armstrong - Clause 12 of the 15th Report of the Community and Neighbourhoods Committee (Referred to the Community and Neighbourhoods stage for consideration with the 12th clause of the 15th Report of the Community and Neighbourhoods Committee.)

273. **VI MOTIONS OF WHICH NOTICE IS GIVEN**

There are none.

274. **VII ADDED REPORTS**

1. 22nd Report of the Built and Natural Environment Committee
2. 22nd Report of the Finance and Administration Committee

VIII REPORTS

Motion made by Councillor M. Brown and seconded by Councillor B. Polhill to change the order of business, pursuant to section 7.3 of the Council Procedure By-law, in order to permit the consideration of clause 6 of the Community and Neighbourhoods Committee Report at this time.

Motion Passed

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

275. Community and Neighbourhoods Committee
Councillor Usher presents the 15th Report

6. 2013 World Figure Skating Championship

Motion made by Councillor H.L. Usher to Approve that the following actions be taken with respect to the 2013 World Figure Skating Championships:

- (a) the ~~attached~~ Report, dated September 13, 2011, from the Chief Administrative Officer, with the concurrence of the City Treasurer, Chief Finance Officer, with respect to the next steps for the proposed and requested initiatives associated with the 2013 World

Figure Skating Championships BE SUPPORTED IN PRINCIPLE; and,

- (b) the Civic Administration BE ASKED to provide a prioritized list of initiatives, additional details with respect to capital projects and funding sources, as outlined in the above-noted report, to the Service Review Committee for consideration in conjunction with other business case requests;

it being noted that the Community and Neighbourhoods Committee heard verbal delegations from J. Winston, General Manager, Tourism London, and C. Finn, Manager, Sports Tourism, with respect to this matter.

Motion made by Councillor W.J. Armstrong and seconded by Councillor S. Orser to Amend clause 6 of the Community and Neighbourhoods Committee (CNC) Report, by adding a new part (c) to request the London Police Service Board to liaise with the RCMP, with respect to the 2013 World Figure Skating Championships and provide a report to the CNC.

Motion Failed

YEAS: W.J. Armstrong, J.B. Swan, S. Orser, P. Van Meerbergen (4)

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

Motion made by Councillor P. Hubert and seconded by Councillor H.L. Usher to Amend clause 6 of the Community and Neighbourhoods Committee (CNC) Report, at the end of part (a) by replacing the words "BE SUPPORTED IN PRINCIPLE," with the words "BE APPROVED IN PRINCIPLE" and in part (b) by deleting the words following "above-noted report" and substituting with "to the Finance and Administration Committee meeting of October 19, 2011".

Motion Passed

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

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

Motion made by Councillor D.G. Henderson and seconded by Councillor P. Van Meerbergen to Refer clause 6 back to Administration for further information.

Motion Failed

YEAS: S. Orser, D.G. Henderson, P. Van Meerbergen, D. Brown (4)

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

At 6:19 p.m., His Worship the Mayor places Councillor Hubert in the Chair and takes a seat at the Council Board.

At 6:28 p.m., His Worship the Mayor resumes the Chair, and Councillor Hubert takes his seat at the Council Board.

Pursuant to section 17.2 of the Council Procedure By-law, Councillor Van Meerbergen calls for a separate vote on parts (a) and (b) of clause 6.

Motion made by Councillor H.L. Usher to Approve part (a) of clause 6, as amended.

Motion Passed

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

NAYS: D.G. Henderson, P. Van Meerbergen, D. Brown (3)

Motion made by Councillor H.L. Usher and seconded by to Approve part (b) of clause 6, as amended.

Motion Passed

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

Clause 6, as amended, reads as follows:

That the following actions be taken with respect to the 2013 World Figure Skating Championships:

- (a) the ~~attached~~ Report, dated September 13, 2011, from the Chief Administrative Officer, with the concurrence of the City Treasurer, Chief Finance Officer, with respect to the next steps for the proposed and requested initiatives associated with the 2013 World Figure Skating Championships BE APPROVED IN PRINCIPLE; and,
- (b) the Civic Administration BE ASKED to provide a prioritized list of initiatives, additional details with respect to capital projects and funding sources, as outlined in the above-noted report, to the Finance and Administration Committee meeting of October 19, 2011;

it being noted that the Community and Neighbourhoods Committee heard verbal delegations from J. Winston, General Manager, Tourism London, and C. Finn, Manager, Sports Tourism, with respect to this matter.

At 6:32 p.m., the Municipal Council recognizes the following City of London Employees who have achieved 25 years of service during 2011:

Community Services - Keith Elder, Kim Harris, Bea Jones, Scott Stafford, Terrina Watson

Dearness Services - Earla Bernardi, Rebecca Kuakini, Promila Peter

Finance - Lindsey Banks, Vicky Henseler, Stacey Root, Dawn Vanderloop

Police Services - Robert S. Aves, Dan Axford, John Bink, Stephen J. Cochrane, Grant W. Coon, Patrick Corcoran, Paul Cornelius, Philip Dern, John Philip Frangos, Paul N. Gilpin, Steven Hartwick, Rob Herlick, Ronald J. Hettinga, Brian J. LeBlanc, Barbara J. Lovie, Paul V. Martin, Chris McCoy, Roger McCoy, Barbara McDonald, G. Kevin Mills, Chris Newton, Sandra Perks, Brian W. Pinkney, Martin J. Spoelstra, Frank Trafagander, Mark Walton, Rob Weatherstone and Heather Wilson.

Councillor Swan moves, seconded by Councillor Orser, that Council recess. Motion passed

The Council recesses at 6:40 p.m. and reconvenes at 7:52 with all Members present except Councillors Swan, Branscombe, Van Meerbergen and White.

276. Built and Natural Environment Committee
Councillor Polhill presents the 21st Report.

1. Anaergia: Non-Disclosure Agreement

Motion made by Councillor Polhill to Approve that, on the recommendation of the Executive Director-Planning, Environmental and Engineering Services, the following actions be taken with respect to the Anaergia Non-Disclosure Agreement, the ~~attached~~ proposed By-law (Appendix 'A') BE INTRODUCED at the Municipal Council meeting to be held on September 19, 2011 to:

- (a) approve the Non-Disclosure Agreement with Anaergia; and,
- (b) authorize the Mayor and the City Clerk to execute the Agreement noted in part (a), above. (2011-W13-00)

Motion Passed

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

2. Tender 11-83 – Urban Parkette in Talbot Village Subdivision

Motion made by Councillor Polhill to Approve that, on the recommendation of the Executive Director, Planning, Environmental and Engineering Services, the following actions be taken with respect to the urban parkette in the Talbot Village Subdivision:

- (a) the tender submitted by Frank Van Bussel & Son Ltd., 3 Ilderbrook Circle, Ilderton, Ontario N0M 2A0, in the amount of \$139,589.44, excluding HST, BE ACCEPTED; in

being noted that the bid submitted by Frank Van Bussel & Son Ltd., was the lowest bid of five bids and meets the terms, conditions and specifications in all areas.

- (b) the funding for this purchase BE APPROVED as set out in the Sources of Financing Report ~~attached~~ hereto as Appendix "A";
- (c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this contract;
- (d) the approval hereby given BE CONDITIONAL upon the Corporation entering into a formal contract, having a purchase order or contract record relating to the subject matter of this approval; and,
- (e) the future additional annual operating costs for the Talbot Village Park in the amount of \$13,000.00 BE CONSIDERED as a commitment from available assessment growth in 2012, subject to final budget approval.

Motion Passed

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

At 7:54 p.m. Councillors Swan and White enter the meeting.

3. Grant Towards the Revitalization of the Red Antiquities Building - 129 Wellington Street

Motion made by Councillor Polhill to Approve that, on the recommendation of the Director of Land Use Planning and City Planner, the following actions be taken with respect to the provision of a grant, in the amount of \$50,000, towards the revitalization initiative of the Red Antiquities Building, which is consistent with the SoHo Community Improvement Plan and the associated incentive programs, relating to the Antiquities Building located at 129 Wellington Street:

- (a) the ~~attached~~ By-law (Appendix "A") BE INTRODUCED at the Municipal Council meeting to be held on September 19, 2011 to; and,
 - (i) authorize and approve an agreement between Pathways Skill Development & Placement Centre and The Corporation of the City of London; and,
 - (ii) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this contract;
- (b) the funding for this municipal allocation BE APPROVED as set out in the Sources of Financing Report ~~attached~~ hereto as Appendix "A";

it being noted that the Built and Natural Environment Committee received the ~~attached~~ communication dated September 8, 2011 from L. Culford, Chair, Pathways Skill Development and J. Manness, Chair, Heritage London Foundation, with respect to this matter.

Motion Passed

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

NAYS: S. Orser (1)

RECUSE: P. Hubert (1)

Secretary's Note: during the Council meeting Councillor Hubert removed himself from the Council Board during the consideration of the above-noted clause 3. The vote displayed during the meeting incorrectly reflected Councillor Hubert voting "Nay" to the motion. The record has been prepared to demonstrate that Councillor Hubert did not vote on the above-noted clause 3.

Councillor Van Meerbergen enters the meeting.

4. Payment of Funds Given to the City for Environmental Assessment Studies - Old Victoria Stormwater Management Pond

Motion made by Councillor B. Polhill to Approve that on the recommendation of the Director Development Finance, the following actions be taken with respect to deposits submitted by resident landowners related to the costs of Environmental Assessment (EA) studies undertaken for storm/drainage and stormwater management servicing works for land development within the identified Old Victoria catchment area:

- (a) the deposit amounts BE RETURNED to those who provided the deposits; it being noted that the City Services Reserve Fund will bear the costs of financing the study from this point forward;
- (b) that, prior to paying any amount referred to in paragraph (a) above, Civic Administration BE DIRECTED to take all necessary steps to obtain from all claimants of the funds, appropriate written directions, releases and indemnities, to the satisfaction of the City Solicitor;
- (c) the Source of Financing for the above-noted claims, ~~attached~~ to this report as Appendix 'A', BE APPROVED; and,
- (d) the Civic Administration BE DIRECTED to review similar circumstances and report back to a future meeting of the appropriate standing Committee with respect to the findings and potential budget implications.

Motion Passed

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

5. Amendments to the Traffic and Parking By-law

Motion made by Councillor B. Polhill to Approve that, on the recommendation of the Acting Director, Roads & Transportation, the ~~attached~~ proposed by-law (Appendix "A") BE INTRODUCED at the Municipal Council meeting to be held on September 19, 2011 for the purpose of amending the Traffic and Parking By-law (P.S. 111), to correct typographical errors and to address traffic safety, operations and parking concerns on Bathurst Street, Jalna Boulevard, South Carriage Road and Wonderland Road North.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, H.L. Usher, J.P. Bryant, S.E. White (13)
RECUSED: D. Brown (1)

6. Fox Hollow Development Area Stormwater Management Facility No. 1 Land Purchase (ES3019)

Motion made by Councillor Polhill to Approve that, on the recommendation of the Managing Director of Development Approvals Business Unit, the following actions be taken with respect to the Fox Hollow Development Area Stormwater Management Facility No. 1 (ES3019-11):

- (a) an offer of purchase in the amount of \$1,369,279.61, located at 1602 Sunningdale Road, being Parts 1, 3, 7, and 8 on Reference Plan 33R-18005, BE ENDORSED for the acquisition of 6.1ha of land required for the Fox Hollow Development Area Stormwater Management Facility No. 1;
- (b) a parkland dedication of Parts 2 and Part 5 of Reference Plan 33R-18005 BE ENDORSED and BE ELIGIBLE for future land dedication against the development of the associated draft plan for the 1602 Sunningdale Road area;
- (c) a condition to sell and dedicate lands to the City BE ADDED to the consent decision for the severance of the lands located at 1602 Sunningdale Road, to provide a storm water management block and parkland to the City;
- (d) Stanton Brothers Ltd. BE COMPENSATED an amount of \$13,788.33, excluding HST, relating to the establishment of the Fox Hollow Development Area Stormwater Management Facility No. 1 block;
- (e) the financing for this project BE APPROVED, as set out in the Sources of Financing Report ~~attached~~ hereto as Appendix "A"; and,
- (f) Civic Administration BE DIRECTED to report back at a future meeting of the Built and Natural Environment Committee with a recommended procedure to provide compensation for engineering and other consulting costs, incurred by the host landowner in relation to City Services Reserve Fund financed stormwater management facilities for projects that are relevant or of value to the City.

Motion Passed

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

7. Ayerswood Development Corp. – Site Plan Application – 940 Springbank Drive

Motion made by Councillor Polhill to Approve that, a special meeting of the Built and Natural Environment Committee BE HELD on Monday, September 19, 2011 at 3:30 p.m., to receive a report from Civic Administration with respect to the application of Ayerswood Development Corp. relating to the site plan application for the property located at 940 Springbank Road, with said report to address:

- (a) appointing the Municipal Council as the approval authority for this application;
- (b) providing a summary of the Civic Administration's review of the application; and,
- (c) the Civic Administration's position;

it being noted that the Built and Natural Environment Committee reviewed and received the following with respect to this matter:

- an information report, dated September 12, 2011, from the City Solicitor;
- the corrected second page of the information report, dated September 12, 2011, from the City Solicitor;
- a Municipal Council resolution adopted at its meeting held on June 20, 2011; and,
- the site plan and development agreement that was submitted to the Built and Natural Environment Committee, at its meeting held on June 16, 2011.

Motion Passed

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

8. Heritage Alteration Permit Application - Wortley Wellness Centre Inc. – 119 Wortley Road

Motion made by Councillor Polhill to Approve that, on the recommendation of the London Advisory Committee on Heritage, the Heritage Alteration Permit Application of Wortley Wellness Centre Inc. requesting permission for a portico addition and gable alterations to the designated heritage property located at 119 Wortley Road BE APPROVED; it being noted that the Heritage Planner has reviewed the proposed alterations and has advised that the impact of such alterations on the heritage features of the property identified in the reasons for designation are appropriate for the style and age of the building; it being further noted that the London Advisory Committee on Heritage did not hear a presentation from the Property Manager for this property.

Motion Passed

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

9. Heritage Alteration Permit Application - C. Mamo – 335 St. James Street

Motion made by Councillor Polhill to Approve that, on the recommendation of the London Advisory Committee on Heritage, the Heritage Alteration Permit Application of C. Mamo requesting permission for a dormer addition to the designated heritage property located at 335 St. James Street BE APPROVED; SUBJECT TO the applicant using hardy board for the dormer addition; it being noted that the Heritage Planner has reviewed the proposed addition and has advised that the impact of such alteration on the heritage features of the property identified in the reasons for designation is negligible.

Motion Passed

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

10. Springbank Fountain – Dearness Home

Motion made by Councillor Polhill to Approve that clause 3 of the 9th Report of the London Advisory Committee on Heritage having to do with the request to relocate the Springbank Fountain, BE REFERRED to the Heritage Planner for further consideration.

Clause 3 reads as follows:

“That, on the recommendation of the London Advisory Committee on Heritage, the Civic Administration BE REQUESTED to relocate the Springbank fountain, currently located at the Dearness Home, to an appropriate location or safely store, until an alternate appropriate location can be found, as the fountain is a significant remnant of London’s history; it being noted that the London Advisory Committee on Heritage received a communication dated August 16, 2011 from S. Harding, 1462 Trafalgar Street, with respect to this matter.”

Motion Passed

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

11. D. Russell – 24 The Ridgeway

Motion made by Councillor Polhill to Approve that, on the recommendation of the London Advisory Committee on Heritage, the Director of Building Controls and Chief Building Official BE ADVISED that the London Advisory Committee on Heritage (LACH) does not support the designation of the property located at 24 The Ridgeway; it being noted that the LACH requested that all salvageable heritage aspects of the property be retained.

Motion Passed

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

12. Heritage Alteration Permit Application - 2126555 Ontario Inc./ T. McGregor-Temple – 79 Ridout Street South

Motion made by Councillor Polhill to Approve that, on the recommendation of the London Advisory Committee on Heritage, the Heritage Alteration Permit Application of 2126555 Ontario Inc. / T. McGregor-Temple requesting permission for an alteration to the designated heritage property located at 79 Ridout Street South BE APPROVED; SUBJECT TO the replacement of the slate shingles with a material that resembles the slate roof; it being noted that the Heritage Planner has reviewed the proposed alteration and has advised that the impact of such alteration on the heritage features of the property identified in the reasons for designation is acceptable.

Motion Passed

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

13. Dirt Bikes in ESA's

Motion made by Councillor Polhill to Approve that clause 6 of the 9th Report of the London Advisory Committee on Heritage asking the Civic Administration to establish a policy to prohibit dirt bikes in Environmentally Significant Areas BE REFERRED to the Upper Thames River Conservation Authority ESA Management Team.

Clause 6 reads as follows:

“That the Civic Administration BE ASKED to establish a policy to prohibit dirt bikes in Environmentally Significant Areas; it being noted that the London Advisory Committee on Heritage was advised by J. O’Neil that an article was published in The Londoner with respect to people using dirt bikes in Meadowlily Woods.”

Motion Passed

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

14. Sarnia Road Bridge Plaque

Motion made by Councillor Polhill to Approve that, on the recommendation of the London Advisory Committee on Heritage, the Civic Administration BE ADVISED that the London Advisory Committee on Heritage has reviewed and approved, in principle, the attached proposed wording of the Sarnia Road Bridge plaque.

Motion Passed

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

15. City of London – Modifications to Section 19.7.1 – Applications for Consent (O-7883)

Motion made by Councillor Polhill to Approve that, on the recommendation of the Director of Land Use Planning and City Planner, the proposed by-law attached hereto as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on September 19, 2011 to amend the Official Plan to clarify Section 19.7.1, "Applications for Consent", such that final consent will not be granted until any required zoning by-law amendment or minor variances associated with the application for consent has been dealt with and is in full force and effect; it being pointed out that there were no oral submissions made at the public participation meeting held in connection with this matter.

Motion Passed

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

17. 1307918 Ontario Limited (Helen Wilson) – 763 Colborne Street (Z-7916)

Motion made by Councillor Polhill to Approve that, on the recommendation of the Director of Land Use Planning and City Planner, the following actions be taken with respect to the application of 1307918 Ontario Limited (Helen Wilson) relating to the property located at 763 Colborne Street:

- (a) the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject lands FROM a Residential (R2-2) Zone which permits single, semi, duplex dwellings and converted dwelling maximum 2 units TO a Residential R3 Special Provision (R3-1 ()) Zone to permit the above use and a three unit converted dwelling with a lot frontage of 9.75m, a 4.5m front yard setback, a 0m north interior side yard setback, a 1.4m interior side yard setback and 1 parking space, BE REFUSED, as the requested Zoning By-law amendment is not consistent with the Official Plan as follows:
- the North London/Broughdale Neighbourhood policies of the Official Plan require that multiple unit residential development is directed to those areas within the Oxford, Richmond and Adelaide Street corridors that are designated Multi-Family, High and Multi-Family, Medium Density Residential;
 - the current zoning for this area is appropriate, promotes neighbourhood stability, and allows redevelopment of residential properties in a manner which is compatible with the surrounding neighbourhood, consistent with the Provincial Policy Statement;
 - the requested amendment has the potential to create impacts on the abutting land owners resulting from the introduction of a multiple unit residential development into a stable residential area;
 - the requested amendment could set a further precedent for additional multiple unit residential uses and erode the residential character of the area;
 - the proposed amendment would constitute "spot" zoning, and is not considered appropriate in isolation from the surrounding neighbourhood; and,
 - for the foregoing reasons, the requested Zoning By-law amendment is not consistent with the Official Plan;
- (b) subject to Policy 19.1.1. of the Official Plan, the subject lands BE INTERPRETED to be located within the "Low Density Residential" designation;

it being noted that the Built and Natural Environment Committee reviewed and received the attached communication dated September 9, 2011 from J. McGuffin, Monteith Brown Planning

Consultants, with respect to this matter;

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

- J. McGuffin, Monteith Brown Planning Consultants, on behalf of the applicant – see ~~attached~~ presentation; advising that at the pre-application meeting in March, 2011, Mr. McGuffin met with staff and received a favourable response to the proposed application; advising that the only concern expressed was the parking; indicating that he was advised that at the pre-consultation meeting that a zoning by-law amendment would be required and the staff requested that the tree in front of the property be retained; advising that the concerns received by the neighbours were illegal parking and student housing; indicating that the Provincial Policy Statement charges municipalities with finding infill housing; enquiring as to how the staff can ask the Council to ask for something different than what he was asked for in the pre-consultation meeting; advising that this is not spot zoning and that the application will not set a precedent; advising that his client purchased the property in June of 2010 and has spent \$65,000 in improvements, including an interlocking brick driveway and a new storage shed.
- D. Bale, 776 Colborne Street – expressing opposition to the application; indicating that he is happy that the property has been improved to a degree; advising that no one is sanguine about the property being rezoned; advising that there are usually three vehicles parked in front of the house; indicating that it may be true that there is a plan in place for a shared driveway in the back; advising that if you increase the dwelling numbers, you will have more people parking; advising that Mr. McGuffins' map indicates that the parking is straddling the boundary; advising that all the businesses are on Oxford Street; advising that approving the application will drive a wedge into the neighbourhood and that it is setting an unfortunate precedent. (2011-D11-08)

Motion Passed

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

16. Demolition Application – D. Russell – 24 The Ridgeway

Motion made by Councillor Polhill to Approve that the following actions be taken with respect to the demolition application of D. Russell for the residential property located at 24 The Ridgeway:

- (a) on the recommendation of the Director, Land Use Planning and City Planner, the above-noted demolition permit BE ISSUED; and,
- (b) the property owners BE REQUESTED to permit the London Advisory Committee on Heritage to photograph the heritage features of the property prior to its demolition;

it being noted that the LACH discussed this matter and indicated that it did not wish to designate the property under the Ontario Heritage Act; it being pointed out that there were no oral submissions made at the public participation meeting held in connection with this matter.

Motion made by Councillor Bryant and seconded by Councillor Baechler to Amend clause 16 of the 21st Report of the Built and Natural Environment Committee by adding a new part (c), as follows:

- "(c) all salvageable heritage aspects of the building BE RETAINED and all reusable heritage items BE STORED so they may be incorporated into future construction on the site;"

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, 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 Polhill to Approve clause 16 of the 21st Report of the Built and Natural Environment Committee, as amended.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, M. Brown,

P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (14)

Clause 16, as amended, reads as follows:

that the following actions be taken with respect to the demolition application of D. Russell for the residential property located at 24 The Ridgeway:

- (a) on the recommendation of the Director, Land Use Planning and City Planner, the above-noted demolition permit BE ISSUED; and,
- (b) the property owners BE REQUESTED to permit the London Advisory Committee on Heritage to photograph the heritage features of the property prior to its demolition; and,
- (c) all salvageable heritage aspects of the building BE RETAINED and all reusable heritage items BE STORED so they may be incorporated into future construction on the site;

it being noted that the LACH discussed this matter and indicated that it did not wish to designate the property under the Ontario Heritage Act; it being pointed out that there were no oral submissions made at the public participation meeting held in connection with this matter.

18. Beaufort Street, Irwin Street, Gunn Street and Saunby Street Neighbourhood Planning Options

Motion made by Councillor Polhill to Approve that, on the recommendation of the Director of Land Use Planning and City Planner, the following actions be taken with respect to potential actions that can be taken to stop infill and intensification in the Irwin Street, Gunn Street, Saunby Street and Beaufort Street area:

- (a) the Civic Administration BE DIRECTED to seek out a potential source of financing in the amount of up to \$30,000 to retain a Planning Consultant to conduct the planning study and prepare the associated planning amendments in keeping with the study; it being noted that the Planning Division does not have resources to conduct the planning study and there is no source of financing available in the Planning Division budget to pay for consulting services; and,
- (b) subject to appropriate funding being established, the Civic Administration BE DIRECTED to initiate the following course of action to manage infill and intensification:
 - (i) retain a Planning Consultant to prepare a planning study for the Essex Street Area (bounded by the Canadian Pacific Railway to the south, the Thames River to the east, the University of Western Ontario and Thames River to the north, and Platt's Lane to the west); it being noted that this plan will consolidate the recommendations of the Essex Street Study prepared in March 1995, where appropriate, and may include a master plan and policies to direct future development within the context of the Great Near-Campus Neighbourhoods Strategy;
 - (ii) consider initiating Official Plan amendments to implement the recommendations of the planning study, as identified in part (i) above; and,
 - (iii) consider adding zoning regulations in conformity with the Official Plan, as amended, as noted in clause (ii) above;
- (c) the Civic Administration BE DIRECTED to provide the Built and Natural Environment Committee with a presentation on the Great Near-Campus Neighbourhoods Strategy at its meeting to be held on September 26, 2011;

it being noted that the Built and Natural Environment Committee heard a verbal presentation from J. Corcoran, 43 Gunn Street, with respect to this matter.

Motion Passed

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

NAYS: J.B. Swan (1)

19. Kenmore Homes (London) Inc. – 255 South Carriage Road and 1331 Hyde Park Road (39T-08502/Z-7489/OZ-7510)

Motion made by Councillor Polhill to Approve that a special meeting of the Built and Natural Environment Committee BE HELD on Monday, September 19, 2011 at 3:30 p.m., for the purpose of considering the following with respect to the application of Kenmore Homes (London) Inc. relating to the Subdivision Draft Plan approval, Official Plan and Zoning By-law amendments to properties located at 255 South Carriage Road and 1331 Hyde Park Road:

- (a) a revised report from the Civic Administration;
- (b) R. Knutson, Knutson Development Consultants Inc. will bring forward a communication with respect to the following:
 - (i) the rationale for redesignating lands fronting Hyde Park Rd from Multi-family Medium Density Residential to a Commercial land use designation;
 - (ii) the justification for maintaining the lot sizes as originally proposed;
 - (iii) a comparison of his clients original subdivision design and staffs proposed redesign with specific rationale as to which design is preferable; and,
 - (iv) requests for any changes to the draft plan, any of the draft plan conditions, the requested Official Plan amendment and/or Zoning By-law amendment;

it being noted that the Built and Natural Environment Committee received the attached communications dated September 9, 2011 from R. Knutson, Knutson Development Consultants Inc., with respect to this matter.

Motion Passed

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

20. Demolition Application – S. Copp – 13-15 York Street

Motion made by Councillor Polhill to Approve that, notwithstanding the recommendation of the Director, Land Use Planning and City Planner, with the concurrence of the applicant, the request for the demolition of the listed heritage property at 13-15 York Street BE REFERRED to the Civic Administration for further discussion with the applicant; it being noted that the Built and Natural Environment Committee received the attached communication dated September 12, 2011, with respect to this matter.

Motion Passed

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

21. OMB Appeal No. 438

Motion made by Councillor Polhill to Approve that the Civic Administration BE DIRECTED to provide a report with respect to how the Ministry of Natural Resource's mapping was missed relating to OMB Appeal No. 438 and Sifton Properties Limited extension of the draft plan of subdivision at a special meeting of the Built and Natural Environment Committee BE HELD on Monday, September 19, 2011 at 3:30 p.m.

Motion Passed

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

The Chair directs that the following report clauses be received for information.

22. Agreement with Horticultural Trades Association Inc. for the Future Enhancement of the Veterans Memorial Parkway

That the Built and Natural Environment Committee reviewed and received an information report from the Executive Director-Planning, Environmental and Engineering Services, with respect to an agreement between the Corporation of the City of London and the Horticultural Trades Association Incorporated, acting as Landscape Ontario for future enhancement of the Veterans Memorial Parkway.

23. Fall 2011 Landscape Enhancement Project for the Veterans Memorial Parkway

That the Built and Natural Environment Committee reviewed and received an information report, dated September 12, 2011, from the Executive Director of Planning, Environmental and Engineering Services, with respect to the fall 2011 landscape enhancement project for the Veterans Memorial Parkway.

24. Brochures

That the Built and Natural Environment Committee reviewed and received an information report, dated August 31, 2011, from the Director, Wastewater and Treatment, with respect to sewer use brochures.

25. Building Division Monthly Report for July 2011

That the Built and Natural Environment Committee reviewed and received the monthly report from the Director of Building Controls relating to Building Activity and Inspector Workloads for July 2011.

26. 9th Report of EEPAC

That the Built and Natural Environment Committee reviewed and received the 9th Report of the Environmental and Ecological Planning Advisory Committee, from its meeting held on August 18, 2011.

27. 9th Report of LACH

That the Built and Natural Environment Committee heard a verbal presentation from J. O'Neil, Acting Chair, London Advisory Committee on Heritage (LACH), and reviewed and received clauses 8 to 24, inclusive, of the 9th Report of the London Advisory Committee on Heritage.

28. Communication with Residents - Repair/Replacement Work in Neighbourhoods

That the Built and Natural Environment Committee (BNEC) received the ~~attached~~ communication dated September 7, 2011 from Councillor M. Brown with respect to a request for residents to be informed when repair or replacement construction work is being completed in the area. The BNEC asked the Civic Administration to undertake this initiative.

29. Disclosure of Pecuniary Interest - Councillor D. Brown

That Councillor D. Brown disclosed the following pecuniary interests, with this report:

- (a) clause 5, having to do with amendments to the Traffic and Parking By-law, by indicating that her employer owns property on York Street near Thames Street;
- (b) clause 20, having to do with the demolition application of S. Copp relating to the properties located at 13-15 York Street, by indicating that her employer leases land adjacent to the subject property; and,
- (c) clause 27, having to do with clause 17 of the 9th Report of the London Advisory Committee on Heritage relating to the property at 11 York Street by indicating that her employer leases land adjacent to the subject property.

30. Disclosure of Pecuniary Interest - Councillor S. White

That Councillor S. White disclosed a pecuniary interest in clause 19 of this report having to do with Beaufort Street, Irwin Street, Gunn Street and Saunby Street Neighbourhood Planning Options, by indicating that her employer owns property and has an office that Councillor White occasionally works out of an office on Gunn Street.

31. Confidential Matters

That the Built and Natural Environment Committee (BNEC) passed the following resolution prior to moving in camera from 4:43 p.m. to 5:35 p.m.:

"That the Built and Natural Environment Committee move in camera to consider the following:

- (a) potential litigation with respect to a proposed payment of monies given to the City in 2006 for the purpose of engaging a consultant to undertake a Municipal Class Environmental Assessment for storm/drainage and stormwater management servicing works for land development within the Old Victoria total catchment area, including matters before administrative tribunals, affecting the municipality or local board;
- (b) advice that is subject to solicitor-client privilege, including communications necessary for that purpose regarding a proposed payment of monies given to the City in 2006 for the purpose of engaging a consultant to undertake a Municipal Class Environmental Assessment for storm/drainage and stormwater management servicing works for land development within the Old Victoria total catchment area; and,
- (c) litigation or potential litigation, including matters before administrative, tribunals, affecting the municipality of local board, with respect to a proposed payment of monies given to the City in 2006 for the purpose of engaging a consultant to undertake a Municipal Class Environmental Assessment for storm/drainage and stormwater management servicing works for land development within the Old Victoria total catchment area, including matters before administrative tribunals, affecting the municipality or local board.”

The BNEC is submitting a confidential report to the Municipal Council regarding this matter. (See Confidential Appendix to the 21st Report of the Built and Natural Environment Committee enclosed for Council Members only.)

277. Built and Natural Environment Committee
Councillor Polhill presents the 22nd Report

1. Ayerswood Development Corp – Site Plan – 940 Springbank Drive

Motion made by Councillor Polhill to Approve that the following actions be taken with respect to the application of Ayerswood Development Corporation for the construction of an apartment building located at 940 Springbank Drive:

- (a) the ~~attached~~ proposed by-law BE INTRODUCED at the Municipal Council meeting of September 19, 2011 to amend By-law No. C.P.-1455-541, a by-law to designate a site plan control area and to delegate Council’s power under section 41 of the *Planning Act*, R.S.O. 1990, c.P.13 with respect to an application for site plan approval submitted by Ayerswood Development Corporation for the construction of an apartment building at 940 Springbank Drive;
- (b) the application by Ayerswood Development Corporation, accepted on April 29, 2011 and amended on May 2, 2011, for approval of a site plan for a 165 unit apartment building with 12 floors of residential and two levels of parking BE APPROVED, SUBJECT TO the following conditions:
 - (i) Ayerswood Development Corporation entering into a development agreement with The Corporation of the City of London;
 - (ii) Ayerswood Development Corporation provide to the satisfaction of and at no expense to the municipality:
 - facilities to provide access to and from the land;
 - a servicing plan;
 - a grading plan;
 - a landscaping plan;
 - hydrogeological studies; and
 - drawings and an urban design brief showing matters relating to exterior design for consideration by the municipality’s urban design review panel;
- (c) the Managing Director of Development Planning and the Director of Development Planning BE DIRECTED to formally prepare for final approval by Municipal Council drawings, plans and development agreement referred to above and report back to the Built and Natural Environment Committee at its meeting held on October 31, 2011;

it being noted that the Built and Natural Environment Committee asked the Civic Administration to outline the Urban Design Review Process;

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

- a Municipal Council resolution adopted at its meeting held on June 20, 2011;

- a report from the City Solicitor, dated August 31, 2011;
- a report from the City Solicitor, dated June 16, 2011;
- the ~~attached~~ actions taken by the Built and Natural Environment Committee at its meeting held on June 13, 2011;
- the ~~attached~~ report from the City Clerk;
- the ~~attached~~ report from the City Solicitor;
- the ~~attached~~ report, dated September 15, 2011, from the Managing Director, Development Approvals Business Unit; and,
- the ~~attached~~ report, dated June 6, 2011, from the Director, Development Planning

Motion made by Councillor Swan and seconded by Councillor M. Brown to Amend clause 1 of the 22nd Report of the Built and Natural Environment Committee by adding a new part (d), as follows:

“(d) public delegations BE RECEIVED at the Built and Natural Environment Committee meeting at which the final versions of the above-noted plans are received;”

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, 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 Van Meerbergen and seconded by Councillor D. Brown to Amend part (c) clause 1 of the 22nd Report of the Built and Natural Environment Committee by deleting the title, “Managing Director of Development Approvals” and replacing it with the title, “Executive Director of Planning, Environmental & Engineering Services”.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, S.E. White (13)
NAYS: J.P. Bryant (1)

The motion to adopt part (a) of clause 1, as amended, is put.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, J.B. Swan, S. Orser, M. Brown, D.G. Henderson, P. Van Meerbergen, D. Brown, S.E. White (9)
NAYS: W.J. Armstrong, J.L. Baechler, P. Hubert, H.L. Usher, J.P. Bryant (5)

Motion made by Councillor Polhill and seconded by Councillor Orser to Approve that the following Bill be introduced: Bill No. 397, a by-law to amend By-law No. C.P.-1455-541, a by-law to designate a site plan control area and to delegate Council’s power under section 41 of the *Planning Act*, R.S.O. 1990, c.P.13, with respect to an application for site plan approval submitted by Ayerswood Development Corporation for the construction of an apartment building at 940 Springbank Drive.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, J.B. Swan, S. Orser, M. Brown, D.G. Henderson, P. Van Meerbergen, D. Brown, S.E. White (9)
NAYS: W.J. Armstrong, J.L. Baechler, P. Hubert, H.L. Usher, J.P. Bryant (5)

Motion made by Councillor Polhill and seconded by Councillor Orser to Approve first reading of Bill No. 397.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, J.B. Swan, S. Orser, M. Brown, D.G. Henderson, P. Van Meerbergen, D. Brown, S.E. White (9)
NAYS: W.J. Armstrong, J.L. Baechler, P. Hubert, H.L. Usher, J.P. Bryant (5)

Motion made by Councillor Polhill and seconded by Councillor D. Brown to Approve second reading of Bill No. 397.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, J.B. Swan, S. Orser, M. Brown, D.G. Henderson, P. Van Meerbergen, D. Brown, S.E. White (9)
NAYS: W.J. Armstrong, J.L. Baechler, P. Hubert, H.L. Usher, J.P. Bryant (5)

Motion made by Councillor Polhill and seconded by Councillor D. Brown to Approve third reading and enactment as a By-law of Bill No. 397.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, J.B. Swan, S. Orser, M. Brown, D.G. Henderson, P. Van Meerbergen, D. Brown, S.E. White (9)

NAYS: W.J. Armstrong, J.L. Baechler, P. Hubert, H.L. Usher, J.P. Bryant (5)

Motion made by Councillor Polhill to Approve parts (b), (c) and (d) of clause 1, as amended.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, J.B. Swan, S. Orser, M. Brown, D.G. Henderson, P. Van Meerbergen, D. Brown, S.E. White (9)

NAYS: W.J. Armstrong, J.L. Baechler, P. Hubert, H.L. Usher, J.P. Bryant (5)

Clause 1, as amended, reads as follows:

That, the following actions be taken with respect to the application of Ayerswood Development Corporation for the construction of an apartment building located at 940 Springbank Drive:

- (a) the ~~attached~~ proposed by-law BE INTRODUCED at the Municipal Council meeting of September 19, 2011 to amend By-law No. C.P.-1455-541, a by-law to designate a site plan control area and to delegate Council's power under section 41 of the *Planning Act*, R.S.O. 1990, c.P.13 with respect to an application for site plan approval submitted by Ayerswood Development Corporation for the construction of an apartment building at 940 Springbank Drive;
- (b) the application by Ayerswood Development Corporation, accepted on April 29, 2011 and amended on May 2, 2011, for approval of a site plan for a 165 unit apartment building with 12 floors of residential and two levels of parking BE APPROVED, SUBJECT TO the following conditions:
 - (i) Ayerswood Development Corporation entering into a development agreement with The Corporation of the City of London;
 - (ii) Ayerswood Development Corporation provide to the satisfaction of and at no expense to the municipality:
 - facilities to provide access to and from the land;
 - a servicing plan;
 - a grading plan;
 - a landscaping plan;
 - hydrogeological studies; and
 - drawings and an urban design brief showing matters relating to exterior design for consideration by the municipality's urban design review panel;
- (c) the Executive Director of Planning, Environmental & Engineering Services and the Director of Development Planning BE DIRECTED to formally prepare for final approval by Municipal Council drawings, plans and development agreement referred to above and report back to the Built and Natural Environment Committee at its meeting held on October 31, 2011;
- (d) public delegations BE RECEIVED at the Built and Natural Environment Committee meeting at which the final versions of the above-noted plans are received;

it being noted that the Built and Natural Environment Committee asked the Civic Administration to outline the Urban Design Review Process;

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

- a Municipal Council resolution adopted at its meeting held on June 20, 2011;
- a report from the City Solicitor, dated August 31, 2011;
- a report from the City Solicitor, dated June 16, 2011;
- the ~~attached~~ actions taken by the Built and Natural Environment Committee at its meeting held on June 13, 2011;
- the ~~attached~~ report from the City Clerk;
- the ~~attached~~ report from the City Solicitor;
- the ~~attached~~ report, dated September 15, 2011, from the Managing Director, Development Approvals Business Unit; and,
- the ~~attached~~ report, dated June 6, 2011, from the Director, Development Planning

2. Kenmore Homes (London) Inc. – 255 South Carriage Road and 1331 Hyde Park Road

Motion made by Councillor Polhill to Approve that the Civic Administration be directed to undertake the following actions with respect to the application submitted by Kenmore Homes (London) Inc. for an Official Plan Amendment, Zoning By-law Amendment and draft plan of subdivision for the lands located at 255 South Carriage Road and 1331 Hyde Park Road:

- (a) the Director of Land Use Planning and City Planner BE ASKED to undertake a review of the commercial zone on the east and west corridors of Hyde Park Road, south of Carriage Road to the Canadian Pacific Railway Line; and,
- (b) a public participation meeting BE HELD at a future meeting of the Built and Natural Environment Committee with respect to the proposed draft plan of subdivision;

it being noted that the BNEC received and reviewed an information report, dated September 15, 2011, from the Director, Development Planning and the Managing Director, Development Approvals Business Unit and the ~~attached~~ communication from R. Knutson, Knutson Development Consultants Inc., with respect to this matter.

Motion made by Councillor Baechler and seconded by Councillor M. Brown that clause 2 be amended by adding the following words following “Kenmore Homes (London) Inc., “as amended by staff”.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, 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 Baechler and seconded by Councillor Polhill to further Amend clause 2 by changing part (a) to read as follows:

- “(a) the Director of Land Use Planning and City Planner BE ASKED to undertake a review of the land use designations on the east and west corridors of Hyde Park Road, south of Carriage Road to the Canadian Pacific Railway Line, with the potential for commercial zones”.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, 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 Polhill to Approve clause 2, as amended.

Motion Passed

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

Clause 2, as amended reads as follows:

That the Civic Administration be directed to undertake the following actions with respect to the application submitted by Kenmore Homes (London) Inc., as amended by staff, for an Official Plan Amendment, Zoning By-law Amendment and draft plan of subdivision for the lands located at 255 South Carriage Road and 1331 Hyde Park Road:

- (a) the Director of Land Use Planning and City Planner BE ASKED to undertake a review of the land use designations on the east and west corridors of Hyde Park Road, south of Carriage Road to the Canadian Pacific Railway Line, with the potential for commercial zones,
- (b) a public participation meeting BE HELD at a future meeting of the Built and Natural Environment Committee with respect to the proposed draft plan of subdivision;

it being noted that the BNEC received and reviewed an information report, dated September 15, 2011, from the Director, Development Planning and the Managing Director, Development Approvals Business Unit and the ~~attached~~ communication from R. Knutson, Knutson

Development Consultants Inc., with respect to this matter.

The Chair directs that the following report clause be noted.

3. Sifton Properties Limited – Ballymote Woods Subdivision

That the Built and Natural Environment Committee (BNEC) reviewed and received an information report dated September 16, 2011, from the Managing Director of Development Approvals and the Director, Development Planning, with respect to the application of Sifton Properties Limited relating to the Ballymote Woods Subdivision. The BNEC asked the Civic Administration to meet with the Ministry of Municipal Affairs and Housing and the Ministry of Natural Resources with respect to their respective roles and responsibilities and to report back at a future meeting of the BNEC.

278. Community and Neighbourhoods Committee, cont.
Councillor Usher presents the 15th Report

1. Ontario Telemedicine Network Membership Agreement and One Network Order Agreement with eHealth Ontario for Dearness Home

Motion made by Councillor Usher to Approve that, on the recommendation of the Interim Administrator of the Dearness Home, with the concurrence of the Executive Director of Community Services, the ~~attached~~ proposed by-Law (Appendix A) BE INTRODUCED at the Municipal Council Meeting to be held on September 19, 2011 to:

- (a) approve the Ontario Telemedicine Network Membership Agreement for the Dearness Home;
- (b) approve the ONE@Network Order Agreement with e-Health for Ontario Telemedicine Network Services for the Dearness Home; and,
- (c) authorize the Mayor and City Clerk to execute the agreements in sections (a) and (b) above. (2011-C11-01)

Motion Passed

Secretary's Note: due to a technical malfunction, the voting data from the Community and Neighbourhoods Committee 15th Report is not available.

2. RFP 11-25 Homelessness Partnering Strategy Sub-Project Funding Agreements

Motion made by Councillor Usher to Approve that, on the recommendation of the Director of Social and Community Support Service, with the concurrence of the Executive Director of Community Services, the following actions be taken with respect to the Homelessness Partnering Strategy Sub-project Funding Agreements (RFP 11-25):

- (a) the following proposals listed below as (i) through (v), BE ACCEPTED:
 - (i) My Sisters' Place of WOTCH Community Mental Health Services (MSP), 534 Queens Avenue, London, ON N6B 1Y6 at their allocated annual fiscal funding of \$140,000, HST included, based on a thirty (30) month contract;
 - (ii) Canadian Mental Health Association (CMHA), 648 Huron Street, London, ON N5Y 4J8 at their allocated annual fiscal funding of \$81,893, HST included, based on a thirty (30) month contract;
 - (iii) Youth Opportunities Unlimited (YOU), 200-141 Dundas Street, London ON N6A 1G3 at their allocated annual fiscal funding of \$50,000, HST included, based on a thirty (30) month contract;
 - (iv) Mission Services of London, 415 Hamilton Road, London, ON N5Z 1S1 at their allocated annual fiscal funding of \$140,000, HST included, based on a thirty (30) month contract; and,
 - (v) At Lohsa Native Family Healing Services Inc, 343 Richmond Street, London, ON N6A 3C2 at their allocated annual fiscal funding of \$50,000, HST included, based on a thirty (30) month contract;

- (b) the Civic Administration BE AUTHORIZED to undertake all administrative acts which are necessary in connection with this award; and,
- (c) approvals hereby given BE CONDITIONAL upon the Corporation entering into a formal contract or issuing a purchase order relating to the subject matter of this approval. (2011-C10-00)

Motion Passed

3. RFP 11-15 London CARES Outreach

Motion made by Councillor Usher to Approve that, on the recommendation of the Director of Social and Community Support Services, with the concurrence of the Executive Director of Community Services, the following actions be taken with respect to the London CARES Outreach (RFP11-15):

- a) the proposal submitted by Addiction Services of Thames Valley (ADSTV), 260-200 Queens Avenue, London, ON N6A 1J3 at the allocated annual funding of \$540,000.00, HST included, based on a twenty-seven (27) month contract, BE ACCEPTED;
- (b) the Civic Administration BE AUTHORIZED to undertake all administrative acts which are necessary in connection with this award; and,
- (c) the approvals hereby given BE CONDITIONAL upon the Corporation entering into a formal contract relating to the subject matter of this approval. (2011-C10-00)

Motion Passed

4. Personal Health and Information Protection Act, 2004

Motion made by Councillor Usher to Approve that, on the recommendation of the Director of Social and Community Support Services and Interim Administrator of the Dearness Home, with the concurrence of the Executive Director of Community Services, the ~~attached~~ proposed by-law (Appendix "A") BE INTRODUCED at the Municipal Council meeting to be held on September 19, 2011, for the purpose of designating a contact person under subsection 15(2) of the Personal Health and Information Protection Act, 2004. (2011-I05-00)

Motion Passed

5. Donation of Play Equipment to London Middlesex Housing Corporation (LMHC).

Motion made by Councillor Usher to Approve that, on the recommendation of the Director of Parks and Recreation, with the concurrence of the Chief Administrative Officer and the Executive Director of Community Services, and notwithstanding the Procurement of Goods and Services Policy set out in the Council Policy By-Law A-6151-17, the transfer of surplus play equipment from Ed Blake Park and Oakridge Park to London Middlesex Housing Corporation BE APPROVED.

Motion Passed

7. 2012 Budget Development - TFAC

Motion made by Councillor Usher to Approve that, on the recommendation of the Trees and Forests Advisory Committee (TFAC), the 2012 Budget allocation for the TFAC BE INCREASED by \$1,000.00 for a total allocation of \$2,005, to assist interested members to attend the 2012 Canadian Urban Forest Conference to be hosted by the City of London; it being noted that the requested increase will be for one year only and that the proposed registration fee for the Conference, will be approximately \$500.00 per person; it being further noted that the TFAC reviewed and received a communication, dated August 11, 2011, from B. Westlake-Power, Manager of Legislative Services, with respect to the 2012 Budget development for Advisory Committees.

Motion Passed

8. AWAC Alternate Voting Members

Motion made Councillor Usher to Approve that notwithstanding the recommendation of the Animal Welfare Advisory Committee (AWAC), clause 1 of the 8th Report of the AWAC BE REFERRED to the City Clerk for consideration with the Advisory Committee Review currently being undertaken;

Clause 1 read as follows:

“1. That the Animal Welfare Advisory Committee (AWAC) Terms of Reference BE AMENDED to provide for Alternate Voting Members.”

Motion Passed

9. Greenway Off-Leash Dog Park Hours

Motion made by Councillor Usher to Approve that the ~~attached~~ communication, dated August 30, 2011, from Councillor D. Brown, with respect to her request for an adjustment to the hours of operation at the Greenway Off-Leash Dog Park to a later opening time, especially on the weekends, BE REFERRED to the Civic Administration to investigate the neighbourhood noise concerns surrounding the Greenway Off-Leash Dog Park, as well as the scope and volume of complaints received to-date from all dog parks in London, with a report back at a future meeting of the Community and Neighbourhoods Committee (CNC); it being noted that the CNC heard a verbal delegation from Councillor D. Brown, with respect to this matter. (2011-E06-00)

Motion Passed

10. Requesting a Letter of Support

Motion made by Councillor Usher to Approve that, the Mayor BE ASKED to write a letter of support related to the ~~attached~~ communication, dated August 18, 2011, from K. Balderston, Chairperson, and G. McMahon, Executive Director, London Block Parent, with respect to the activities of the Block Parent Program. (2011-F12-00)

Motion Passed

11. Lyme Disease and Petition

Motion made by Councillor Usher to Approve that the ~~attached~~ communication, dated July 8, 2011, from C. Heffer, 486 Alderbury Crescent, Corunna, ON, with respect to information on Lyme Disease and a request for the City of London to support the Lyme disease petition endorsed by MPP Bob Bailey, BE REFERRED to Dr. G. Pollett, Medical Officer of Health, Middlesex-London Health Unit, for a report back at a future meeting of the Community and Neighbourhoods Committee (CNC) on how the City of London is dealing with this issue; it being noted that the CNC heard the ~~attached~~ presentation from C. Heffer, with respect to this matter.

Motion Passed

12. 632/634 Dundas Street Concerns

Motion made Councillor Usher to Approve that the following actions be taken with respect to the ~~attached~~ communication, dated September 7, 2011, from Councillor S. Orser, with respect to his request that the alleyway between 632 and 634 Dundas Street be closed:

(a) the Civic Administration BE REQUESTED to send a letter to the property owners at 632 and 634 Dundas Street, the London Fire Department and London Police Services Board, asking for their agreement to permanently close the alleyway between the above-noted properties, or secure it from public access;

(b) the installation of needle collection boxes and an increase in clean-up efforts in the above-noted alleyway, while it remains accessible, BE IMPLEMENTED;

(c) the Civic Administration BE REQUESTED to report back at the next meeting of the Community and Neighbourhoods Committee with respect to the costs and the feasibility associated with installing surveillance cameras from Adelaide Street, down Dundas Street to Rectory Street, to help improve community safety; and,

(d) the ~~attached~~ communications, dated September 12, 2011 and September 13, 2011, from the Deputy Fire Chief, London Fire Department and S. Merritt, Manager, Old East Village BIA, respectively, with respect to the above-noted alleyway BE REFERRED to the Civic administration, for their information.

Motion made by Councillor Armstrong and seconded by Councillor Orser to Amend part (c) of clause 12 of the 15th Report of the Community and Neighbourhoods Committee, by adding the following words following words, after the words "Rectory Street", "as well as for the Argyle area, specifically the Dundas Street corridor between Highbury Avenue and Veterans Memorial Parkway".

Motion Failed

The motion to adopt clause 12 is put.

Motion Passed

13. City of Stratford - Request for Proposals - Processing Services for Recyclable Materials

Motion made Councillor Usher to Approve that, on the recommendation of the Director of Environmental Programs and Solid Waste, the following actions be taken with respect to a response to a Request for Proposals (RFP) to provide for Blue Box processing services to the City of Stratford:

- (a) the principles outlined in the ~~attached~~ report be used to establish pricing to respond to the RFP from the City of Stratford to provide for Blue Box processing services BE APPROVED; it being noted that the report requested by Municipal Council for the principles to be used to establish pricing for RFPs and tenders for other municipalities requesting Blue Box processing services, will be presented at a future Community and Neighbourhoods Committee meeting;
- (b) the Executive Director of Planning, Environmental and Engineering Services, BE DELEGATED the authority to prepare and submit a bid to the City of Stratford no later than the last day identified in Stratford's RFP document (currently identified as September 28, 2011);
- (c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this matter;
- (d) the Civic Administration BE DIRECTED to report back on the outcome of the RFP submission to the City of Stratford, as part of a future update report on London's Material Recovery Facility (MRF); and,
- (e) subsequent to the outcome of Stratford's RFP process, the Mayor and the City Clerk BE AUTHORIZED to execute all documents that are necessary in connection with this matter.

Motion Passed

The Chair directs that the following report clauses be noted.

14. Dearness Home Community Newsletter - September 2011

That the Community and Neighbourhoods Committee reviewed and received the Dearness Home Community Newsletter for September, 2011. (2011-C11-00)

15. 7th Report of the Accessibility Advisory Committee

That the Community and Neighbourhoods Committee reviewed and received the 7th Report of the Accessibility Advisory Committee from its meeting held on August 25, 2011. (See Report ~~attached~~.)

16. Current Condition - Bruce Nuclear Power Plant

That the Community and Neighbourhood Committee reviewed and received an information

report, dated September 13, 2011, from the Executive Director of Planning, Environmental and Engineering Services, with respect to the current condition of the Bruce Nuclear Power Plant. (2011-W11-00)

17. Updates on Green Bin Pilot Project

That the Community and Neighbourhoods Committee reviewed and received an information report, dated September 13, 2011, from the Director of Environmental Programs and Solid Waste, with respect to an update on the Green Bin Pilot Project; it being noted that in the Overview of Green Bin Pilot Project, Component "Collection Frequency", of this report, the garbage winter schedule (October to March) should read "Bi-weekly" opposed to "Weekly". (2011-W11-00)

18. 7th Report of the Trees and Forests Advisory Committee

That the Community and Neighbourhoods Committee reviewed and received clauses 2 to 9, inclusive, of the 7th Report of the Trees and Forests Advisory Committee from its meeting held on August 24, 2011. (See Report ~~attached~~.)

19. 8th Report of the Animal Welfare Advisory Committee

That the Community and Neighbourhoods Committee reviewed and received clauses 2 to 11, inclusive, of the 8th Report of the Animal Welfare Advisory Committee from its meeting held on August 23, 2011. (See Report ~~attached~~.)

20. Introduction to the Parks and Recreation Strategic Master Plan and 2009-2010 Accomplishments

That the Community and Neighbourhoods Committee (CNC) reviewed and received an information report, dated September 13, 2011, from the Director of Parks and Recreation, with the concurrence of the Executive Director of Community Services, with respect to the Parks and Recreation Strategic Master Plan and 2009-2010 Accomplishments; it being noted that the CNC heard the ~~attached~~ presentation, dated September 13, 2011, from the Director of Parks and Recreation and L. Livingston, Director, Neighbourhood and Children's Services, with respect to this matter. (2011-E06-00)

21. Dog Muzzle

That the Community and Neighbourhoods Committee recessed and convened as the Committee of Appeals to hear an appeal with respect to the Notice to Muzzle a Dog, issued to J. Hasiwar, 615 Commissioners Road East. Pursuant to City of London By-law PH-4, a decision was made to uphold the muzzle order; it being noted that the Committee of Appeals heard verbal presentations from the appellant K. Hasiwar and from Officer C. Lewis, London Animal Care Centre, with respect to this matter. (2011-P04-00)

22. Youth Opportunities Unlimited Presentation

That the Community and Neighbourhoods Committee reviewed and received the ~~attached~~ communication, and heard a verbal update from D. Grantham, Past President and S. Cordes, Executive Director, Youth Opportunities Unlimited (YOU), and M. Wasylo, Wasylo Architect Inc., with respect to the YOU project at the Cornerstone.

279. Finance and Administration Committee
Councillor Bryant presents the 21st Report.

1. Delegation - Gus Kotsiomitis, LMIEC Chair and Vice President of Commercial Banking London/St. Thomas, RBC Royal Bank; Jennifer Hollis, Project Manager, London Middlesex Immigrant Employment Council; Anne Langille, Executive Director, WIL Employment Connections; and Devin Munro, Manager, Business and Government Relations, WIL Employment Connections re London Middlesex Immigrant Employment Council Update (See Communication #1 in Part IV - Items for Direction)
2. Public Participation Meeting - Amendments to Council Procedure By-law - Establishment of Investment and Economic Prosperity Committee (See Communication #2 in Part IV - Items for Direction)

3. Public Participation Meeting - Business Licensing By-law - Fee Schedule Increase
(See Communication #3 in Part IV - Items for Direction)

Motion made by Councillor Bryant to Approve that clauses 1, 2 and 3 be received for information.

Motion Passed

Secretary's Note: due to a technical malfunction, some of the voting data from the Finance and Administration Committee 21st Report is not available.

4. Tender 11-77 - Manufacture & Installation of Dump Bodies with Snow Plow Equipment

Motion made by Councillor Bryant to Approve that, on the recommendation of the Division Manager of Fleet Services and Departmental Resources:

- (a) the tender for the manufacture and installation of six (6) dump bodies, complete with snow plow equipment, submitted by Alliston Truck Equipment, 3 Marconi Court, Bolton, Ontario L7E 1H3 at their tendered price of \$314,987.88 (excluding HST), BE ACCEPTED;
- (b) the funding for this purchase BE APPROVED as set out in the Sources of Financing Report ~~attached~~ hereto as Appendix "A";
- (c) the Civic Administration BE AUTHORIZED to undertake all administrative acts which are necessary in connection with this award; and
- (d) the approvals hereby given BE CONDITIONAL upon the Corporation entering into a formal contract or issuing a purchase order relating to the subject matter of this approval. (2011-V04-00)

Motion Passed

5. Tender 11-76 - Supply & Delivery of Cab & Chassis

Motion made by Councillor Bryant to Approve that, on the recommendation of the Division Manager of Fleet Services and Departmental Resources:

- (a) the tender for the supply and delivery of six (6) cab and chassis submitted by Carrier Truck Centers, 90 Enterprise Drive, London, Ontario N6N 1A8 at their tendered price of \$595,800.00 (excluding HST), BE ACCEPTED;
- (b) the funding for this purchase BE APPROVED as set out in the Sources of Financing Report ~~attached~~ hereto as Appendix "A";
- (c) the Civic Administration BE AUTHORIZED to undertake all administrative acts which are necessary in connection with this award; and
- (d) the approvals hereby given BE CONDITIONAL upon the Corporation entering into a formal contract or issuing a purchase order relating to the subject matter of this approval.

Motion Passed

6. 2011 Capital Budget Status - Second Quarter Report

Motion made by Councillor Bryant to Approve that, on the recommendation of the City Treasurer and Chief Financial Officer, the following actions be taken:

- (a) the 2011 Capital Budget Status - Second Quarter Report BE RECEIVED for information;
- (b) the capital projects listed in the ~~attached~~ Appendix "A", worth a total of \$3,956,800 funding BE CLOSED and that the following actions be taken:
 - (i) Reserve fund draws released of \$1,298,890 BE TRANSFERRED back to the

reserve funds which originally funded the projects;

- (ii) Pay-as-you-go funding released of \$80,551 BE TRANSFERRED to the capital receipts account; and,
- (iii) Debt financing released of \$2,577,358 BE USED to reduce authorized debt.

Motion Passed

7. 2011 Operating Budget Status - Second Quarter Report

Motion made by Councillor Bryant to Approve that, on the recommendation of the City Treasurer, Chief Financial Officer, the following actions be taken with respect to the 2011 Operating Budget Status – 2nd Quarter Report, dated September 14, 2011:

- (a) the General (Property Tax Supported refer to Appendix A, ~~attached~~), Water and Wastewater Budgets BE RECEIVED for information; it being noted that Civic Administration is projecting:
 - (i) a \$3.8 million in savings for the General (Property Tax Supported) budget, noting that the year-end position could fluctuate significantly based on factors beyond the control of Civic Administration such as Ontario Works caseload and winter maintenance;
 - (ii) a \$1.2 million deficit in the Water rate supported budget; and,
 - (iii) a break even position in the Wastewater rate supported budget is anticipated.
- (b) the Civic Administration BE AUTHORIZED to:
 - contribute any year end savings realized in the operating budget for AODA to the AODA Reserve which will be utilized in future years for corporate costs that will be required for the implementation of the Integrated Accessibility Standards; and
 - contribute to the Unfunded Liability Reserve at 2011 year end with operational savings from unspent personnel and contingency budgets;
- (c) the Civic Administration BE AUTHORIZED to contribute to/draw down from the Operating Budget Contingency Reserve to balance year end operations of the Property Tax Supported Budget should the budget be in a surplus/deficit position;
- (d) the Civic Administration BE AUTHORIZED to contribute to/draw down from the Water Capital Reserve Fund to balance year end operations of the Water Budget should the budget be in a surplus/deficit position;
- (e) the Civic Administration BE AUTHORIZED to contribute to/draw down from the Wastewater Rate Stabilization Reserve to balance year end operations of the Wastewater Budget should the budget be in a surplus/deficit position;
- (f) the Civic Administration BE AUTHORIZED to draw down from the Operating Budget Contingency Reserve \$9,602 to fund Tourism London's 2010 operating deficit that was identified through 2010 yearend financial statement finalization noting that the London & Middlesex Housing Corporation had an increase in their 2010 year end surplus by \$93,205 which, consistent with Council resolution was contributed to the Operating Budget Contingency Reserve; and
- (g) the Civic Administration's contribution of \$546,896 (\$493,727 – property tax supported; \$36,514 – wastewater; and \$16,655 – water) to the applicable Efficiency, Effectiveness, and Economy Reserve (formerly Vacancy Management Reserve) BE RECEIVED for information.

Motion Passed

8. Creation of a Separate Eldon House Board

Motion made by Councillor Bryant to Approve that, on the recommendation of the Chief Administrative Officer, the following actions be taken with respect to the creation of a separate Eldon House Board:

- (a) the proposed model for the establishment of a separate Eldon House Municipal Service Board BE ENDORSED IN PRINCIPLE; and
- (b) the Civic Administration BE DIRECTED to report back to the Finance and Administration Committee with respect to:
 - (i) a more detailed transition plan to put the Eldon House Municipal Service Board in place by December 31, 2012; and,
 - (ii) a review of this transitional plan through a formal public consultation process.

Motion Passed

9. Employee Absenteeism Update

Motion made by Councillor Bryant to Approve that the Finance and Administration Committee received and noted an information report, dated September 14, 2011, from the Chief Human Resources Officer with respect to an update on employee absenteeism.

Motion Passed

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

10. London Middlesex Immigrant Employment Council Update

Motion made by Councillor Bryant to Approve that the Civic Administration, London Economic Development Corporation and the Boards and Commissions BE REQUESTED to review ways to assist the London Middlesex Immigrant Employment Council with their mandate to provide employment opportunities for internationally trained individuals.

Motion Passed

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

11. Amendments to Council Procedure By-law - Establishment of Investment and Economic Prosperity Committee

Motion made by Councillor Bryant to Approve that, on the recommendation of the City Clerk, the following actions be taken with respect to the establishment of and appointments to the Investment and Economic Prosperity Committee:

- (a) the ~~attached~~ proposed by-law (Appendix "A") to amend By-law No. A-38 entitled "A by-law to provide for the Rules of Order and Procedure for the Council of The Corporation of the City of London" BE INTRODUCED at the Municipal Council meeting on September 19, 2011 to implement the new Investment and Economic Prosperity Committee; and
- (b) the ~~attached~~ proposed by-law (Appendix "B") to implement a policy pertaining to the appointment of Council Members to Standing Committees of Council and to various Civic Boards and Commissions BE INTRODUCED at the Municipal Council meeting on September 19, 2011 to extend the term of the initial appointments of Council Members to the Investment and Economic Prosperity Committee to November 30, 2012;

it being pointed out that there were no oral submissions made at the public participation meeting held in connection with this matter.

Motion Passed

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

12. Business Licensing By-law - Fee Schedule Increase

Motion made by Councillor Bryant to Approve that, on the recommendation of the Director of Building Controls and Chief Building Official, the following actions BE TAKEN:

- (a) the ~~attached~~ proposed by-law (Appendix "A") to amend By-law No. L-6 entitled "A by-

law to provide for the licensing and regulation of various businesses” BE INTRODUCED at the Council meeting on September 19, 2011 to increase business license fees by \$15 per business category; and,

- (b) the Civic Administration BE DIRECTED to report back on potential business license categories for inclusion in the Business Licensing By-law for the purposes of nuisance control, health and safety, quality of life issues and consumer protection;

it being pointed out that there were no oral submissions made at the public participation meeting held in connection with this matter.

Motion Passed

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

13. Council Members' Use of Personal Vehicle for Local City Business

Motion made by Councillor Bryant to Approve that, on the recommendation of the City Clerk, the Civic Administration BE DIRECTED to undertake the following actions with respect to Council Members' use of personal vehicles for local city business:

- (a) to discontinue the current procedure for local travel and apply the current budgetary amount of \$22,000 evenly amongst the annual expense allocation for each Council Member, excluding the Mayor; and
- (b) amend the policy for the Council Members' annual expense allocation to provide for reimbursement of eligible local travel from those monies;

it being noted that this would allow the Council Members to use their monies for any eligible expenditure identified in the Council policy applicable to their annual expense allocation, and the associated costs could be accommodated within the existing budget.

Motion made by Councillor Usher and seconded by Councillor White to Refer clause 13 of the 21st Report of the Finance and Administration Committee (FAC) back to staff for additional consideration, with a report back to a future meeting of the FAC.

Motion Failed

YEAS: J.L. Baechler, P. Hubert, H.L. Usher, S.E. White (4)

NAYS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, M. Brown, D.G. Henderson, P. Van Meerbergen, D. Brown, J.P. Bryant (10)

The motion to adopt clause 13 is put.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, M. Brown, D.G. Henderson, P. Van Meerbergen, D. Brown, J.P. Bryant (10)

NAYS: J.L. Baechler, P. Hubert, H.L. Usher, S.E. White (4)

14. Reserve Fund Expenditure - Parking Equipment Replacement

Motion made by Councillor Bryant to Approve that the Covent Garden Market's Board of Directors BE AUTHORIZED to draw down on its reserve in the amount of \$250,000 to replace the parking equipment at the Covenant Garden Market.

Motion Passed

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

15. Sponsorship to the Better Business Bureau for their Business Integrity Awards Program

Motion made by Councillor Bryant to Approve that the Finance and Administration Committee received and noted correspondence from J. B. Delaney, President, Better Business Bureau of Western Ontario - Sponsorship to the Better Business Bureau for their Business Integrity Awards Program.

Motion Passed

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

The Chair directs that the following report clause be noted.

16. Confidential Matters

That the Finance and Administration Committee (FAC) passed the following a motion to go in camera from 11:25 a.m. to 12:35 p.m.:

“That the Finance and Administration Committee move in camera to consider the following:

- C-1. A matter pertaining to litigation or potential litigation affecting the municipality, personal matters about an identifiable individual and information whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the Corporation as it relates to a property damage claim.
- C-2. A matter pertaining to security of the property of the Corporation as it contains commercial and financial information supplied in confidence to the Corporation the disclosure of which could be reasonably expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization, result in similar information no longer being supplied to the Corporation where it is in the public interest that similar information continue to be so supplied and result in undue loss or gain to any person, group, committee or financial institution or agency.
- C-3. A matter pertaining to litigation commenced by Practical Plumbing Co. Ltd as against The Corporation of the City of London for contribution and indemnity for any amount that Practical Plumbing Co. Ltd. is required to pay to Joseph Ronald Norman Coursol and Laurie Elizabeth Coursol in connection with a flooding at 76 Brunswick Avenue in the City of London; advice that is subject to solicitor-client privilege, including communications necessary for that purpose regarding litigation by Practical Plumbing Co. Ltd as against The Corporation of the City of London for contribution and indemnity for any amount that Practical Plumbing Co. Ltd. is required to pay to Joseph Ronald Norman Coursol and Laurie Elizabeth Coursol in connection with a flooding at 76 Brunswick Avenue in the City of London; and for the purpose of giving directions to employees of the municipality.
- C-4. A matter pertaining to proposed or pending acquisition of land by the municipality in connection with the Springbank Drive road widening project and related expropriations; litigation or potential litigation with respect to the expropriation of temporary easement on a property located at 339 Springbank Drive, including matters before administrative tribunals, affecting the municipality or local board; advice that is subject to solicitor-client privilege, including communications necessary for that purpose, in connection with the expropriation of temporary easement on a property located at 339 Springbank Drive; and directions and instructions to officers and employees or agents of the municipality regarding settlement negotiations and conduct of litigation in connection with the expropriation of temporary easement on a property located at 339 Springbank Drive.
- C-5. A matter pertaining to personal matters, including matters involving municipal employees, reports, advice and recommendations of officers and employees of the Corporation concerning labour relations, and litigation or potential litigation, including matters before administrative tribunals, affecting the municipality.
- C-6. A matter pertaining to litigation or potential litigation affecting the municipality and advice that is subject to solicitor-client privilege, including communications necessary for that purpose, in connection with the Motion for Leave to Appeal to the Divisional Court of the interim decision of the Assessment Review Board in Town Inn Suites v. Municipal Property Assessment Corp. Region Nos. 9 and the City of London.
- C-7. A matter pertaining to personal matters, including matters involving

municipal employees, reports, advice and recommendations of officers and employees of the Corporation concerning labour relations, and litigation or potential litigation, including matters before administrative tribunals, affecting the municipality.

Motion Passed

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

280. Finance and Administration Committee
Councillor Bryant presents the 22nd Report

The Chair directs that the following report clause be noted.

1. Confidential Matters

1. That the Finance and Administration Committee (FAC) passed the following resolution prior to moving in camera from 3:31 p.m. to 3:37 p.m.:

That the Finance and Administration Committee move in camera to consider the following:

- (a) for the purpose of considering a matter pertaining to security of the property of the Corporation as it contains commercial and financial information supplied in confidence to the Corporation the disclosure of which could be reasonably expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization, result in similar information no longer being supplied to the Corporation where it is in the public interest that similar information continue to be so supplied and result in undue loss or gain to any person, group, committee or financial institution or agency; and
- (b) for the purpose of considering a matter a matter pertaining to 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; 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.

The FAC is submitting a confidential report to the Municipal Council regarding this matter. (See Confidential Appendix to the 22nd Report of Finance and Administration Committee enclosed for Council Members only.)

281. Services Review Committee
Councillor Hubert presents the 3rd Report

1. Arts, Culture & Heritage Advisory and Funding

Motion made by Councillor Hubert Approve that the following actions be taken with respect to Arts, Culture & Heritage Advisory and Funding (1.1.2):

- (a) the Cultural Prosperity Plan, targeted for 2012, BE REFERRED to the Investment and Economic Prosperity Committee; and,
- (b) the Civic Administration BE REQUESTED to look at shared service models (ie. Centre for Social Innovation) that may be utilized by arts organizations within the City; it being noted

that measurables will be incorporated in both granting and evaluation criteria.

Motion Passed

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

2. Art Gallery & Museums

Motion made by Councillor Hubert to Approve That Civic Administration BE DIRECTED to report back with respect to current subsidies and potential re-allocation of resources, related to heritage, arts and culture.

Motion Passed

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

3. Libraries

Motion made by Councillor Hubert to Approve that the following actions be taken with respect to Libraries:

- (a) the London Public Library Board BE REQUESTED to petition the Province with respect to providing changes to the regulatory framework related to the fees that a public library may charge for services in order to allow for revenue generation within the library service; and,
- (b) the London Public Library Board BE REQUESTED to provide information to the Services Review Committee, related to the Board's fundraising, funding initiatives and innovations currently being undertaken or considered.

Motion Passed

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

4. Covent Garden Market

Motion made by Councillor Hubert to Approve that the Civic Administration, in conjunction with the Covent Garden Market, BE REQUESTED to report back to the Services Review Committee with respect to governance options, funding, building ownership options and other opportunities related to the Covent Garden Market.

Motion Passed

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

5. Business Attraction and Retention

Motion made by Councillor Hubert to Approve that the following actions be taken with respect to business attraction and retention:

- (a) the Chief Administrative Officer's August 12, 2011 presentation to the Economic Summit BE FORWARDED to the Investment and Economic Prosperity Committee, when enacted; and,
- (b) the London Economic Development Corporation BE REQUESTED to provide information, and assist with opportunities, to strengthen business retention, particularly as it relates to accessing private capital funding.

Motion Passed

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

6. Competitive Advantage

Motion made by Councillor Hubert to Approve that the London Economic Development Corporation BE REQUESTED to provide the Competitive Advantage Report to the next meeting of the Committee of the Whole.

Motion Passed

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

7. Tourism & Sports Attraction and Services

Motion made by Councillor Hubert to Approve that Tourism London BE REQUESTED to provide an information report to the appropriate standing committee with respect to the formulation of a plan for tapping niche markets and for the establishment of an attraction or entertainment destination within the City of London.

Motion Passed

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

8. Hotel Tax

Motion made by Councillor Hubert to Approve that the following actions be taken with respect to the potential establishment of a "Destination Marketing Fee" or "Hotel Levy" in the City of London:

- (a) the Civic Administration BE DIRECTED to report back at a future meeting of the Services Review Committee (SRC) with respect to the feasibility and logistics of considering the implementation of the above-noted fee, including consultation with Tourism London; and,
- (b) Tourism London BE REQUESTED to provide information to the SRC with respect to possible future direction of the Provincial Government with respect to this matter, including potential changes based on the October 2011 election.

Motion Passed

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

9. Conservation Authorities

Motion made by Councillor Hubert to Approve that the Municipal Council BE REQUESTED to petition the Association of Municipalities of Ontario to lobby the Provincial Government with respect to the need for a review of the funding model for Conservation Authorities in Ontario.

Motion Passed

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

10. Environmental Programs

Motion made by Councillor Hubert to Approve that the following actions be taken with respect to the City of London Green Bin Program, as noted in the Environmental Services program business plan:

- (a) the support of the Services Review Committee (SRC) for the Green Bin Program BE CONFIRMED;
- (b) the examination of a "utility model" for the implementation of the Green Bin Program BE INCORPORATED in to the pilot project, including potential revenue streams; and,
- (c) a report related to the utility model, noted above in part (b), BE FORWARDED to a future meeting of the SRC.

Motion Passed

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

11. Capital Funding for Repairs to Arts Building in Queens Park

Motion made by Councillor Hubert to Approve that the Western Fair District (Western Fair Association) BE REQUESTED to consider a more substantive contribution to the re-use of the Arts Building at Queens Park, in consideration of the current rental agreement; it being noted that the SRC is fully supportive of the re-use of the building.

Motion Passed

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

12. Community Centres

Motion made by Councillor Hubert to Approve that the Civic Administration BE DIRECTED to report back with respect to potential revenue generation opportunities related to sponsorship of facilities, naming rights, etc. related to community centres.

Motion Passed

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

13. Golf

Motion made by Councillor Hubert to Approve that, notwithstanding the current Council direction related to the Municipal Golf System, the matter of municipal golf BE "PARKED" for consideration with all projects; see clause 30, below.

Motion Passed

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

14. Special Events

Motion made by Councillor Hubert to Approve that the Civic Administration BE ASKED to report back with respect to opportunities to re-evaluate rental fees for "for-profit" events, with a charity component, based on the amount of event-profit being provided to the charity.

Motion Passed

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

15. Sports Services

Motion made by Councillor Hubert to Approve That the Civic Administration BE REQUESTED to report back to the Services Review Committee with respect to efficiencies related to the administration of adult sports, sports tourism, and like activities, that may be advantageous to consider consolidating.

Motion Passed

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

16. Parks and Horticulture

Motion made by Councillor Hubert to Approve that the following actions be taken with respect to the Parks and Horticulture Business Plan;

- (a) the Executive Director of Community Services BE REQUESTED to bring forward a report to the Services Review Committee (SRC) related to a business case for the roadside maintenance requirements of the Veterans' Memorial Parkway;
- (b) the Civic Administration BE REQUESTED to report back to the SRC related to opportunities for maintenance of community spaces and common areas, including programs such as "adopt-a-park"; and,
- (c) the Civic Administration BE REQUESTED to investigate opportunities related to the maintenance of subdivision developments (boulevards, stormwater management ponds, etc.), including retro-active opportunities.

Motion Passed

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

17. Downtown Revitalization Programs

Motion made Councillor Hubert to Approve that the Civic Administration BE REQUESTED to provide an information report to the Services Review Committee (SRC) with respect to the feasibility of establishing "sunset" dates for existing subsidy programs and incentives; it being noted the SRC held a general discussion with respect to funding programs and the potential re-introduction of development charges for the downtown area, in order to assist in funding such projects as urban civic public spaces.

Motion Passed

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

18. Building/Fire Inspection Services

Motion made by Councillor Hubert to Approve that the Civic Administration BE DIRECTED to review and report back to the Services Review Committee with respect to the potential for the integration of Building and Fire Inspection services in order to streamline inspections, provide a more efficient and cost effective services as well as take advantage of revenue generation opportunities.

Motion Passed

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

19. 2012 Budget

Motion made by Councillor Hubert to Approve that the following actions be taken related to the 2012 Budget:

- (a) the Civic Administration BE DIRECTED to prepared a summary of the process undertaken by the Service Review Committee (SRC) with respect to Pre-Budget preparation and indicate that the Budget process is intended to deal with the "parked items" (add and cut list);
- (b) the Civic Administration BE DIRECTED to prepare report back to the SRC with respect to initiatives to improve the public engagement process during the Budget process; and,
- (c) the Chair of the Service Review Committee BE DIRECTED to meet with the Mayor to review the Pre-Budget process undertaken by the Service Review Committee in preparation for the Budget review process.

Motion Passed

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

20. Services Review Committee – Mandate

Motion made by Councillor Hubert to Refer part (a) of clause 20 of the 3rd Report of the Services Review Committee BE REFERRED back to the Civic Administration to provide a report to the Committee of the Whole, including but not limited to the following matters, relating to the SRC structure:

- (i) the proposed re-naming to “Service Review – Pre-Budget Committee”;
- (ii) a revised terms of reference for the Committee to address a mandate of ‘pre-budget review’ and recommendations to Council concerning the budget; and
- (iii) revised membership to ensure that all of the Council’s Standing Committees are appropriately represented;

Motion Passed

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

Part (a) of clause 20, as referred, reads as follows:

- (a) the name of the Service Review Committee (SRC) BE CHANGED to “Service Review – Pre-Budget Committee”;

Motion made by Councillor Hubert to Approve part (b) of clause 20, that the following actions be taken with respect to the Services Review Committee:

- (b) at an October meeting of the SRC, the need to petition the Province of Ontario to undertake legislative changes to provide more flexibility for municipalities to collect fees for services provided by the municipality in order to maintain current service levels, specifically related to animal control to support activity and alternative means of delivering the service, BE INCLUDED on the agenda for discussion.

Motion Passed

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

21. Finance

Motion made by Councillor Hubert to Approve that the Civic Administration BE DIRECTED to provide a report evaluating the administrative restructuring with respect to the reporting relationships to the City Treasurer and Chief Financial Officer, including providing information on the resources required to ensure that administration is right-sized for the area.

Motion Passed

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

22. Legal

Motion made by Councillor Hubert to Approve that the City Solicitor BE REQUESTED to submit a Business Plan.

Motion Passed

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

23. 311

Motion made by Councillor Hubert to Approve that the Civic Administration BE DIRECTED to submit a Business Plan for the implementation of a 311 System; it being noted that improved customer service and internal efficiencies are a priority for the Service Review Committee.

Motion Passed

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

24. Energy Efficiency Initiatives

Motion made by Councillor Hubert to Approve that the Director of Environmental Programs & Solid Waste BE REQUESTED to provide a report to the Services Review Committee with respect to energy initiatives that have been and will be undertaken, including information from London Hydro with respect to energy initiatives that they are undertaking, in order to ensure a coordinated approach.

Motion Passed

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

25. Fleet Service

Motion made by Councillor Hubert to Approve that Service Shop Operations Leads from London Police Services, London Transit Commission, London Fire Services and London Hydro BE INVITED to attend a future Services Review Committee meeting to discuss the potential for integrated fleet service shops.

Motion Passed

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

The Chair directs that the following report clauses be noted.

26. Business Planning Process

That the Service Review Committee reviewed and received an addendum to Appendix A "Business Planning Process".

27. Community Engagement in Business Planning

That the Service Review Committee reviewed and received an information report from the City Treasurer and Chief Financial Officer regarding Community Engagement in Business Planning Process.

28. Toronto Service Review Program – Observations & Comparison to London

That the Service Review Committee reviewed and received an information report from the City Treasurer and Chief Financial Officer regarding the Toronto Service Review Program – Observations and Comparison to London.

29. Business Plan Workbook 2012 – 2016

That the Service Review Committee reviewed and received the Business Plan Workbook 2012 to 2016.

30. "Parked" Business Cases and Business Plans – Future Consideration

That the Services Review Committee (SRC) "parked" the following business cases for consideration and review at a future meeting of the SRC, with a recommendation to be forwarded to the Municipal Council in conjunction with the 2012 Budget:

- Library – Service to Seniors
- Business Plan 2.1.2 (Community Improvement/BIA) – Mainstreet portion, pending information from Civic Administration with respect to the uptake of the program
- 5.2.1 - Land Use Planning, awaiting analysis related to the staffing in this area
- 5.3.1 Development Approval Business Unit, pending information specific, but not exclusive to, staffing levels and revenue streams
- Community Development and Funding – London Strengthening Neighbourhoods Strategies (LSNS)
- 4.1.7 – Golf
- Sports Services – Sports park development

- Urban Civic Spaces, noting that this will be an amenity associated with the 2013 World Figure Skating Championships
- Parks, Recreation and Neighbourhood Services – Management of Emerald Ash Borer Infestation

31. Business Plans

That the following matters were reviewed and noted by the Services Review Committee:

August 15

- 1.1.2 Arts, Culture and Heritage Advisory and Funding
- 1.1.3 Art Gallery and Museums
- 1.3.1 Library Services
- 2.1.7 Covent Garden Market
- 2.1.3 Conventions, Meetings & Events Attraction (LCC)
- 10.1.15 Risk Management

August 17

- 5.1.1 Building Approvals
- 8.2.1 London Transit Commission

August 30

- 4.1.1 Aquatics
- 4.1.3 Children's Services
- 4.2.3 Parks & Natural Areas

32. Storybook Gardens

That the Services Review Committee requested on-going updates with respect to efficiencies and new ideas for consideration related to the operation of Storybook Gardens

33. Disclosures

The following pecuniary interests were disclosed:

- (a) Councillor J.B. Swan with respect to the business plan of Centennial Hall, as his employer rents space from Centennial Hall;
- (b) Councillor D. Henderson with respect to the business plan of Centennial Hall, as he operates a related business;
- (c) Councillor D. Brown with respect to the business plan Transportation (8.2.1), as her employer has transportation contracts;
- (d) Councillor P. Hubert with respect to Ontario Works (7.4.6), as he is the Executive Director of a Social Service Agency that has a contract with Ontario Works;
- (e) Councillor D. Brown with respect to the business plan for Subsidized Transit (7.4.5), as her employer has a contract with Ontario Works

IX DEFERRED MATTERS

X ENQUIRIES

XI EMERGENT MOTIONS

282. XII BY-LAWS

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

Motion made by Councillor Polhill and seconded by Councillor Orser to Approve first reading of Bill No. 371.

Motion Passed

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

RECUSE: P. Hubert (1)

Motion made by Councillor Polhill and seconded by Councillor D. Brown to Approve second reading of Bill No. 371.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, M. Brown, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (13)
RECUSE: P. Hubert (1)

Motion made by Councillor Swan and seconded by Councillor Usher to Approve third reading and enactment as a by-law of Bill No. 371.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, M. Brown, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (13)
RECUSE: P. Hubert (1)

The following is passed and enacted as a by-law of The Corporation of the City of London:

Bill No. 371, By-	A by-law to authorize and approve an agreement between
law No. A.-	Pathways Skill Development & Placement Centre and The Corporation of the City of London to grant the sum of \$50,000.00 and to authorize the Mayor and City Clerk to execute the agreement. (21/BNEC)

Motion made by Councillor Orser and seconded by Councillor Swan to Approve first reading of Bill No. 379

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, H.L. Usher, J.P. Bryant, S.E. White (13)
RECUSE: D. Brown (1)

Motion made by Councillor Polhill and seconded by Councillor White to Approve second reading of Bill No. 379

Motion Passed

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

RECUSE: D. Brown (1)

Motion made by Councillor Usher and seconded by Councillor Swan to Approve third reading, and enactment as a By-law of Bill No. 379

Motion Passed

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

RECUSE: D. Brown (1)

The following is passed and enacted as a by-law of The Corporation of the City of London:

Bill No. 379, By-	A by-law to amend By-law PS-111 entitled, "A by-law to regulate
law No. PS-111-	traffic and the parking of motor vehicles in the City of London."
11097	(21/BNEC)

Motion made by Councillor D. Brown and seconded by Councillor Hubert to Approve first reading of Bill No.'s 366 to 395, excluding Bill No.'s 371 and 379

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, 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 D. Brown and seconded by Councillor Polhill to Approve second reading of Bill No.'s 366 to 395, excluding Bill No.'s 371 and 379

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, 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 Usher and seconded by Councillor Hubert to Approve third reading and enactment as By-laws of Bill No.'s 366 to 395, excluding Bill No.'s 371 and 379

Motion Passed

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

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

Bill No. 366
By-law No. A.-
6714-250

A by-law to confirm the proceedings of the Council Meeting held on the 19th day of September, 2011. (City Clerk)

Bill No. 367
By-law No. A-
6715-251

A by-law to authorize and approve: (1) a ONE Network Order Agreement with eHealth Ontario for Ontario Telemedicine Network Services; (2) a Membership Agreement with Ontario Telemedicine Network (OTN); and (3) to delegate authority to the Mayor and City Clerk to execute the agreements. (15/CNC)

Bill No. 368
By-law No. A.-
6716-252

A by-law to designate a contact person pursuant to section 15 of the Personal Health Information Protection Act, 2004. (15/CNC)

Bill No. 369
By-law No. A.-
6717-253

A by-law to authorize an Agreement between The Corporation of the City of London and Horticultural Trades Association Incorporated for the future Enhancements to the Veterans Memorial Parkway, and to authorize the Mayor and City Clerk to execute the Agreement. (29/19/BNEC)

Bill No. 370
By-law No. A.-
6718-254

A by-law to implement a policy pertaining to the appointment of Council Members to Standing Committees of Council and to various Civic Boards and Commissions. (21/FAC)

Bill No. 372
By-law No. A.-
6720-256

A by-law to authorize and approve a Non-Disclosure Agreement between The Corporation of the City of London and Anaergia Inc; and to authorize the Mayor and City Clerk to execute the agreement. (21/BNEC)

Bill No. 373
By-law No. A.-
5273(ce)-257

A by-law to amend By-law No. A.-5273-82 entitled, "A by-law to appoint Municipal Law Enforcement Officers for the City of London." (Manager of Parking Enforcement)

Bill No. 374
By-law No. A.-
5895(d)-258

A by-law to amend By-law No. A.-5895-232 entitled, "A by-law to appoint Property Standards Officers." (Manager, Urban Forestry)

Bill No. 375
By-law No. A.-
5896(m)-259

A by-law to amend By-law No. A.-5896-233 entitled, "A by-law to appoint Municipal Law Enforcement Officers for the purpose of enforcing the by-laws of The Corporation of the City of London." (Manager, Urban Forestry)

Bill No. 376
By-law No. A.-
6073(b)-260

A by-law to amend By-law No. A.-6073-44 entitled, "A by-law to designate Inspectors and Officers for the purpose of enforcing the Tree Conservation By-law and the Site Alteration By-law of The Corporation of the City of London. (Manager, Urban Forestry)

Bill No. 377
By-law No. A-38-
11002

A by-law to amend By-law No. A-38 entitled, "A by-law to provide for the Rules of Order and Procedure for the Council of The Corporation of the City of London."(21/FAC)

Bill No. 378 By-law No. C.P- 1284(ro)-261	A by-law to amend the Official Plan for the City of London Planning Area – 1989. (21/BNEC)
Bill No. 380 By-law No. L-6- 11020	A by-law to amend By-law No. L-6 entitled, “A by-law to provide for the licensing and regulation of various businesses” by increasing all fee categories by \$15. (21/FAC)
Bill No. 381 By-law No. S.- 5359-262	A by-law to permit Rocco Forgione to maintain and use an encroachment upon the road allowance for Ann Street, City of London. (City Solicitor)
Bill No. 382 By-law No. S.- 5360-263	A by-law to assume certain works and services in the City of London (Cameron Creek – Phase 1; 33M-571) (Director of Water Engineering and City Engineer)
Bill No. 383 By-law No. S.- 5361-264	A by-law to assume certain works and services in the City of London (Hyde Park Woods – Phase 2; Plan 33M-491) (Director of Water Engineering and City Engineer)
Bill No. 384 By-law No. S.- 5362-265	A by-law to assume certain works and services in the City of London (Forest Hill Subdivision – Phase 3; Plan No. 33M-540) (Director of Water Engineering and City Engineer)
Bill No. 385 By-law No. S.- 5363-266	A by-law to assume certain works and services in the City of London (Beaverbrook Subdivision – Phase 2; Plan No. 33M-441) (Director of Water Engineering and City Engineer)
Bill No. 386 By-law No. S.- 5364-267	A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (As widening to Wonderland Road South, at Commissioners Road West) (Chief Surveyor)
Bill No. 387 By-law No. W.- 5310-268	A by-law to authorize the Biosolids Disposals and Optimization Plan Project. (Project No. ES2095) (32/17/BNEC)
Bill No. 388 By-law No. W.- 5311-269	A by-law to authorize the 2010 Sewer Replacement Program Project. (Project No. ES2414) (4/17/BNEC)
Bill No. 389 By-law No. W.- 5312-270	A by-law to authorize the 2010 Separation & CSO Program Project. (Project No. ES2464) (4/17/BNEC)
Bill No. 390 By-law No. W.- 5313-271	A by-law to authorize the Wonderland Road North Improvements Project. (Project No. TS1360) (4/17/BNEC)
Bill No. 391 By-law No. W.- 5314-272	A by-law to authorize the Southcrest Storm Outlet Project. (Project No. ES6071) (27/17/BNEC)
Bill No. 392 By-law No. W.- 5315-273	A by-law to authorize the Old Victoria from Hamilton to Hwy 401 Project. (Project No. TS2171) (25/17/BNEC)
Bill No. 393 By-law No. W.- 2038(a)-274	A by-law to amend By-law No. W.-2038-251 entitled, “A by-law to authorize the Stoney Creek Remediation and Slope Stability Project. (Project No. ES2477)” (7/19/BNEC)
Bill No. 394 By-law No.W.- 2054(a)-275	A by-law to amend By-law No. W.-2054-145 entitled, “A by-law to authorize the Bradley-Jackson Old Victoria Arterial Road Rehab Project. (Project No. TS1356) (25/17/BNEC)
Bill No. 395	A by-law to amend By-law No. W.-2070-226 entitled, “A by-law to

By-law No. W.-
2070(b)-276

authorize the Innovation Park – Phase 3 Project. (Project No.
ID1168-1239) (9/19/BNEC)

XIII COMMITTEE OF THE WHOLE, IN CAMERA

MOTION FOR IN CAMERA SESSION

Motion made by Councillor Van Meerbergen and seconded by Councillor Hubert 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 advice that is subject to solicitor-client privilege, including communications necessary for that purpose regarding a proposed agreement between the Horticultural Trades Association Inc. o/a Landscape Ontario and The Corporation of the City of London.
- b) A matter pertaining to personal matters about identifiable individuals, including municipal or local board employees, relating to the 2011 Mayor's New Year's Honour List." (See Confidential Appendix to the 7th Report of the London Advisory Committee on Heritage.)
- c) A matter pertaining to potential litigation with respect to a proposed payment of monies given to the City in 2006 for the purpose of engaging a consultant to undertake a Municipal Class Environmental Assessment for storm/drainage and stormwater management servicing works for land development within the Old Victoria total catchment area, including matters before administrative tribunals, affecting the municipality or local board; and advice that is subject to solicitor-client privilege, including communications necessary for that purpose regarding a proposed payment of monies given to the City in 2006 for the purpose of engaging a consultant to undertake a Municipal Class Environmental Assessment for storm/drainage and stormwater management servicing works for land development within the Old Victoria total catchment area.
- d) A matter pertaining to litigation or potential litigation affecting the municipality, personal matters about an identifiable individual and information whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the Corporation as it relates to a property damage claim.
- e) A matter pertaining to security of the property of the Corporation as it contains commercial and financial information supplied in confidence to the Corporation the disclosure of which could be reasonably expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization, result in similar information no longer being supplied to the Corporation where it is in the public interest that similar information continue to be so supplied and result in undue loss or gain to any person, group, committee or financial institution or agency.
- f) A matter pertaining to litigation commenced by Practical Plumbing Co. Ltd as against The Corporation of the City of London for contribution and indemnity for any amount that Practical Plumbing Co. Ltd. is required to pay to Joseph Ronald Norman Coursol and Laurie Elizabeth Coursol in connection with a flooding at 76 Brunswick Avenue in the City of London; advice that is subject to solicitor-client privilege, including communications necessary for that purpose regarding litigation by Practical Plumbing Co. Ltd as against The Corporation of the City of London for contribution and indemnity for any amount that Practical Plumbing Co. Ltd. is required to pay to Joseph Ronald Norman Coursol and Laurie Elizabeth Coursol in connection with a flooding at 76 Brunswick Avenue in the City of London; and for the purpose of giving directions to employees of the municipality.
- g) A matter pertaining to proposed or pending acquisition of land by the municipality in connection with the Springbank Drive road widening project and related expropriations; litigation or potential litigation with respect to the expropriation of temporary easement on a property

located at 339 Springbank Drive, including matters before administrative tribunals, affecting the municipality or local board; advice that is subject to solicitor-client privilege, including communications necessary for that purpose, in connection with the expropriation of temporary easement on a property located at 339 Springbank Drive; and directions and instructions to officers and employees or agents of the municipality regarding settlement negotiations and conduct of litigation in connection with the expropriation of temporary easement on a property located at 339 Springbank Drive.

- h) A matter pertaining to personal matters, including matters involving municipal employees, reports, advice and recommendations of officers and employees of the Corporation concerning labour relations, and litigation or potential litigation, including matters before administrative tribunals, affecting the municipality.
- i) A matter pertaining to litigation or potential litigation affecting the municipality and advice that is subject to solicitor-client privilege, including communications necessary for that purpose, in connection with the Motion for Leave to Appeal to the Divisional Court of the interim decision of the Assessment Review Board in *Town Inn Suites v. Municipal Property Assessment Corp. Region Nos. 9 and the City of London*; and
- j) A matter pertaining to personal matters, including matters involving municipal employees, reports, advice and recommendations of officers and employees of the Corporation concerning labour relations, and litigation or potential litigation, including matters before administrative tribunals, affecting the municipality.

Motion Passed

The Council rises and goes into the Committee of the Whole, in camera at 9:55 p.m., with all Members present except Councillor Branscombe.

The Committee rises and Council resumes in regular session at 10:12 p.m.

Motion made by Councillor Swan and seconded by Councillor Orser to Approve that Council rise and go into Committee of the Whole, in camera, for the purpose of considering a personal matter about identifiable individuals, including municipal or local board employees, relating to appointments to outside Boards and Commissions.

Motion Passed

The Council rises and goes into the Committee of the Whole, in camera at 10:13 p.m. p.m., with all Members present except Councillor Branscombe.

The Committee rises and Council resumes in regular session at 10:22 p.m.

283. Committee of the Whole
Councillor Hubert presents the 27th Report

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

ALSO PRESENT: J.A. Fielding, P. McNally, G.T. Hopcroft, B. Westlake-Power, V. McAlea Major, J. Braam, J. Stanford, T.A. Johnson, M. Turner, S. Axford, J. Barber, J. Page, T. Johnson, B. Warner, J. Fleming, D. Mounteer

1. M. Doucet – Sprinkler System Damage

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 appeal to Finance and Administration Committee by Maraika Doucet for compensation for costs arising from damage to her in-ground sprinkler system, BE DENIED. (2011-L05-05)

2. Banking Services Agreement

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 City Treasurer, Chief Financial Officer, the following action be taken:

(a) The City Treasurer, Chief Financial Officer BE DIRECTED to bring a Banking Services Agreement, with The Bank of Nova Scotia, 420 Richmond Street, London, ON N6A 3C9, with respect to monthly banking services, cash management services and commercial card to the October 19, 2011 meeting of the Finance and Administration Committee for consideration.

3. Offer From Dr. Oetker Canada Ltd. To Purchase Block 3 and Part of Block 4, Plan 33M-627 – Innovation Park, Phase III

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 Assets and the recommendation of the Director, Wastewater and Treatment Planning, Environment and Engineering Services, on the advice of the Manager of Realty Services, the following actions be taken with respect to the Agreement of Purchase and Sale dated April 21, 2011 between the City and Dr. Oetker Canada Ltd;

- (a) To recognize additional construction costs associated with soil conditions on Block 3 of the site, the ~~attached~~ Amending Agreement BE ACCEPTED to provide additional credits against the purchase price up to the net value of the transaction (\$2,910,175) to be held in Escrow and paid to the Purchaser, or otherwise, subject to verification of said costs; and
- (b) the Mayor and Clerk BE AUTHORIZED to execute an escrow agreement with Stikeman Elliot LLP in a form satisfactory to the City Solicitor to give effect to the escrow closing arrangements provided for in a) above; and,
- (c) that a by-law BE INTRODUCED at the September 19, 2011 Council meeting to authorize the First Amending Agreement to the April 21, 2011 Agreement of Purchase and Sale between The Corporation of the City of London and Dr. Oetker Canada Ltd., to authorize the Mayor and City Clerk to execute the amending Agreement.

Motion made by Councillor Hubert and seconded by Councillor M. Brown that pursuant to Section 17.4 of the Council Procedure By-law, leave be given for the discussion and debate and the making of a substantive motion with respect to clauses 1 to 3, inclusive of the 27th Report of the Committee of the Whole.

Motion Passed

Motion made by Councillor Hubert to Approve the following recommendations:

1. That the appeal to Finance and Administration Committee by Maraika Doucet for compensation for costs arising from damage to her in-ground sprinkler system, BE DENIED. (2011-L05-05)

2. That on the recommendation of the City Treasurer, Chief Financial Officer, the following action be taken:

(a) The City Treasurer, Chief Financial Officer BE DIRECTED to bring a Banking Services Agreement, with The Bank of Nova Scotia, 420 Richmond Street, London, ON N6A 3C9, with respect to monthly banking services, cash management services and commercial card to the October 19, 2011 meeting of the Finance and Administration Committee for consideration.

3. That, on the recommendation of the Managing Director - Corporate Assets and the recommendation of the Director, Wastewater and Treatment Planning, Environment and Engineering Services, on the advice of the Manager of Realty Services, the following actions be taken with respect to the Agreement of Purchase and Sale dated April 21, 2011 between the City and Dr. Oetker Canada Ltd;

- (a) To recognize additional construction costs associated with soil conditions on Block 3 of the site, the ~~attached~~ Amending Agreement BE ACCEPTED to provide additional credits against the purchase price up to the net value of the transaction (\$2,910,175) to be held in Escrow and paid to the Purchaser, or otherwise, subject to verification of said costs; and
- (b) the Mayor and Clerk BE AUTHORIZED to execute an escrow agreement with Stikeman Elliot LLP in a form satisfactory to the City Solicitor to give effect to the escrow closing arrangements provided for in a) above; and,
- (c) that a by-law BE INTRODUCED at the September 19, 2011 Council meeting to authorize the First Amending Agreement to the April 21, 2011 Agreement of Purchase and Sale between The Corporation of the City of London and Dr. Oetker Canada Ltd., to authorize the Mayor and City Clerk to execute the amending Agreement.

Motion Passed

Motion made by Councillor Hubert and seconded by Councillor Orser to Approve first reading of Bill No. 396.

Motion Passed

Motion made by Councillor Hubert and seconded by Councillor Swan to Approve second reading of Bill No. 396.

Motion Passed

Motion made by Councillor Usher and seconded by Councillor D. Brown to Approve third reading and enactment as a by-law of Bill No. 396.

Motion Passed

The following is passed and enacted as a by-law of The Corporation of the City of London:
Bill No. 396, By-law No. A.-6721-277 A By-law to authorize the First Amending Agreement to the April 21, 2011 Agreement of Purchase and Sale between The Corporation of the City of London and Dr. Oetker Canada Ltd., to authorize the Mayor and City Clerk to execute the amending Agreement. (3/27/CW)

284. **XIV ADJOURNMENT**

Motion moved by Councillor Hubert and seconded by Councillor M. Brown to Adjourn.

Motion Passed

The meeting adjourned at 10:24 p.m.

Joe Fontana, Mayor

Catharine Saunders, City Clerk