



London
CANADA

COUNCIL MINUTES

January 31, 2012

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, N. Branscombe, M. Brown, P. Hubert, D. G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, S.E. White and C. Saunders (City Clerk).

ABSENT: Councillor J.P. Bryant

ALSO PRESENT: J. Braam, R.L. Fair, M. Hayward, D. Ailles, S. Bahm, J.P. Barber, J. Buchanan, B. Coxhead, J. Edward, J. Fleming, P. Foto, E. Gamble, G. Hopcroft, D. Ikeno, T. Johnson, O. Katolyk, J. Logan, L. Loubert, I. Mackay, V. McAlea Major, J. Page, J. Riddell, L.M. Rowe, R. Sharpe, J. Taylor, M. Turner, B. Warner and B. Westlake-Power.

At the beginning of the Meeting all Members are present except Councillors J.B. Swan, D.G. Henderson, P. Van Meerbergen and J.P. Bryant.

I RECOGNITIONS

1. His Worship the Mayor presents a certificate for "London's Featured Community Organization" to Byron Corner, President, Board of Directors, Christine Wilson, Volunteer, Judy Robertson, Volunteer, and Karima Haasan, Rider and Volunteer representing SARI Therapeutic Riding

At 5:04 PM Councillor P. Van Meerbergen arrives.

2. His Worship the Mayor presents a cheque to Wayne Dunn, Chair, The London Business Cares Food Drive
3. His Worship the Mayor presents an award to Stantec Consulting for the Oxford Pollution Control Plant Upgrade on behalf of the Canadian Consulting Engineers

At 5:15 PM Councillor D.G. Henderson arrives.

II DISCLOSURES OF PECUNIARY INTEREST

1. Councillor B. Polhill discloses a pecuniary interest in clause 8 of the 3rd Report of the Planning and Environment Committee, having to do with a decision by the Committee of Adjustment with respect to the property located at 10 Cummings Avenue, by indicating that his son is a member of the Committee of Adjustment.
2. Councillor P. Hubert discloses a pecuniary interest in clause 6 of the 1st Report of the Public Safety Committee, having to do with the development of a preventative anti-graffiti pilot project in the downtown, by indicating that he is the Executive Director of an organization that offers graffiti removal.
3. Councillor D. Brown discloses a pecuniary interest in clause 13 of the 2nd Report of the Civic Works Committee, having to do with the London Transit Commission (LTC) Long Term Growth Working Group, by indicating that her employer has a contract with the LTC. Councillor D. Brown further discloses a pecuniary interest in clauses 14 and 16 of the 1st Report of the Public Safety Committee having to do with amendments to the Taxicab By-law to meet the requirements of the *Accessibility for Ontarians with Disabilities Act* and the proposed Vehicle for Hire By-law, respectively, by indicating that her employer owns a taxi company.
4. Councillor S.E. White discloses a pecuniary interest in clause 2 of the 3rd Report of the Civic Works Committee, having to do with a communication from M. Ponti, Pediatrician,

with respect to the City's water fluoridation program, by indicating that Ms Ponti's communication is on her employer's letterhead.

5. Councillor D. G. Henderson discloses a pecuniary interest in clause 19 of the 3rd Report of the Planning and Environment Committee, having to do with the property located at 550 Kingsway Avenue and 572 Wonderland Road North, by indicating that he has an office at Kingsway Avenue.
6. Councillor N. Branscombe discloses a pecuniary interest in clause 21 of the 3rd Report of the Planning and Environment Committee, having to do with the application by the Montessori School House of Children relating to the property at 719 Waterloo Street, by indicating that her children attend the school.
7. Councillor J.B. Swan discloses a pecuniary interest in clause 7 of the 3rd Report of the Investment and Economic Prosperity Committee, having to do with funding assistance for Orchestra London, by indicating that Orchestra London is his employer.

III CONFIRMATION AND SIGNING OF THE MINUTES OF THE THIRD MEETING HELD ON JANUARY 10, 2012

Motion made by Councillor P. Van Meerbergen and seconded by Councillor H.L. Usher to Approve the Minutes of the Third Meeting held on January 10, 2012.

Motion Passed

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

IV REVIEW OF CONFIDENTIAL MATTERS TO BE CONSIDERED IN PUBLIC

None.

V COMMUNICATIONS AND PETITIONS

1. B. Rice, President, London Tourism Inc. - Municipal Council's Support of the 2013 World Figure Skating Championships (Relates to the Minutes of the Third Meeting of Council held on January 10, 2012)

Motion made by Councillor B. Polhill and seconded by Councillor S.E. White to Approve that the communication dated January 18, 2012, from B. Rice, President, London Tourism Inc., BE REFERRED to the next meeting of the Finance and Administrative Services Committee for consideration; it being noted that information related to fundraising efforts and committee/working group formation will also be requested from Tourism London.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, S. Orser, J.L. Baechler, P. Hubert, S.E. White (7)

NAYS: N. Branscombe, M. Brown, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher (6)

Motion made by Councillor S. Orser and seconded by Councillor P. Hubert to receive the following communications:

2. City Clerk advising that the following zoning by-laws have come into force and effect, namely:
 - a) By-law No. Z.-1-112044 to amend By-law No. Z.-1 to rezone an area of land located at 580 Fanshawe Park Road East;
 - b) By-law No. Z.-1-112045 to amend By-law No. Z.-1 to rezone an area of land located at 519 York Street;
 - c) By-law No. Z.-1-112051 to amend By-law No. Z.-1 to rezone an area of land located at 1036 Commissioners Road West and 1040 Commissioners Road West;

- d) By-law No. Z.-1-112052 to amend By-law No. Z.-1 to rezone an area of land located at 1295 Webster Street and 1366 Huron Street;
 - e) By-law No. Z.-1-112053 to amend By-law No. Z.-1 to rezone an area of land located at 675 Riverside Drive;
 - f) By-law No. Z.-1-112054 to amend By-law No. Z.-1 to rezone an area of land located at 1100 and 1108 Dundas Street;
 - g) By-law No. Z.-1-112059 to amend By-law No. Z.-1 to rezone an area of land located at 1021 Wonderland Road South;
 - h) By-law No. Z.-1-112060 to amend By-law No. Z.-1 to rezone an area of land located at 1780 Commissioners Road West and 1788 Sumac Way
3. (ADDED) S. Merritt, Manager, Old East Village BIA - Removal of Needle Bins - Old East Village (Refer to the Community Services Committee Stage for Consideration with Clause 4 of the 2nd Report of the Community Services Committee)
 4. (ADDED) B. Brock, E-mail - Organizational Review - Finance Department (Refer to the Finance and Administrative Services Committee Stage for Consideration with Clause 5 of the 4th Report of the Finance and Administrative Services Committee)
 5. (ADDED) Director, Wastewater and Treatment - REVISED SOURCE OF FINANCING - Appointment of Consulting Engineer for Mud Creek Subwatershed Study Update (Refer to the Civic Works Committee Stage for Consideration with Clause 5 of the 2nd Report of the Civic Works Committee)
 6. (ADDED) J.R. Donnelly, Vice-President, The ABOUTOWN Group of Companies - Vehicle for Hire By-law (Refer to the Public Safety Committee Stage for Consideration with Clause 16 of the 1st Report of the Public Safety Committee)

Motion Passed

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

RECUSED: D. Brown (1)

VI MOTIONS OF WHICH NOTICE IS GIVEN

None.

VII ADDED REPORTS

None.

VIII REPORTS

Motion made by Councillor S. Orser and seconded by Councillor S.E. White to Approve that pursuant to section to section 7.3 of the Council Procedure By-law, the order of business be changed to permit consideration of the 3rd Report of the Civic Works Committee prior to the 2nd Report of the Community Services Committee.

Motion Passed

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

NAYS: S. Orser (1)

Motion made by Councillor P. Hubert and seconded by Councillor D. Brown to approve that pursuant to section to section 7.3 of the Council Procedure By-law, the order of business be

changed to permit consideration of the 3rd Report of Strategic Priorities and Policy Committee prior to the 2nd Report of the Community Services Committee and after the 3rd Report of the Civic Works Committee.

Motion Passed

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

3rd Report of the Civic Works Committee

Councillor H.L. Usher presents

1. Members to disclose pecuniary interest(s) related to agenda items, if applicable.

Motion made by Councillor H.L. Usher to Note that Councillor S. White disclosed a pecuniary interest in clause 3 of this Report relating to a communication from M. Ponti, Pediatrician, with respect to the City's water fluoridation program, by indicating that Ms Ponti's communication is on her employer's letterhead.

Motion Passed

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

2. Drinking Water Fluoridation in London

Motion made by Councillor H.L. Usher to Approve that following actions be taken with respect to the matter of drinking water fluoridation in the City of London:

- a) the comments and submissions received at the Public Participation Meeting held on January 25, 2012 with respect to drinking water fluoridation in the City of London BE REFERRED to the Civic Administration for review, in consultation with the Middlesex-London Health Unit, and report back at a future meeting of the Civic Works Committee with a recommendation and information clarifying the following matters:
 - i) the legal issues around 'informed consent';
 - ii) alternatives, other than nutrition, when water is not fluoridated;
 - iii) the toxicity of HFSA (hydrofluorosilicic acid), the product used to fluoridate London's water; and,
 - iv) whether the Municipal Council has the legal authority to make the decision to cease fluoridation of the water supply; and,
- b) in the event that a recommendation is put forth that the fluoridation of the City of London's drinking water should cease, the Civic Administration BE REQUESTED to address the necessary steps and associated implications of moving in that direction given that the Elgin Area and Lake Huron Primary Water Supply Systems are jointly operated by municipalities in addition to the City of London, and, further, the City of London has agreements in place for the provision of water to other municipalities from its own secondary water supply system; and,

it being noted that the Civic Works Committee heard the attached presentations from the Director of Water and City Engineer, Dr. G. Pollett, Medical Officer of Health and Dr. Bryna Warshawsky, Associate Medical Officer of Health, Middlesex-London Health Unit, and Dr. P. Cooney, Health Canada, 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:

- Dr. Arlene King, Chief Medical Officer of Health, Ministry of Health and Long-Term Care, 80 Grosvenor Street, 11th Floor, Hepburn Block, Toronto, ON – providing comments as outlined in the attached communication.
- Dr. Natalie Archer, The Royal College of Dental Surgeons of Ontario, 6 Crescent Road, 3rd Floor, Toronto, ON – providing comments as outlined in the attached communication.
- Ron Moss, 1 Redwood Lane - providing comments as outlined in the attached communication.
- David W. Holdsworth, Schulich School of Medicine and Dentistry, University of Western

- Ontario - providing comments as outlined in the attached communication.
- Judy Melville, Executive Director, Ontario Dental Assistants Association, 869 Dundas Street - providing comments as outlined in the attached communication.
- Michelle Atkinson, RDH, Ontario Dental Hygienists' Association, 201-3425 Harvester Road, Burlington, ON – noting the points addressed in her submission, included as item 2f) on the CWC agenda.
- Dr. Peter Fendrich, Ontario Dental Association, 4 New Street, Toronto, ON - providing comments as outlined in the attached communication.
- Victoria Leck, Canadian Dental Hygienists Association, 96 Centrepointe Drive, Ottawa, ON – providing comments as outlined in the attached presentation.
- Brenda Davidson, RPN, 110 Deveron Crescent - providing comments as outlined in the attached communication.
- Jeffrey Richmond, 746 Baseline Road East - providing comments as outlined in the attached communication.
- R. Bohay, DMD, Acting Director, Dentistry, Schulich School of Medicine and Dentistry, University of Western Ontario, Dental Sciences Building, Room 1003, London, ON - noting the points addressed in his submission, included as item 2k) on the CWC agenda.
- Pam Killeen, 93 Hillsmount Crescent - providing comments as outlined in the attached presentation.
- Professor Joe Cummins, University of Western Ontario - noting the points addressed in his submission, included as item 2m) on the CWC ADDED agenda.
- Paul Connett, PhD, Professor Emeritus of Environmental Chemistry, St. Lawrence University, Canton, NY - noting the points addressed in his submission, included as item 2n) on the CWC agenda and in the attached presentation.
- Chris Gupta, 919 Plantation Road - noting the points addressed in his submission, as included as item 2o) on the CWC agenda and in the attached presentation.
- Carol Bennett, 11 Constable Street – presenting a video by Dr. Hardy on the use of industrial waste to fluoridate water.
- Jan Pringle, 15 Naomee Crescent – presenting a video by Dr. Beck on fluoridation of public water supplies and providing his comments included as item 2q) on the CWC ADDED agenda.
- Kallie Miller, 19-925 Lawson Road - noting the points addressed in her submissions, included as item 2r) on the CWC agenda and the CWC ADDED agenda.
- Christie Kramberger, 9 Stuart Street - presenting a video by Dr. Burk on fluoride.
- David Cline, 167 Centre Street – indicating that this subject is very important, fluoride is an extremely toxic poison, so stop putting fluoride in the water; noting that looking at the facts would be good for the common objectives; further indicating that it is all about the dosage, you can't control how much water people drink; stating that we have to stop putting fluoride in our water, it has been shown to decrease the IQ in children; further noting that we seem to be just talking about white teeth here – are white teeth really worth it; and asking that Council prove that it is not harmful – as he hasn't seen that yet.
- Robert Guthrie, 109 Somerset Road – providing comments as outlined in the attached communication and presentation.
- Dan Caron, 169 Cecilia Avenue - noting the points addressed in his submission, included as item 2v) on the CWC ADDED agenda.
- Juliette Medeiros, 169 Cecilia Avenue - noting the points addressed in her submission, included as item 2w) of the CWC agenda and as outlined in the attached communication.
- Malorie Knoester, 503 Colborne Street – providing comments as outlined in the attached communication.
- Glen Emery, 283 Sarnia Road – providing comments as outlined in the attached communication.
- Dr. Maria van Harten, Ontario Association of Public Health Dentistry, 50 King Street - providing comments as outlined in the attached communication.
- Sam Maloney, 56 Duchess Avenue - providing comments as outlined in the attached communication.
- Jessica Merucci, 147 Meadowridge Road – indicating that she is disgusted with this panel of experts – and asking the Mayor for a vote.
- Michael van Holst, 46 Manitoulin Drive - providing comments as outlined in the attached presentation.
- Morgan van Holst, 46 Manitoulin Drive - providing comments as outlined in the attached communication.
- Evelyn Kooistra, 1185 Guildwood Boulevard - providing comments as outlined in the attached communication.
- Kevin Fangrad, 11-869 Whetherfield Street - providing comments as outlined in the attached communication.
- Peter J. Veel, 571 Donegal Drive - providing comments as outlined in the attached

- communication.
- Dr. Drew Smith, President, London and District Dental Society, 602 Oxford Street East - providing comments as outlined in the attached communication.
 - Dr. B.J. Hardick, 331 Queens Avenue - providing comments as outlined in the attached communication.
 - Bonni Dennison, 3380 Georgeheriot Lane – providing comments as outlined in her submission, included as item 2aj) on the CWC agenda
 - Kenneth Logan, email – noting the points addressed in his submission, included as item 2ak) of the CWC agenda and as outlined in the attached communication.
 - Conrad K. Odegaard, 40 Linwood Street - noting the points addressed in his submission, included as item 2al) of the CWC agenda.
 - Gary Brown, Energy Chair, Council of Canadians London Chapter, 59 Ridout Street, Apt. 35A - providing comments as outlined in the attached communication.
 - Nicole Kuzmanovich, 16-7222 Clayton Walk - providing comments as outlined in the attached communication and presentation.
 - David Shaw, 1906-340 Colborne Street - presenting a video by Dr. Doris Rapp, MD, entitled “Can Fluoride Cause Severe Depression”, and providing the attached communication.
 - Jitka Demelo, 1629 Sharon Drive – noting the points addressed in his submission, included as item 2ap) on the CWC agenda.
 - Jenn Keller, 358 Ashland Avenue – providing comments as outlined in her submission, as included as item 2aq) on the CWC agenda.
 - Sarah Pittao, 166 Inverary Crescent - providing comments as outlined in the attached presentation.
 - Gordon Payne, 70 Orkeney Crescent, Certified Specialist, Paediatric Dentistry Adjunct Clinical Professor Schulich School of Medicine and Dentistry, University of Western Ontario - providing comments as outlined in the attached communication and presentation.
 - G. Gordon, 22 Brooklan Place – providing comments as outlined in the attached presentation.
 - S. Burch, 9 San Fernando Drive, Hamilton, ON – providing comments as outlined in the attached communication.
 - S. Bonello - providing comments as outlined in the attached communication.
 - D. McColl – 379 Vesta Place – indicating that he does not want fluoride in his water and neither does his mother; noting that he is an athlete and drinks a lot of water; further noting that he uses fluoride toothpaste to prevent tooth decay; stating that he is respectful of the experts’ opinions but doesn’t want fluoride in his water.
 - C. Etheridge, 167 Walmer Gardens – indicating that she is a mother and that is her career; she relocated to London in 1988 from Montreal; noting that her daughter had blood in her urine and subsequently had her water tested and found that it had lead in the water; we know how dangerous fluoride is, our health should be our first concern, and it should be yours as well – don’t wait until 2014.
 - M. Dandy, 1688 Phillbrook Crescent – asking that Council make their decision not based on fear but on the facts; requesting that Council look at British Columbia and other cities opposed to fluoridation in water.
 - M. Bergen, 316 Griffith Street – providing comments as outlined in the attached communication.
 - A. Baron, 70 Orchard Street - providing comments as outlined in the attached communication.
 - R. Croden, 329 Salisbury Street – noting that what he has learned today is if the PH levels in your body are acidic you are more able to get cancer.
 - S. Unwin, 12 Fenwick Court, St. Thomas - providing comments as outlined in the attached communication.
 - C. Matis, 426 Stockton Street – indicating that they are a very passionate group; there are a lot of unknowns; there are cancers from our food; noting that fluoride is used to make atomic bombs, along with the food we eat, it is all poison to you; asking that this matter be investigated.
 - J. Lovell, 75 Ann Street – noting that there doesn’t seem to be too much information on how fluoride works on your teeth.
 - B. Garton – 190 Fleming Drive – indicating that he has lived in London since May; noting that the City is courageous in allowing this public participation meeting to happen – and that he is opposed to fluoridated water; and singing a song entitled ‘Lime to our Teeth’, that he composed.
 - D. Madry, 73 Stroud Crescent – expressing that fluoride is a poison and we should get it out of our water.
 - H. Dennison, 3380 Georgeheriot Lane – indicating that some of the comments make

sense and some don't; noting that if you want change then these are the guys who will do it; lastly, regarding informed consent , you don't have it, so please stop putting fluoride in our water.

3. Continuation of the City's Water Fluoridation Program

Motion made by Councillor H.L. Usher to Approve that the communication dated January 11, 2012, from Michelle Ponti, Medical Director, London-Middlesex Children's Aid Society, with respect to the continuation of the City's water fluoridation program, BE RECEIVED.

Motion Passed

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

4. Pat S., Viscount Road - Fluoridated Water Issue

Motion made by Councillor H.L. Usher to Approve that the communication dated December 20, 2011, from Pat S., Viscount Road, with respect to the fluoridated water issue, BE RECEIVED.

Motion Passed

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

5. Karen Campbell, Department of Oral Health Sciences, Faculty of Dentistry, University of British Columbia- Support for Continuing Water Fluoridation for the City of London

Motion made by Councillor H.L. Usher to Approve that the communication dated January 15, 2012, from Karen Campbell, Assistant Professor, Division of Pediatric Dentistry, Department of Oral Health Sciences, Faculty of Dentistry, University of British Columbia, with respect to support for continuing water fluoridation for the City of London, BE RECEIVED.

Motion Passed

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

6. Water Fluoridation is Dangerous, Unnecessary and Unethical

Motion made by Councillor H.L. Usher to Approve that the communication dated January 17, 2012, from Barry Wells, 408-109 Cherryhill Circle, with respect to the dangers of water fluoridation, BE RECEIVED.

Motion Passed

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

7. Water Fluoridation

Motion made by Councillor H.L. Usher to Approve that the communication dated January 19, 2012, from Dr. Gerry Uswak, Dean, College of Dentistry, University of Saskatchewan, Canadian Association of Public Health Dentistry, with respect to water fluoridation, BE RECEIVED.

Motion Passed

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

3rd Report of the Strategic Priorities and Policy Committee

Councillor P. Hubert presents.

1. Disclosures of Pecuniary Interest

Motion made by Councillor J.L. Baechler to Note that no pecuniary interests were disclosed.

Motion Passed

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

2. Community Engagement Task Force - Final Report

Motion made by Councillor J.L. Baechler to Approve that, on the recommendation of the City Manager, the following actions be taken with respect to the Final Report of the Community Engagement Task Force:

- a) in accordance with Recommendation #1 of the Community Engagement Task Force, the ~~attached~~ proposed by-law (Appendix "A") BE INTRODUCED at the Municipal Council meeting to be held on January 31, 2012 for the purpose of implementing a new Council policy related to community engagement;
- b) in accordance with Recommendation #2 of the Community Engagement Task Force (~~attached~~ as Appendix "B"), the Task Force's mandate BE EXTENDED for up to an additional six months to complete the following tasks:
 - Elaborate on the use of the "empower" level of engagement (engagement from outside in, for example: community level strategic planning);
 - Conduct a comparative analysis of legislation and by-laws in other provinces and cities that support enhanced levels of community engagement;
 - Explore the concept of Civics 101 and how it can complement and enhance community engagement, including the development of curriculum and a delivery system (for example: London Strengthening Neighbourhoods Strategy, volunteers, neighbour to neighbour, existing vehicles, etc.); and
- c) Recommendations #3 to #14 of the Community Engagement Task Force (~~attached~~ as Appendix "B") BE REFERRED to staff for review and report back at a future meeting of the Strategic Priorities and Policy Committee;

it being noted that the Strategic Priorities and Policy Committee heard a verbal presentation from the Managing Director of Corporate Communications with respect to this matter.

Motion Passed

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

3. Thames Valley Corridor Plan - Final Report

Motion made by Councillor J.L. Baechler to Approve that, on the recommendation of the Executive Director of Planning, Environment and Engineering Services, the following actions be taken regarding the Thames Valley Corridor Plan to recognize that the Thames River Valley represents the City's most valued ecological, recreational and aesthetic resource:

- a) the Thames Valley Corridor Plan, dated December 2011, BE APPROVED for the long-term protection and enhancement of the Thames River Valley in London;
- b) the implementation Action Plan for the Thames Valley Corridor Plan, outlining the City's plans for the long-term protection and enhancement Thames River Valley, BE RECEIVED; it being noted that no additional municipal funding is being sought for 2012, beyond that which is already included in the 2012 draft Budget, and that any new future funding that may be sought will go through the established Business Case process;

- c) staff BE DIRECTED to initiate an Official Plan amendment to incorporate the recommended policies into London's Official Plan;
- d) the Corridor Advisory Committee BE THANKED for its participation in the drafting of the Plan and BE INVITED to continue its involvement, with regular engagement regarding Corridor issues during the implementation phase;
- e) staff BE REQUESTED to report back with an analysis, status update and recommendations regarding the issues that contribute to poor water quality, for potential submission to the Federal and Provincial Governments for funding to improve water quality, in tandem with implementation of the Thames Valley Corridor Plan;
- f) staff BE REQUESTED to report back to the Services Review Committee with respect to the cost/benefit of transitioning the Fanshawe Conservation Area to a public park;

it being noted that a Business Case for additional funding for the Thames Valley Corridor Plan was submitted through the 2012 budget process to the Service Review Committee in order to carry out the recommended actions within a shortened timeline with enhanced features to meet community expectations. This business case was referred to the Investment and Economic Prosperity Committee for their consideration;

it being also noted that the Strategic Priorities and Policy Committee (SPPC) heard verbal delegations from the Director of Land Use Planning and City Planner, the Manager of Parks Planning and Design, B. Page, Planner and C. Marshall, Dillon Consulting, with respect to the Plan;

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

- Sandy Levin – indicating his appreciation for the involvement of the Corridor Advisory Committee; emphasizing there are plenty of opportunities for the community to optimize its enjoyment of the Thames Valley Corridor (citing the South Street Campus as an example), while protecting this important resource; and encouraging the Municipal Council to continue the Corridor Advisory Committee as it can provide valuable input during the implementation stage;
- Jeff Cuthbert – providing the attached handout which depicts a possible alternative route on the north side of the river that could mitigate impact on the Meadowlily Woods ESA; supporting the initiatives contained in the Plan and extending appreciation for involving the community but emphasizing the importance of protecting the species at risk and hedge rows within the ESA;

it being pointed out that the Strategic Priorities and Policy Committee referred related communications from S. Levin, Chair, Conservation Committee, Nature London, H. Krueger, 66 Ebury Crescent and G. Smith, Friends of Meadowlily Woods Community Association, to staff for consideration.

Motion Passed

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

4. Appointment Recommendation to the London Convention Centre Corporation Board of Directors

Motion made by Councillor P. Hubert to Approve that John Irwin, CFO, CIO and Vice President of The Ivey Group of Companies BE APPOINTED to the London Convention Centre Board of Directors as the Finance Sector Representative, effective immediately, for a term ending November 30, 2014.

Motion Passed

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

2nd Report of the Community Services Committee

Councillor M. Brown presents.

1. No pecuniary interests are disclosed

Motion made by Councillor M. Brown to Note that no pecuniary interests were disclosed.

Motion Passed

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

2. Dearness Home Community Newsletter January – 2012

Motion made by Councillor M. Brown to Approve that the January 2012 Dearness Home Community Newsletter BE RECEIVED.

Motion Passed

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

3. Municipal Golf - Use of Third Party Re-sellers Agreement with London Golf Club

Pursuant to clause 17.2 of the Council Procedure By-law, Councillor D.G. Henderson calls for a separate vote on clause 3.

Motion made by Councillor H.L. Usher to Approve that, on the recommendation of the Director of Parks & Recreation, with the concurrence of the Executive Director of Community Services, the ~~attached~~ proposed by-law BE INTRODUCED at the Municipal Council Meeting on January 31, 2012 to:

- a) approve the ~~attached~~ agreement between the City of London and London Golf Club for the purchase of 100 transferable daily golf spots for use by members of the London Golf Club at the municipal golf courses during restricted days and times, during the 2012 playing season, at a price of \$220,000 plus HST; and,
- b) delegate to the Executive Director of Community Services or Designate the authority to authorize and approve such further documents, including agreements, that may be required in the furtherance of the agreement that is consistent with the requirements contained in the agreement noted in (a) above;

it being noted that the Community Services Committee (CSC) acknowledged Mr. B. Miller of the London Golf Club who thanked the CSC and indicated his support for the staff recommendation;

it being further noted that the Civic Administration will provide a status report to the Community Services Committee prior to any renewal or extension of the above-noted agreement.

Motion Passed

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

4. Needle Bins - Old East Village

Motion made by Councillor M. Brown to Approve that the following actions be taken with respect to needle collection bins in the Old East Village area:

- a) the Civic Administration BE DIRECTED to continue to pursue community consultation related to needle collection bins, the existing and/or proposed locations, an on-going strategy, including lighting and repair of parking lots, and matters in the best interests of the community as a whole, with an evaluation and report back to the Community Services Committee;
- b) the communications dated January 13, 2012 and January 18, 2012 from S. Orser and

- A. Oudshoorn, RN, PhD, respectively, BE RECEIVED; and,
- c) the ~~attached~~ submission of K. Keane, Old East Village BIA and verbal presentation S. Merritt, East London Merchants Organization, and representatives from the Old East Village community BE RECEIVED;

it being noted that the Community Services Committee received the attached presentation from the Executive Director of Community Services with respect to this matter.

Motion Passed

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

5. Storybook Gardens Business Plan

Motion made by Councillor M. Brown to Approve that, pursuant to the implementation of the Storybook Gardens Business Plan's (2008) strategic objective to move towards the elimination of the zoo component, City Council BE ADVISED that the Civic Administration is proceeding with plans to relocate the remaining zoo animals by the Summer of 2012, as follows:

- a) 4 harbour seals to a new exhibit at the St. Louis Zoo, Missouri;
- b) 4 raptors to the Sandy Pines Wildlife Sanctuary in Nepean, Ontario;
- c) 2 Lynx to the PAWS Wildlife Sanctuary in Galt, California; and,
- d) 1 otter and 2 beavers to the Aspen Valley Wildlife Sanctuary in Rousseau, Ontario;

it being noted that in the past three years, 14 other animals have been transferred to much better environments while 2 animals have died of natural causes at Storybook Gardens; it being further noted that these transfers have and are being completed in cooperation with Zoocheck Canada Inc. at no cost to the City of London; it being also noted that the Civic Administration will proceed with the planning and implementation of new attractions in accordance with the Business Plan and within funding outlined in the 10-Year Capital Plan for Storybook Gardens.

Motion made by Councillor D.G. Henderson and seconded by Councillor S. Orser to Refer clause 5 back to the Civic Administration to provide for a veterinary investigation to comment on existing facilities, a financial loss breakdown should the animals be moved and to allow for private investment in the park to be explored.

Motion Failed

YEAS: B. Polhill, S. Orser, D.G. Henderson (3)

NAYS: J.F. Fontana, W.J. Armstrong, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, P. Van Meerbergen, D. Brown, H.L. Usher, S.E. White (10)

The motion to adopt clause 5 is put and Passed.

YEAS: J.F. Fontana, W.J. Armstrong, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, P. Van Meerbergen, D. Brown, H.L. Usher, S.E. White (11)

NAYS: B. Polhill, D.G. Henderson (2)

Councillor S. Orser leaves the meeting.

6. Investment in Affordable Housing, Affordable Homeownership Loan Agreement

Motion made by Councillor M. Brown to Approve that, on the recommendation of the Director of Municipal Housing, with the concurrence of the Executive Director of Community Services, the following actions be taken with respect to the Investment in Affordable Housing Program Homeownership Component:

- a) the Homeownership Loan Agreement between The Corporation of the City of London and successful Borrower(s), substantially in the form of agreement included in the

January 23, 2012 report of the Director of Municipal Housing, and to the satisfaction of the City Solicitor, BE APPROVED; and

- b) the ~~attached~~ proposed by-law BE INTRODUCED at the Municipal Council meeting of January 31, 2012, to delegate authority to the Executive Director of Community Services to execute Home Ownership Loan Agreements, on behalf of the City of London, under the Investing in Affordable Housing Program.

Motion made by Councillor N. Branscombe and seconded by Councillor B. Polhill to Amend in line 1 of part (b) by inserting the word "revised," before the word "proposed" and by replacing the by-law appended thereto with the ~~attached~~ revised by-law, which also incorporates approval of the general form of agreement.

Motion Passed

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

The motion to adopt clause 6, as amended, is put and Passed.

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

Clause 6, as amended, reads as follows:

That, on the recommendation of the Director of Municipal Housing, with the concurrence of the Executive Director of Community Services, the following actions be taken with respect to the Investment in Affordable Housing Program Homeownership Component:

- a) the Homeownership Loan Agreement between The Corporation of the City of London and successful Borrower(s), substantially in the form of agreement included in the January 23, 2012 report of the Director of Municipal Housing, and to the satisfaction of the City Solicitor, BE APPROVED; and
- b) the ~~attached~~ revised proposed by-law BE INTRODUCED at the Municipal Council meeting of January 31, 2012, to delegate authority to the Executive Director of Community Services to execute Home Ownership Loan Agreements, on behalf of the City of London, under the Investing in Affordable Housing Program.

Councillor S. Orser enters the meeting.

Motion made by Councillor H.L. Usher and seconded by Councillor S. Orser to approve that pursuant to section 7.3 of the Council Procedure By-law, the order of business be changed to permit consideration of clause 16 of the 1st Report of Public Safety Committee at this time.

Motion Passed

1st Report of the Public Safety Committee

Councillor Hubert presents.

16. Vehicle for Hire By-law

Motion made by Councillor P. Hubert to Approve that the ~~attached~~ revised proposed by-law (Appendix "A") BE INTRODUCED at the Municipal Council meeting on January 31, 2012 to provide for the licensing, regulating and governing of drivers, owners and brokers of vehicles for hire: it being noted that the following revisions were made to the by-law proposed by staff, at the direction of the Public Safety Committee (PSC):

- a) removal of all references prohibiting the hailing of executive limousines;
- b) removal of all references prohibiting window tinting on vehicles; and,
- c) revisions to the title so that it now reads "Taxi and Limousine Licencing By-law";

it being noted that the PSC received delegations from the following:

- O. Katolyk, Manager II, By-law Enforcement
- H. Savehilaghi, President, Yellow London Taxi Inc.;

- B. Rice. Checker Limousine; and,
- J. R. Donnelly, Aboutown;

it being further noted that the PSC received the following communications:

- A ParkView B & B, dated December 26, 2011;
- J. Lamport, dated December 15, 2011;
- G. Danner, dated December 19, 2011;
- Councillor S. Orser, dated January 20, 2012: and,
- B. Rice, ~~attached~~, dated January 23, 2012.

Motion made by Councillor P. Hubert and seconded by Councillor B. Polhill to Amend clause 16 by replacing Schedule "I" to the revised by-law appended thereto with the ~~attached~~ revised Schedule "I", which properly reflects the recommendations of the Public Safety Committee.

Further amend in section 2.1(e) of the revised by-law by deleting the words "Operate as a broker" and replacing them with the words "act as a Broker", for purposes of clarity.

Further amend throughout the by-law by deleting the word "license" and replacing it with the word "licence".

Motion Passed

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

RECUSED: D. Brown (1)

Pursuant to section 17.2 of the Council Procedure By-law, Councillor H.L. Usher calls for a separate vote on part (a) of clause 16.

Motion made by Councillor P. Hubert to Approve part (a) of clause 16.

Motion Passed

YEAS: J.F. Fontana, W.J. Armstrong, S. Orser, J.L. Baechler, N. Branscombe, P. Hubert, D.G. Henderson (7)

NAYS: B. Polhill, M. Brown, P. Van Meerbergen, H.L. Usher, S.E. White (5)

RECUSED: D. Brown (1)

The motion to adopt the remainder of clause 16 is put and Passed.

Motion Passed

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

NAYS: P. Van Meerbergen (1)

RECUSED: D. Brown (1)

Motion made by Councillor S. Orser and seconded by Councillor S.E. White, that Council recess.

Motion Passed

The Council recesses at 6:46 PM and reconvenes at 7:27 PM, with Mayor Fontana in the Chair and all Members present, except Councillors J.B. Swan, J.L. Baechler, D. Brown, H.L. Usher and J.P. Bryant.

1st Report of the Public Safety Committee, continued

Councillor Hubert presents.

Councillors J.L. Baechler, D. Brown and H.L. Usher enter the meeting at 7:29 PM.

1. Disclosure of Pecuniary Interest

Motion made by Councillor P. Hubert to Note that no pecuniary interests were disclosed.

Motion Passed

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

2. 5th Report of the Town and Gown Committee

Motion made by Councillor P. Hubert to Approve that the 5th Report of the Town and Gown Committee, from its meeting held on November 29, 2011, BE RECEIVED.

Motion Passed

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

3. 11th and 1st Reports of the Animal Welfare Advisory Committee

Motion made by Councillor P. Hubert to Approve that the 11th and 1st Reports of the Animal Welfare Advisory Committee, from their meetings held on November 22, 2011 and January 10, 2012, respectively, BE RECEIVED.

Motion Passed

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

4. Public Safety Committee Membership

Motion made by Councillor P. Hubert to Approve that the Municipal Council resolution, adopted at its meeting held on November 21, 2011, with respect to the membership of the Public Safety Committee BE RECEIVED.

Motion Passed

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

5. 2011 Northwestern Ontario Forest Fire Evacuations

Motion made by Councillor P. Hubert to Approve that the communication dated October 27, 2011, from A. J. Stuart, Assistant Deputy Minister and Chief, Emergency Management Ontario, Ministry of Community Safety and Correctional Services, with respect to the 2011 Northwestern Ontario Forest Fire Evacuations, BE RECEIVED.

Motion Passed

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

6. Development of a Preventative Anti-Graffiti Pilot Project in the Downtown

Motion made by Councillor W.J. Armstrong to Approve that, on the recommendation of the City Treasurer, Chief Financial Officer and Director of Building Controls, Chief Building Official, the following actions be taken with respect to the development of a preventative anti-graffiti pilot project in the downtown:

- a) Civic Administration BE DIRECTED to work with Downtown London to develop a preventative anti-graffiti pilot project in the downtown; and,

- b) the current by-law, which address graffiti, BE REVIEWED with a focus on differentiating between graffiti and “commissioned with permission” art murals.

Motion Passed

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

RECUSED: P. Hubert (1)

7. Snow Removal on Private Rental Property

Motion made Councillor S.E. White to Approve that the on the recommendation of the Director of Building Controls and Chief Building Official, the report dated January 24, 2012, with respect to snow removal on private rental property BE RECEIVED; it being noted that current Property Standards protocol is currently addressing snow removal on private rental property in an adequate manner.

Motion Passed

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

8. Vital Services By-law and Air Conditioning

Motion made by Councillor S.E. White to Approve that on the recommendation of the Director of Building Controls and Chief Building Official, the report dated January 24, 2012, with respect to Vital Services By-law and air conditioning BE RECEIVED.

Motion Passed

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

9. Vital Services By-law - Annual Caseload

Motion made by Councillor S.E. White to Approve that on the recommendation of the Director of Building Controls and Chief Building Official, the report dated January 24, 2012, with respect to the annual caseload of the Vital Services By-law BE RECEIVED.

Motion Passed

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

10. Noise By-law - Temporary Noise Permits - 2011

Motion made by Councillor S.E. White to Approve that on the recommendation of the Director of Building Controls and Chief Building Official, the report dated January 24, 2012, with respect to the 2011 temporary noise permits issued under the Noise By-law BE RECEIVED.

Motion Passed

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

11. Election of Vice Chair for the term ending November 30, 2012

Motion made by Councillor S.E. White to Note that Councillor P. Hubert BE ELECTED as the Public Safety Committee’s Vice Chair for the term ending November 30, 2012.

Motion Passed

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

12. Flag Pole Banners for Info-Tech

Motion made by Councillor S.E. White to Approve that the request from L. Mifsud, InfoTech, for an exemption under the Sign and Canopy By-law BE REFERRED to the Civic Administration for review and report back at the next meeting of the Public Safety Committee (PSC); it being noted that the PSC received a communication and a delegation from L. Mifsud, with respect to this matter.

Motion Passed

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

13. 8th Report of the Community Safety and Crime Prevention Advisory Committee

Motion made by Councillor S.E. White to Approve that on the recommendation of the Community Safety and Crime Prevention Advisory Committee (CSCP), the following actions be taken with respect to the 8th Report of the CSCP:

- a) the London Transit Commission (LTC) BE INVITED to a future meeting of the CSCP to provide an update on its role related to community safety initiatives that benefit the community, such as transit cameras and safety programs; and,
- b) clauses 2 to 8 of the 8th Report BE RECEIVED;

it being noted that the Public Safety Committee heard a delegation from L. Norman, Acting Chair, Community Safety and Crime Prevention Advisory Committee.

Motion Passed

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

Councillor J.B. Swan enters the meeting at 7:33 PM.

14. Compliance with Accessibility for Ontarians with Disabilities Act - Amendment to Taxicab By-law

Motion made by Councillor H.L. Usher to Approve that, on the recommendation of the Director of Buildings Controls, Chief Building Official and Licence Manager, the ~~attached~~ proposed by-law, BE INTRODUCED at the Council meeting of January 31, 2012, to amend By-law L.-126-256 (Taxi and Limousine Licencing By-law) to comply with the intent of the Accessibility for Ontarians with Disabilities Act;

it being noted that at the Public Participation Meeting, held in conjunction with this matter, received no submissions.

Motion made by Councillor W.J. Armstrong and seconded by Councillor J.L. Baechler to Amend clause 14 to add a new part (b) directing Civic Administration to further report with respect to accessible cabs, supply and demand, and expected additional regulations related to AODA.

Motion Passed

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

RECUSED: D. Brown (1)

The motion to adopt clause 14, as amended, is put and Passed.

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

RECUSED: D. Brown (1)

Clause 14, as amended, reads as follows:

That the following actions be taken with respect to compliance with *Accessibility for Ontarians with Disabilities Act* (AODA):

- (a) the ~~attached~~ proposed by-law **BE INTRODUCED** at the Council meeting of January 31, 2012, to amend By-law L.-126-256 (Taxi and Limousine Licencing By-law) to comply with the intent of the AODA; and,
- (b) the Civic Administration **BE DIRECTED** to further report with respect to accessible cabs, supply and demand, and expected additional regulations related to AODA;

it being noted that at the Public Participation Meeting, held in conjunction with this matter, no oral submissions were received; it being further noted that the Civic Administration will report back related to supply and demand issues associated with accessible taxis.

15. Committee Orientation

Motion made by Councillor P. Hubert to Approve that the Public Safety Committee (PSC) orientation BE DEFERRED to a future meeting.

Motion Passed

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

17. Expanding the Scope of Animal Welfare Initiatives - Short and Longterm Animal Shelter Solutions

Motion made by Councillor P. Hubert to Approve that, on the recommendation of the Director – Environmental Programs & Solid Waste, the following actions be taken with respect to expanding the scope of animal welfare initiatives:

- (a) the Civic Administration BE DIRECTED to focus its short term municipal animal shelter solutions (2 to 4 years) on smaller facilities with a focused attention on immediate needs such as:
 - increasing the number of spayed/neutered animals in particular cats
 - increasing locations to adopt animals
 - increasing the space to reunite more stray animals with their owners
 - increasing the space available for cats;
- (b) the Civic Administration BE DIRECTED to continue to examine the role of a large scale municipal animal shelter in both a local and regional context; it being noted that the Corporation of the City of London does not have capital funds set aside in 2012 or currently within the 10 year capital fund forecast;
- (c) the Civic Administration BE DIRECTED to no longer explore a 100% municipally owned animal shelter at this time; and,
- (d) the Civic Administration BE DIRECTED to include the final Council resolution and this Public Safety Committee report in the Request for Expression of Interest (REOI) for service providers interested and qualified to perform animal services activities, which will be released in the month of February 2012.

Pursuant to section 17.2 of the Council Procedure By-law, Councillor D. Brown calls for a separate vote on part (c) of clause 17.

Motion made by Councillor P. Hubert to Approve part (c) of clause 17.

Motion Passed

YEAS: J.F. Fontana, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, P. Van Meerbergen, H.L. Usher, S.E. White (9)

NAYS: B. Polhill, W.J. Armstrong, J.B. Swan, D.G. Henderson, D. Brown (5)

The motion to adopt the remainder of clause 17 is put and Passed.

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

18. Ban on Shark Fin Products

Motion made by Councillor P. Hubert to Approve that the ~~attached~~ proposed by-law (Appendix "A") BE INTRODUCED at the Municipal Council meeting on January 31, 2012 to prohibit the possession, purchase, sale, trade, distribution, consumption, or preparation for consumption of shark fins within the City of London.

Motion Passed

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

19. 475 McCormick Blvd - Property Standards Related Demolition

Motion made by Councillor P. Hubert to Approve that, on the recommendation of the Director of Buildings Controls and Chief Building Official, the ~~attached~~ proposed by-law, BE INTRODUCED at the Council meeting of January 31, 2012 to approve the demolition of the building at 475 McCormick Blvd., and leave the property in a graded and leveled condition.

Motion Passed

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

4th Report of the Finance and Administrative Services Committee

Councillor P. Hubert presents.

1. No pecuniary interests were disclosed.

Motion made by Councillor P. Hubert to Note that no pecuniary interests were disclosed.

Motion Passed

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

2. Due Diligence for Site Remediation

Motion made by Councillor P. Hubert to Approve that, on the recommendation of the Executive Director, Planning, Environmental and Engineering Services, the Business Planning Unit BE DIRECTED to investigate and develop a business case for the creation of a focused brownfield redevelopment function within the Corporation and report back to the Municipal Council for its information.

Motion Passed

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

3. Service London Progress Update

Motion made by Councillor P. Hubert to Approve that, on the recommendation of the City Manager, the following actions be taken with respect to the Service London initiative:

a) the report dated January 16, 2012, and the ~~attached~~ presentation from K. Graham,

Manager, Corporate Initiatives providing a progress update on the Service London initiative BE RECEIVED for information; it being noted that a three-year implementation plan will be brought forward in the Spring of 2012; and

- b) the Civic Administration BE DIRECTED to further explore the possibility of adopting the Business Number (BN), administered by the Canada Revenue Agency (CRA), as a unique nine-digit business identification number in dealing with businesses.

Motion Passed

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

4. Disclosure of Name and Address at Public Participation Meetings

Motion made by Councillor P. Hubert to Approve that, on the recommendation of the City Clerk, the City Clerk BE DIRECTED to undertake the necessary by-law and administrative changes to not require members of the public to provide their address at meetings held by the City of London in a public forum; it being noted that unless members of the public provide their address by means of a private form obtainable from the Civic Administration, they will not receive further correspondence on the matter they have spoken to.

Motion Passed

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

5. Organizational Review - Finance Department

Motion made by Councillor P. Hubert to Approve that, on the recommendation of the City Treasurer, Chief Financial Officer, the following actions be taken with respect to an organizational review of the Finance Department:

- a) Britta Winther Consulting BE ENGAGED to assist the City Treasurer, Chief Financial Officer with his review of the Finance Department, for a period of 6 – 8 months at a cost not to exceed \$50,000;
- b) the City Treasurer, Chief Financial Officer BE DIRECTED to report back to the Finance and Administrative Services Committee (FASC) with a work plan, which includes objectives; and
- c) the City Treasurer, Chief Financial Officer BE DIRECTED to report back to the FASC in six months with respect to the outcomes of the organizational review;

it being noted that funding will be accommodated from within the 2012 Operating Budget.

Pursuant to section 17.2 of the Council Procedure By-law, Councillor D.G. Henderson calls for a separate vote on part (a) of clause 5.

Motion made by Councillor P. Hubert to Approve clause 5(a).

Motion Passed

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

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

The motion to adopt the remainder of clause 5 is put and Passed.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L.

Usher, S.E. White (14)

6. Assessment Growth for 2012, Changes in Taxable Phase-In Values and Shifts in Taxation as a Result of the 2012 Changes in Taxable Phase-In Values

Motion made by Councillor P. Hubert to Approve that, on the recommendation of the City Treasurer, Chief Financial Officer, the report dated January 16, 2012 on assessment growth for 2012, changes in taxable phase-in values and shifts in taxation as a result of the 2012 changes in taxable phase-in values BE RECEIVED for information.

Motion Passed

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

7. Ontario Municipal Benchmarking Initiative (OMBI) - 2010 Performance Benchmarking Report

Motion made by Councillor P. Hubert to Approve that, on the recommendation of the City Treasurer, Chief Financial Officer, the report dated January 16, 2012 on the Ontario Municipal Benchmarking Initiative (OMBI) - 2010 Performance Benchmarking BE RECEIVED for information.

Motion Passed

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

8. RFP 11-37 Corporate Asset Management Process

Motion made by Councillor P. Hubert to Approve that, on the recommendation of the Managing Director of Corporate Assets, on the advice of the Division Manager, Corporate Asset Management, the following actions be taken with respect to the Corporate Assets Management Process:

- a) the Request for Proposal submission by CH2M HILL Canada Limited, 255 Consumers Road, Suite 300, Toronto, ON, M2J 5B6 BE ACCEPTED;
- b) the funding for Units 1, 2 and 3 of this project at their contract price for an accelerated process of \$170,863 BE APPROVED as set out in the Source of Financing Report appended to the staff report dated January 16, 2012 with respect to this matter;
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this purchase;
- d) approval hereby given BE CONDITIONAL upon the Corporation entering into a formal contract or having a purchase order, or contract record relating to the subject matter of this approval; and
- e) the funding for Units 4 to 7 of this project BE DEFERRED to the budget process.

Motion Passed

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

9. Summary of the Federation of Canadian Municipalities Board of Directors Meeting held on November 29-December 3, 2011 in Ottawa, Ontario

Motion made by P. Hubert to Approve that the communication dated December 16, 2011 from Councillor H.L. Usher and Councillor J.L. Baechler on the Federation of Canadian

Municipalities Board of Directors meeting held on November 29 - December 3, 2011 in Ottawa, Ontario BE RECEIVED.

Motion Passed

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

10. Confidential Matter

Motion made by Councillor P. Hubert to Note that the Finance and Administrative Services Committee met in camera from 1:10 PM to 1:34 PM with respect to a confidential matter pertaining to personal matters about identifiable individuals, including municipal employees, with respect to employment related matters, advice and recommendations of officers and employees of the Corporation concerning employee negotiations, litigation or potential litigation affecting the municipality and advice which is the subject of solicitor client privilege, including communications necessary for that purpose.

(See Confidential Appendix C-1.)

Motion Passed

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

11. City of London Information Technology Strategy

Motion made by Councillor P. Hubert to Approve that, on the recommendation of the Chief Technology Officer, with the concurrence of the City Manager, the report dated January 16, 2012 and the ~~attached~~ presentation on the City of London Information Technology Strategy BE RECEIVED for information; it being noted that the Finance and Administrative Services Committee heard a verbal delegation from the Chief Technology Officer with respect to this matter.

Motion Passed

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

12. Customer Service at London City Hall

Motion made by Councillor P. Hubert to Approve that the communication dated January 3, 2012, from Councillor P. Hubert, with respect to the provision of counter service on non-statutory days during the holiday season BE REFERRED to the Civic Administration for review and report back as to what counter services should be continued at City Hall on non-statutory days during the holiday season and the costs associated therewith.

Motion Passed

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

13. Cable Service to Businesses Southwest of Hyde Park Road and Fanshawe Park Road

Motion made by Councillor P. Hubert to Approve that the London Economic Development Corporation BE REQUESTED to liaise with Rogers Cable to seek the extension of Internet service to the businesses just southwest of Hyde Park Road and Fanshawe Park Road, as they are lacking much-needed access to cost efficient, quality Internet service to support their business operations; it being noted that there are a number of businesses without cable and DSL is allegedly not a viable alternative as the phone lines in the area are 40-50 years old and cannot handle the load, and the cost of satellite Internet is cost prohibitive.

Motion made by Councillor P. Hubert and seconded by Councillor J.L. Baechler to Amend clause 13 in the second line by removing the words "Rogers Cable" and inserting the words "cost effective cable service provider".

Motion Passed

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

The motion to adopt clause 13, as amended, is put and Passed.

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

Clause 13, as amended, reads as follows:

That the London Economic Development Corporation BE REQUESTED to liaise with a cost effective cable service provider to seek the extension of Internet service to the businesses just southwest of Hyde Park Road and Fanshawe Park Road, as they are lacking much-needed access to cost efficient, quality Internet service to support their business operations; it being noted that there are a number of businesses without cable and DSL is allegedly not a viable alternative as the phone lines in the area are 40-50 years old and cannot handle the load, and the cost of satellite Internet is cost prohibitive.

14. Council Procedure By-law - Reconsideration of Decided Matters of Council

Motion made by Councillor P. Hubert to Approve that the City Clerk BE REQUESTED to review and report back to the Finance and Administrative Services Committee with respect best practices regarding the period of time that must expire before a motion for reconsideration regarding a decided matter of Council is no longer required.

Motion Passed

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

15. City of London Indemnification By-law

Motion made by Councillor P. Hubert to Approve that the Indemnification By-laws of the City of London BE INTERPRETED to also apply to any investigations held in keeping with the Canada Evidence Act.

Motion Passed

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

2nd Report of the Civic Works Committee

Councillor H.L. Usher presents.

1. No pecuniary interests were disclosed.

Motion made by Councillor H.L. Usher to Note that no pecuniary interests are disclosed.

Motion Passed

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

2. 2nd Report of the Transportation Advisory Committee

Motion made by Councillor H.L. Usher to Approve that the 2nd Report of the Transportation Advisory Committee, from its meeting held on January 10, 2012, BE RECEIVED.

Motion Passed

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

3. Contract Award: Bradley Avenue/Jackson Road Pressure Reducing Valve (PRV) Chamber and Watermain Interconnection Project No. EW3606, Tender No. 11-103

Motion made by Councillor H.L. Usher to Approve that, on the recommendation of the Director of Water and City Engineer, the following actions be taken with respect to the contract award for the Bradley Avenue/Jackson Road Pressure Reducing Valve (PRV) Chamber and Watermain Interconnection:

- a) the bid submitted by 2001699 Ontario Inc. (AAR-CON Excavating), 10998 Longwoods Road, Delaware, Ontario, N0L 1E0, at its tendered price of \$452,201.67 (excluding H.S.T.), for the Bradley Avenue/Jackson Road PRV Chamber and Watermain Interconnection, BE ACCEPTED; it being noted that the bid submitted by 2001699 Ontario Inc. was the lowest of twelve (12) bids received and meets the City's specifications and requirements in all areas;
- b) AECOM Canada Ltd., 410-250 York Street, Citi Plaza, London, Ontario, N6A 6K2, BE AUTHORIZED to carry out the resident inspection and contract administration for the said project in accordance with the estimates, on file, at an upset amount of \$56,837.00 (excluding H.S.T.); it being noted that this firm completed the engineering design, based upon the Fee Guideline for Professional Engineering Services, recommended by the Ontario Society of Professional Engineers, and in accordance with Section 15.2 (g) of the City of London's Procurement of Goods and Services Policy;
- c) minor future additional annual operating costs of \$2,000.00 BE RECOGNIZED as a result of this project; it being noted that these costs are a result of new infrastructure installation and will be considered and accommodated within future water operating budgets;
- d) the financing for this project BE APPROVED as set out in the Sources of Financing Report provided as Appendix 'A' to the associated staff report, dated January 23, 2012;
- e) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project;
- f) the approval given herein BE CONDITIONAL upon the Corporation entering into a formal contract or issuing a purchase order for the material to be supplied and the work to be done relating to this project (Tender 11-103); and,
- g) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations.

Motion Passed

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

4. Veterans Memorial Parkway Community Program 2011 Summary and 2012 Planning Report

Motion made by Councillor H.L. Usher to Approve that the report dated January 23, 2012 from the Director of Land Use Planning and City Planner, outlining the 2011 Summary and 2012 Planning Report BE RECEIVED as per the requirements of the City's agreement with Landscape Ontario for the enhancement of the Veterans Memorial Parkway.

Motion Passed

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

5. Appointment of Consulting Engineer for Mud Creek Subwatershed Study Update

Motion made by Councillor H.L. Usher to Approve that, on the recommendation of the Director of Wastewater and Treatment, the following actions be taken with respect to the appointment of a consultant for the Mud Creek Subwatershed Study update:

- a) Delcan Corporation (Consultant) 1223 Michael Street, Suite 100, Ottawa, Ontario Canada, K1J 7T2 BE APPOINTED the consulting engineers for the Mud Creek Subwatershed Study update, in the amount of \$200,622.40 including contingency (excluding HST), in accordance with Section 15, Clause 15.2(g) of the Procurement of Goods and Services Policy;
- b) the financing for this project BE APPROVED as set out in the revised Sources of Financing Report provided in Stage V, Communications and Petitions;
- c) the consulting fees for the project identified in a), above, BE IN ACCORDANCE with the estimate on file, which are based upon the Fee Guideline for Professional Engineering Services, 2006, recommended by the Ontario Society of Professional Engineers;
- d) the approvals given herein BE CONDITIONAL upon the Corporation entering into a formal contract with the consultant for the work; and,
- e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations.

Motion Passed

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

6. Sanitary Servicing Agreement for North Park Community Church

Motion made by Councillor H.L. Usher to Approve that, on the recommendation of the Director of Wastewater and Treatment, the following actions be taken with respect to the sanitary servicing for the North Park Community Church, 1510 Fanshawe Park Road East, London, Ontario, N5X 4A3:

- a) the ~~attached~~ Servicing Agreement between the Corporation of The City of London and 1510 Fanshawe Park Road East for sanitary servicing for the North Park Community Church, BE APPROVED; and,
- b) the Mayor and the City Clerk BE AUTHORIZED to execute this Agreement or other documents, if required, to fulfill this Servicing Agreement.

Motion Passed

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

7. Rotating Drum Thickener (RDT) Purchase from Ocean Chemicals

Motion made by Councillor H.L. Usher to Approve that, on the recommendation of the Director of Wastewater and Treatment, the following actions be taken with respect to the purchase of a Rotating Drum Thickener (RDT) for the Greenway Wastewater Treatment Plant (Project ES 5164):

- a) the Civic Administration BE AUTHORIZED to enter into negotiations with Ocean Chemical Corporation, 268, Richmond Road, Oakville ON, L6H 3B5, for the single source purchase of one (1) Rotating Drum Thickener for the Greenway Wastewater

Treatment Plant for \$150,000 (excluding HST); it being noted that the Municipal Council's approval for this purchase was previously given in June 2011, but ownership of the RDT has since transferred to Ocean Chemical Corporation from Baycor Fibre Technologies Inc.;

- b) the financing for this purchase BE APPROVED as set out in the Sources of Financing Report provided as Appendix 'A' to the associated staff report, dated January 23, 2012;
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts necessary in connection with this purchase;
- d) the approval in a), above, BE CONDITIONAL upon the Corporation negotiating satisfactory prices, terms and conditions with Ocean Chemical Corporation to the satisfaction of the City Treasurer, Chief Financial Officer, and the Executive Director, Planning, Environmental and Engineering Services; and,
- e) the approval in a), above, ALSO BE CONDITIONAL upon the Corporation entering into a formal contract or issuing a purchase order related to this matter.

Motion Passed

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

8. Request to Allow the Use of JEB Project Support Services

Motion made by Councillor H.L. Usher to Approve that, on the recommendation of the Director of Wastewater and Treatment, the following actions be taken with respect to allowing the use of JEB Project Support Services on the Greenway expansion (ES 2685) and for future assignments:

- a) an increase in scope BE AUTHORIZED for JEB Project Support Services from providing project support during the road mapping exercise for the Greenway expansion, to include document preparation and consultant selection through the Expression of Interest (EOI) and Request for Proposals (RFP) processes. Fees related to this project for JEB Project Support Services will increase from \$8,500 to a maximum of \$13,500 (excluding H.S.T.);
- b) the financing for this assignment BE APPROVED as set out in the Sources of Financing Report provided as Appendix 'A' to the associated staff report, dated January 23, 2012; and,
- c) the City Engineer BE AUTHORIZED to approve further assignments for JEB Project Support Services within the limits defined in the Procurement of Goods and Services Policy.

Motion Passed

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

9. Stoney Creek Erosion Control Wetland Stormwater Management Facility Construction (ES2477)

Motion made by Councillor H.L. Usher to Approve that, on the recommendation of the Director of Wastewater and Treatment, the following actions be taken with respect to the Stoney Creek Erosion Control Wetland Stormwater Management Facility:

- a) the Mayor and the City Clerk BE AUTHORIZED to execute an updated agreement with Delcan Integrated Systems and Infrastructure Solutions (Consultant), 1223 Michael Street, Suite 100, Ottawa, Ontario, K1J 7T2, to increase the previously approved fees by \$49,175 for work associated with design changes resulting from unsuccessful negotiations with the adjacent landowner and by \$53,000 for work associated with Stoney Creek breach repairs (under extreme conditions) and mussels

relocation/rescue, as well as future monitoring cost in the total of \$102,175 (excluding HST), bringing the upset amount from \$652,000 to \$754,175 (excluding HST), for the said project in accordance with Section 15.2 (g) of the Procurement of Goods and Services Policy;

- b) the financing for this work BE APPROVED as set out in the Sources of Financing Report provided as Appendix 'A' to the associated staff report, dated January 23, 2012;
- c) the consulting fees for the project identified in a) above, BE IN ACCORDANCE with the estimate on file, which are based upon the Fee Guideline for Professional Engineering Services, 2006, recommended by the Ontario Society of Professional Engineers;
- d) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this work;
- e) the approvals given herein BE CONDITIONAL upon the Corporation entering into a formal contract with the consultant for the work; and,
- f) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations.

Motion Passed

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

10. Municipal Class Environmental Assessment Study for Pincombe Drain Storm/Drainage, Stormwater Management Servicing and Drain Restoration Works

Motion made by Councillor H.L. Usher to Approve that, on the recommendation of the Director of Wastewater and Treatment, the following actions be taken with respect to the Municipal Class Environmental Assessment (EA) Study Schedule "B" for Pincombe Drain Storm/Drainage, Stormwater Management Servicing and Drain Restoration Works:

- a) the Municipal Class EA Schedule "B" Study Report for the Pincombe Drain Storm/Drainage, Stormwater Management Servicing and Drain Restoration Works BE ACCEPTED in accordance with the Municipal Class EA process requirements; it being noted that the preferred servicing alternative of the EA Study identifies one on-line regional flood control SWM facility, five off-line regional SWM facilities, restoration/reclamation of approximately 500 lineal meters and channel stabilization of approximately 2600 lineal meters of the Pincombe Drain channel;
- b) the Mayor and the City Clerk BE AUTHORIZED to execute an updated agreement with Stantec Consulting Limited, 171 Queens Avenue, Suite 800, London, Ontario, N6A 5J7, to increase the previously-approved engineering fees by \$25,000 including contingency (excluding HST), bringing the upset amount from \$169,100 to \$194,100 (excluding HST), for the said project in accordance with Section 15.2 (g) of the Procurement of Goods and Services Policy;
- c) the financing for this work BE APPROVED as set out in the Sources of Financing Report provided as Appendix 'A' to the associated staff report, dated January 23, 2012;
- d) the consulting fees for the project identified in a) above, BE IN ACCORDANCE with the estimate on file, which are based upon the Fee Guideline for Professional Engineering Services, 2006, recommended by the Ontario Society of Professional Engineers;
- e) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this work;
- f) the approvals given herein BE CONDITIONAL upon the Corporation entering into a formal contract with the consultant for the work; and,
- g) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations.

Motion Passed

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

11. Appointment of Consulting Engineers Municipal Class Environmental Assessment for Stormwater/Drainage and Stormwater Management Servicing Works for Huron Industrial Park

Motion made by Councillor H.L. Usher to Approve that, on the recommendation of the Director of Wastewater and Treatment, the following actions be taken with respect to the Municipal Class Environmental Assessment for Storm/Drainage and Stormwater Management Servicing Works for Huron Industrial Park:

- a) the Mayor and the City Clerk BE AUTHORIZED to execute an updated agreement with Delcan Corporation, 1223 Michael Street, Suite 100, Ottawa, Ontario Canada, K1J 7T2, to increase the previously approved engineering fees by \$42,000 including contingency (excluding HST), bringing the upset amount from \$99,300 to \$141,300 (excluding HST), for the said project in accordance with Section 15.2 (g) of the Procurement of Goods and Services Policy;
- b) the financing for this work BE APPROVED as set out in the Sources of Financing Report provided as Appendix 'A' to the associated staff report, dated January 23, 2012;
- c) the consulting fees for the project identified in a) above, BE IN ACCORDANCE with the estimate on file, which are based upon the Fee Guideline for Professional Engineering Services, 2006, recommended by the Ontario Society of Professional Engineers;
- d) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this work;
- e) the approvals given herein BE CONDITIONAL upon the Corporation entering into a formal contract with the consultant for the work; and,
- f) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations;

it being noted that the Civic Works Committee received the attached map with respect to this matter.

Motion Passed

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

12. Orientation

Motion made by Councillor H.L. Usher to Note that the verbal delegation from the City Clerk, with respect to committee orientation BE RECEIVED.

Motion Passed

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

13. 1st Report of the LTC Long Term Growth Report Working Group

Motion made by Councillor H.L. Usher to Approve that, on the recommendation of the LTC Long Term Growth Report Working Group (LTCWG), the following actions be taken with respect to the attached presentation from Professor J. Casello, School of Planning, Department of Civil and Environmental Engineering, University of Waterloo, with respect to the positive economic impacts from transit investment in London:

- a) the Civic Administration BE ASKED to report back to the Civic Works Committee with respect to the following:

- i) identifying the "true" cost of owning/operating a car;
 - ii) identifying the "true (inclusive cost of transportation - economic, environmental, etc.;
 - iii) the options of doing nothing or remaining status quo with respect to the Transportation Master Plan; and,
 - iv) identifying the cost of both alternatives and translating them into property tax costs;
- b) the London Transit Commission (LTC) BE ASKED to determine if a utility model could be undertaken, such as the parking authority;
 - c) Professor Casello's presentation BE FORWARDED to the Civic Administration and the Municipal Council, and be placed on the City of London website; and,
 - d) clauses 2 through 5, inclusive, of the 1st Report of the LTCWG, from its meeting held on December 7, 2011, BE RECEIVED AND NOTED.

Motion Passed

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

RECUSED: D. Brown (1)

3rd Report of the Planning and Environment Committee

Councillor B. Polhill presents.

1. Disclosures of Pecuniary Interest

Motion made by Councillor B. Polhill to Note that Councillor Polhill disclosed a pecuniary interest in clause 8 of this Report, relating to the property located at 10 Cummings Avenue, by indicating that his son is a member of the Committee of Adjustment and that Councillor Henderson disclosed a pecuniary interest in clause 19 of this Report, relating to the property located at 550 Kingsway Avenue and 572 Wonderland Road North, by indicating that he has an office at Kingsway Avenue.

Motion Passed

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

2. 1st Report of the Advisory Committee on the Environment

Motion made by Councillor B. Polhill to Approve that, the following actions be taken with respect to the 1st Report of the Advisory Committee on the Environment from its meeting held on December 14, 2011:

- a) the Civic Administration BE REQUESTED to prepare an information report for the Civic Works Committee to identify new ways of encouraging the community to disconnect weeping tiles and rain water connections from the sanitary sewer system, including, but not limited to:
 - i) increased educational promotion; and,
 - ii) a service charge for any connections to the sanitary sewer system, commencing in 2013; and,
- b) that clauses 2 through 9, inclusive, BE RECEIVED.

Motion Passed

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

3. 1st Report of the Environmental and Ecological Planning Advisory Committee

Motion made by Councillor B. Polhill to Approve that the 1st Report of the Environmental and Ecological Planning Advisory Committee, from its meeting held on December 15, 2011, BE NOTED.

Motion Passed

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

4. Development Activity Update

Motion made by Councillor B. Polhill to Approve that, on the recommendation of the Executive Director, Planning, Environmental and Engineering Services, the report dated January 16, 2012 with respect to the Development Activity Update and the 2011 Development Charges Growth Projects Summary, BE RECEIVED for information; it being noted that the Planning and Environment Committee reviewed and received a communication dated January 13, 2012 from J. Kennedy, London Development Institute, with respect to this matter.

Motion Passed

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

5. Special Provisions - Sunningdale Meadows Subdivision (39T-10502)

Motion made by Councillor B. Polhill to Approve that, on the recommendation of the Director, Development Planning and the Managing Director, Development Approvals Business Unit, the following actions be taken with respect to entering into a subdivision agreement between The Corporation of the City of London and Sunningdale Golf & Country Club Ltd., Corlon Properties Inc. and 160 Sunningdale Road West Ltd., for the subdivisions of land, over Part of Lots 16 and 32, Registrar's Compiled Plan 1028 and Part of Lots 41 and 48, Registrar's Compiled Plan 1029, (Geographic Township of London), City of London, County of Middlesex:

- a) the ~~attached~~, revised, Special Provisions to be contained in a Subdivision Agreement between The Corporation of the City of London and Sunningdale Golf & Country Club Ltd., Corlon Properties Inc. and 160 Sunningdale Road West Ltd., for the subdivisions of land for the Sunningdale Meadows Subdivision (39T-10502) BE APPROVED;
- b) the financing for the project BE APPROVED in accordance with the "Sources of Financing Report" provided as Appendix 'A' to the associated staff report, dated January 16, 2012;
- c) the Mayor and the City Clerk BE AUTHORIZED to execute the subject Subdivision Agreement, any amending agreements and all documents required to fulfill its conditions; and,
- d) the financing for the project BE APPROVED in accordance with the "Estimated Claims and Revenues Report" provided as Appendix 'B' to the associated staff report, dated January 16, 2012.

Motion Passed

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

6. Property located at 1390 Highbury Avenue North (H-7997)

Motion made by Councillor B. Polhill to Approve that, on the recommendation of the Director, Development Planning and the Managing Director, Development Approvals Business Unit, based on the application by Cornerstone Architecture relating to the property located 1390 Highbury Avenue North, the ~~attached~~ proposed by-law BE INTRODUCED at the Municipal

Council meeting to be held on January 31, 2012 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a Holding Residential R7 Special Provision (h-2*h-103*R7(14)*D75*H13) Zone TO a Residential R7 Special Provision (R7(14)*D75*H13) Zone to remove the holding provision.

Motion Passed

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

7. The Southern Portion of 1270 Sunningdale Road East (Phase I - 33M-631) (H-7987)

Motion made by Councillor B. Polhill to Approve that, on the recommendation of the Director, Development Planning and the Managing Director, Development Approvals Business Unit, based on the application by Sifton Properties Limited relating to the property located on the southern portion of 1270 Sunningdale Road East (33M-631), the ~~attached~~ proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on January 31, 2012 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a Holding Residential R1 (h-96*R1-3) Zone and a Holding Residential R1 (h-96*R1-5) Zone TO a Residential R1 (R1-3) Zone and a Residential R1 (R1-5) Zone to remove the holding provision.

Motion Passed

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

8. Property located at 10 Cummings Avenue

Motion made by Councillor S.E. White to Approve that, on the recommendation of the Director, Land Use Planning and City Planner, in response to the letter of appeal to the Ontario Municipal Board submitted by Erika Simpson, relating to minor variance application A.117/11 concerning 10 Cummings Avenue, the following actions be taken:

- a) the Ontario Municipal Board BE ADVISED that the Municipal Council supports the Committee of Adjustment decision to refuse the minor variance; and,
- b) the City Solicitor and the Director of Land Use Planning and City Planner BE DIRECTED to provide legal and planning representation at the Ontario Municipal Board Hearing to support the Committee of Adjustment's decision.

Motion Passed

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

RECUSED: B. Polhill

9. London Psychiatric Hospital Secondary Plan - Notice of Appeal to the Ontario Municipal Board (O-7668)

Motion made by Councillor B. Polhill to Approve that, on the recommendation of the Director, Land Use Planning and City Planner, in response to the letter of appeal to the Ontario Municipal Board, dated November 1, 2011 and received by the City Clerk on November 3, 2011, submitted by Robert Malpass, President of the Fairmont Lawn Bowling Club, on behalf of the Fairmont Lawn Bowling Club, relating to Official Plan Application No. O-7668 concerning the London Psychiatric Hospital Secondary Plan described as 840 and 850 Highbury Avenue North and 1414 and 1340 Dundas Street and lands without municipal address east of 850 Highbury Avenue North and bounded by the Canadian Pacific and Canadian National Railways, the Ontario Municipal Board BE ADVISED that the Municipal Council has reviewed its decision relating to this matter and sees no reason to alter it.

Motion Passed

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

10. Building Division Monthly Report for November 2011

Motion made by Councillor B. Polhill to Approve that the Building Division Monthly Report for December, 2011 from the Director of Building Controls BE RECEIVED.

Motion Passed

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

11. 1st Report of the London Advisory Committee on Heritage

Motion made by Councillor B. Polhill to Approve that the following actions be taken with respect to the 1st Report of the London Advisory Committee on Heritage (LACH), from its meeting held on December 14, 2011:

- a) the Heritage Alteration Permit Application of J. Deluca requesting permission for an alteration to the driveway at the designated heritage property located at 559 Grosvenor Street BE APPROVED; it being noted that the Heritage Planner has reviewed the proposed change and has advised that the impact of such alteration on the heritage features of the property identified in the reasons for designation is appropriate with respect to the Conservation Guidelines for the District; it being also noted that the LACH heard a verbal presentation from J. Deluca, 559 Grosvenor Street, with respect to this matter;
- b) the Civic Administration BE ASKED to undertake the following, with respect to demolition applications for heritage properties listed in the Inventory of Heritage Resources:
 - i) implement the same administrative process that is used for minor variances applications, which is to send notification letters to adjacent property owners within a 60 metre radius; and,
 - ii) receive a legal opinion related to the requirement to notify neighbourhood community associations of demolition applications;

it being noted that the LACH received a communication, dated December 13, 2011, from M. Parks, Bishop Hellmuth Community Association, with respect to this matter; and,

- c) that clauses 3 through 15, inclusive, BE RECEIVED;

it being noted that the Planning and Environment Committee heard a verbal delegation from J. O'Neil, Acting Chair, LACH, with respect to these matters.

Motion Passed

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

12. Residential Intensification Policies (O-7970)

Motion made by Councillor B. Polhill to Approve that, notwithstanding the recommendation of the Director, Land Use Planning and City Planner, the following actions be taken with respect to the application of the City of London relating to Section 3.2.3.1 "Residential Intensification Definition" and Section 3.2.3.5 "Public Site Plan Review and Urban Design" of the Official Plan:

- a) the proposed policy relating to Section 3.2.3.1 "Residential Intensification Definition" and Section 3.2.3.5 "Public Site Plan Review and Urban Design" of the Official Plan BE REFERRED back to the Civic Administration for further consideration;
- b) the communication, dated January 4, 2012, from S. Levin, President, Orchard

Park/Sherwood Forest Ratepayers BE REFERRED to the Civic Administration for consideration;

- c) the Civic Administration BE REQUESTED to provide clarification of the language in the proposed Official Plan Policies; and,
- d) the Civic Administration BE REQUESTED to review the intensification policies of the Official Plan;

it being noted that the Planning and Environment Committee reviewed and received a communication, dated January 13, 2012 from L. Kirkness, Acting President, London Area 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:

- L. Kirkness, Acting Chair, London Area Planning Consultants (LAPC) – advising that LAPC had input in the Vision '96 process; indicating that they resumed meeting last Fall; requesting that the staff recommendation be referred back to allow the LAPC more time to work with staff on this matter; advising that there are a number of issues to be addressed; realizing that intensification and infill are important, but there may be another way to get there; indicating that LAPC agrees with the part 1, and part of part 3, of the amendment in the staff report; indicating that part 2 of the amendment in the staff report cuts it way too short, by indicating that the site plan review and any studies are formidable and that it undermines opportunities to infill and intensify; advising that part of amendment number 3, is sometimes done without public site plans; and reciting parts (a) and (b) of the LAPC communication on the Planning and Environment, January 16, 2012 Agenda.
- M. Doornbosch, Zelinka Priamo Ltd. – requesting that this be reviewed with specific applications; advising that she has one client who has several single-family residential properties that have been demolished and a duplex has been built in their place, with the only requirement from the City, being a building permit; advising that her biggest concern is looking at a broader review of policies for lands with existing zoning; and requesting that this matter be referred back to the Civic Administration.
- J. Kennedy, London Development Institute – indicating that he is speaking on behalf of home builders; requesting clarification of rezoning and changes to notices on page 5 of the Civic Administration's report relating to this matter; advising that on the bottom of page 5 of the Civic Administration's report, that they are not going through the process the same as would be required for an Official Plan Amendment and site plan approval process; indicating that the Municipal Council now meets every three weeks, so things take longer; and requesting that the report be referred back to the Civic Administration.
- A. R. Patton, Patton Cormier & Associates – advising that there is a major inconsistency in section 3.2.3.1, in italics, on the top of page 120 of the January 16, 2012 Planning and Environment Committee Agenda; indicating that infill is caught by this process; advising that it does not apply to semi-detached and duplex dwellings; advising that areas not fully developed are not going to be included; indicating that this is counterproductive; advising that the policy makes it more difficult and time consuming; advising that the language is dangerous; and the wording needs to be road tested.
- A. Kaplansky, Kapland Construction – indicating that Planning Staff is asking for clarification and making things harder; advising that this will increase costs by at least \$10,000; and it will make it impossible to do a development in London.
- R. Zelinka, Zelinka Priamo Ltd. – indicating that this is an important issue; advising that the policy discourages small scale intensification; advising that the policies, as proposed, are discriminatory and unfair and held to a different standard of accountability; advising that if you change infill with a new lot created, it is an extensive process; advising that the owner next door could replace his house; the process entails a waste of valuable resources and Planning and Environment Committee time; indicating that every building permit application process would be the same as inviting your neighbours to see what you want to do; advising that it is more onerous; indicating that the definition is consistent with the Provincial Policy Statement; however, the Provincial Policy Statement does not indicate that a public process has to be gone through; advising that the City has its own policy, and some things are exempted from the process; and if it is to be reviewed, examine how to make infill more involved.

Motion made by Councillor B. Polhill and seconded by Councillor S.E. White to Amend clause 12 in the first line by deleting the word "notwithstanding" and replacing it with the word "on" and to further Amend at the end of part (a) by deleting the word "consideration" and replacing it with the words "refinement arising from consultation with development and neighbourhood

stakeholders”.

Motion Passed

The motion to adopt clause 12, as amended, is put and Passed.

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

Clause 12, as amended, reads as follows:

That, on the recommendation of the Director, Land Use Planning and City Planner, the following actions be taken with respect to the application of the City of London relating to Section 3.2.3.1 “Residential Intensification Definition” and Section 3.2.3.5 “Public Site Plan Review and Urban Design” of the Official Plan:

- a) the proposed policy relating to Section 3.2.3.1 “Residential Intensification Definition” and Section 3.2.3.5 “Public Site Plan Review and Urban Design” of the Official Plan BE REFERRED back to the Civic Administration for further refinement arising from consultation with development and neighbourhood stakeholders;
- b) the communication, dated January 4, 2012, from S. Levin, President, Orchard Park/Sherwood Forest Ratepayers BE REFERRED to the Civic Administration for consideration;
- c) the Civic Administration BE REQUESTED to provide clarification of the language in the proposed Official Plan Policies; and,
- d) the Civic Administration BE REQUESTED to review the intensification policies of the Official Plan;

it being noted that the Planning and Environment Committee reviewed and received a communication, dated January 13, 2012 from L. Kirkness, Acting President, London Area 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:

- L. Kirkness, Acting Chair, London Area Planning Consultants (LAPC) – advising that LAPC had input in the Vision ‘96 process; indicating that they resumed meeting last Fall; requesting that the staff recommendation be referred back to allow the LAPC more time to work with staff on this matter; advising that there are a number of issues to be addressed; realizing that intensification and infill are important, but there may be another way to get there; indicating that LAPC agrees with the part 1, and part of part 3, of the amendment in the staff report; indicating that part 2 of the amendment in the staff report cuts it way too short, by indicating that the site plan review and any studies are formidable and that it undermines opportunities to infill and intensify; advising that part of amendment number 3, is sometimes done without public site plans; and reciting parts (a) and (b) of the LAPC communication on the Planning and Environment, January 16, 2012 Agenda.
- M. Doornbosch, Zelinka Priamo Ltd. – requesting that this be reviewed with specific applications; advising that she has one client who has several single-family residential properties that have been demolished and a duplex has been built in their place, with the only requirement from the City, being a building permit; advising that her biggest concern is looking at a broader review of policies for lands with existing zoning; and requesting that this matter be referred back to the Civic Administration.
- J. Kennedy, London Development Institute – indicating that he is speaking on behalf of home builders; requesting clarification of rezoning and changes to notices on page 5 of the Civic Administration’s report relating to this matter; advising that on the bottom of page 5 of the Civic Administration’s report, that they are not going through the process the same as would be required for an Official Plan Amendment and site plan approval process; indicating that the Municipal Council now meets every three weeks, so things take longer; and requesting that the report be referred back to the Civic Administration.
- A. R. Patton, Patton Cormier & Associates – advising that there is a major inconsistency in section 3.2.3.1, in italics, on the top of page 120 of the January 16, 2012 Planning and Environment Committee Agenda; indicating that infill is caught by this process; advising that it does not apply to semi-detached and duplex dwellings; advising that areas not fully

developed are not going to be included; indicating that this is counterproductive; advising that the policy makes it more difficult and time consuming; advising that the language is dangerous; and the wording needs to be road tested.

- A. Kaplansky, Kapland Construction – indicating that Planning Staff is asking for clarification and making things harder; advising that this will increase costs by at least \$10,000; and it will make it impossible to do a development in London.
- R. Zelinka, Zelinka Priamo Ltd. – indicating that this is an important issue; advising that the policy discourages small scale intensification; advising that the policies, as proposed, are discriminatory and unfair and held to a different standard of accountability; advising that if you change infill with a new lot created, it is an extensive process; advising that the owner next door could replace his house; the process entails a waste of valuable resources and Planning and Environment Committee time; indicating that every building permit application process would be the same as inviting your neighbours to see what you want to do; advising that it is more onerous; indicating that the definition is consistent with the Provincial Policy Statement; however, the Provincial Policy Statement does not indicate that a public process has to be gone through; advising that the City has its own policy, and some things are exempted from the process; and if it is to be reviewed, examine how to make infill more involved.

13. Street Renaming of Innovation Gate between Bradley Avenue and Discovery Drive

Motion made by Councillor B. Polhill to Approve that, on the recommendation of the Director of Development Planning, and notwithstanding the Municipal Council policy on street renaming after businesses, the following actions be taken with respect to the application by The Corporation of the City of London for a street renaming:

- a) the portion of Innovation Gate, within Registered Plan 33M-627, located between Bradley Avenue and Discovery Drive, BE RENAMED to Oetker Gate; and,
- b) on approval of the street name change, the City Clerk BE REQUESTED to introduce a by-law, at a future meeting of the Municipal Council, to rename Innovation Gate within Registered Plan 33M-627, located between Bradley Avenue and Discovery Drive, to Oetker Gate;

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, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, S.E. White (14)

14. 1959 Wharncliffe Road South (Z-7983)

Motion made by Councillor B. Polhill to Approve that, on the recommendation of the Director of Development Planning and the Managing Director, Development Approvals Business Unit, based on the the application of 1640209 Ontario Limited relating to the lands located at 1959 Wharncliffe Road South, the ~~attached~~ proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on January 31, 2012 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a Holding Residential R1 (h*R1-4) Zone and an Urban Reserve (UR4) Zone TO:

- an Urban Reserve (UR4) Zone, which permits a range of uses including existing dwellings, restricted agricultural uses, managed woodlots and kennels; and,
- a Holding Residential R1 (h*R1-4) Zone, which permits single detached dwellings with a minimum lot frontage of 12 metres and a minimum lot area of 360 square metres.

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, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, S.E. White (14)

15. Reclassification of Environmentally Significant Areas (O-7958)

Motion made by Councillor B. Polhill to Approve that, on the recommendation of the Director, Land Use Planning and City Planner, based on the application of the City of London relating to policies for Environmentally Significant Areas, the ~~attached~~ proposed by-law, BE INTRODUCED at the Municipal Council meeting to be held on January 31, 2012 to amend the Official Plan by changing Section 16 and Section 18 to re-classify Environmentally Significant Areas as a new and separate category within the park hierarchy system and delete the requirement for Conservation Master Plans, to be consistent with the Bicycle Master Plan;

it being noted that the Planning and Environment Committee reviewed and received the following communications, in support of the staff report:

- S. Levin, President, Orchard Park/Sherwood Forest Ratepayers, dated January 4, 2012;
- A. Caveney, Nature London, dated January 2, 2012; and,
- D. Wake, 597 Kildare Road, dated January 16, 2012;

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

- D. Sheppard, Chair, Environmental and Ecological Planning Advisory Committee (EEPAC) – expressing support for the staff recommendation; advising that the proposed changes highlight why environmentally significant areas were created; indicating that the policies are straight-forward and easy to understand; and expressing appreciation to the Civic Administration for working with the EEPAC and the community on this matter.
- A. Caveney, Nature London - expressing support for the staff recommendation; thanking the Civic Administration for working with Nature London; advising that environmentally significant areas are special and should be regarded as nature preserves.
- D. Wake, 597 Kildare Road - expressing support for the staff recommendation; thanking the Civic Administration and the EEPAC for working with the community; and advising that he has been working in natural areas for forty years.
- J. Cushing, Member, London Advisory Committee on Heritage (LACH) - expressing support for the staff recommendation, the EEPAC and Nature London comments; and advising that part of the LACH mandate is to look after natural heritage, which includes environmentally significant areas.

Motion Passed

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

NAYS: D.G. Henderson (1)

Pursuant to section 17.2 of the Council Procedure By-law, Councillor S. Orser calls for a separate vote on clause 16.

16. Market Lane Design Competition - Winning Design Announcement

Motion made by Councillor B. Polhill to Approve that, on the recommendation of the Director, Land Use Planning and City Planner, the following actions be taken regarding the endorsement of the Design Jury's recommendation for the Market Lane Design Competition:

- a) the report, dated January 5, 2012, from the Director, Land Use Planning and City Planner, BE RECEIVED for information, regarding the design competition process and next steps for the Market Lane redevelopment project;
- b) the winning design, as submitted by Hapa Collaborative, as selected by the independent Design Jury, BE ENDORSED for the redevelopment of Market Lane in 2012;
- c) Hapa Collaborative, the HiVE, 210 - 128 West Hastings Street, Vancouver BC V6B 1G8, BE AWARDED a contract with the City of London to prepare construction and tender documents and provide contract administration for the realization of their design, at an upset cost of \$75,000, as set out in the Source of Financing Report, provided as Appendix "A" to the associated staff report, dated January 16, 2012; and,

- d) the four other design competition competitors BE THANKED for their time and effort in making their submissions to the City;

it being noted that the Planning and Environment Committee heard a verbal presentation from A. Macpherson, Manager, Parks Planning and Design and received the ~~attached~~ presentation from S. Reis, Chair, Design Jury, with respect to this matter.

At 8:32 PM, the Mayor places Councillor P. Hubert in the Chair, and takes a seat at the Council Board.

At 8:39 PM, the Mayor resumes the Chair, and Councillor P. Hubert takes his seat at the Council Board.

The motion to adopt clause 16 is put.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, J.L. Baechler, P. Hubert, H.L. Usher, S.E. White (8)

NAYS: S. Orser, N. Branscombe, M. Brown, D.G. Henderson, P. Van Meerbergen, D. Brown (6)

17. Decommissioning the South Street Hospital

Motion made by Councillor B. Polhill to Approve that, the following actions be taken with respect to the decommissioning of the South Street Hospital:

- a) that, on the recommendation of the Director, Land Use Planning and City Planner, with the advice of the Heritage Planner, the following actions be taken with respect to the five listed properties and three additional properties identified as having heritage value by a recent heritage assessment, located on the lands of the South Street campus of the London Health Sciences Centre (LHSC):
- i) for the buildings located on the south side of South Street:
- A) the LHSC and the Chief Building Official BE ADVISED that the Municipal Council has no concerns with respect to the demolition of the Main Hospital Building, the Pastoral Care Building, the Isolation Building and the Surgical Building;
 - B) prior to the demolition of the north wing of the Main Hospital Building, as well as the Surgical Building, the Isolation Building and the Pastoral Care Building, the buildings BE DOCUMENTED, including complete photographic documentation of the building's older features, and, where possible, measured drawings be prepared of the original layout, as can be discerned, where such drawings do not exist;
 - C) the main entrance and façade, including the limestone materials of the art deco main entrance feature of the north wing of the Main Building, BE RETAINED AND BE REUSED in a future building to be constructed on the site;
 - D) NO ACTION BE TAKEN regarding the demolition of the Colborne Building at this time; it being noted that the demolition and clearance of the lands on the south side of South Street will be undertaken beginning in 2012 into 2013, and the retention of this building will not preclude the clearance of the remainder of the lands;
 - E) the Colborne Building BE PROTECTED until the feasibility of restoring the building can be adequately assessed through a request for proposal process; using a least-cost approach, this protection is to be accomplished by:
 - I) making the building secure, including the installation of a security system;
 - II) undertaking all necessary repairs to prevent water infiltration and to provide adequate heat and ventilation;

- III) retaining the original doors, door and window surrounds, and fire protection equipment; and,
 - IV) removing hazardous materials, as part of the larger site remediation process, in a manner that would not preclude the adaptive re-use of the building;
- ii) for the buildings located on the north side of South Street:
- A) NO ACTION BE TAKEN regarding the demolition of the War Memorial Children's Hospital at this time, noting that the London Health Sciences Centre will not be vacating the remainder of the lands on the north side of South Street until after 2014;
 - B) using a least-cost approach, the War Memorial Children's Hospital BE PROTECTED in the interim by:
 - I) making the building secure, including the installation of a security system;
 - II) undertaking all necessary repairs to prevent water infiltration and to provide adequate heat and ventilation;
 - III) retaining any original significant features, including the sunrooms; and,
 - IV) removing hazardous materials, as part of the larger site remediation process, in a manner that would not preclude the adaptive re-use of the building;
 - C) the LHSC and the Chief Building Official BE ADVISED that Municipal Council has no objection to the demolition of the c. 1950's addition to the War Memorial Children's Hospital;
 - D) a source of financing BE IDENTIFIED to undertake a Heritage Building Conservation Assessment in 2012 or 2013 of the Nurse's Residence and Medical School Buildings, prior to any recommendation on the future use or retention of these buildings; it being noted that no action is required at this time for the buildings located on the north side of South Street, as the London Health Sciences centre will be continuing its use of these buildings for up to two more years; and,
 - E) NO ACTION BE TAKEN at this time, regarding the demolition of the Nurse's Residence or Medical School Building, noting that these buildings are still occupied by LHSC, and will be vacated over the next two years.
- iii) the LHSC BE REQUESTED to establish and contribute to the City, an amount equal to the demolition and site remediation costs that would have otherwise been spent for the Colborne building, to be used for mothballing the building (including removing hazardous materials) and, if preservation is found to be infeasible, the subsequent demolition of the buildings;
- iv) the Civic Administration BE DIRECTED to identify a source of financing for mothballing the Colborne Building and War Memorial Children's Hospital Building; and,
- v) as part of the future redevelopment of the South Street lands, opportunities for interpretation, such as a park, interpretive signage, commemorative works of art, or landscape features, such as walls or pathways, BE DEVELOPED as a means of commemorating the history and importance of the hospital, and that, where feasible, materials salvaged from the site be incorporated into the project;
- b) on the recommendation of the City Solicitor's office, the following actions be taken with respect to LHSC South Street Campus lands:
- i) the reports of Allan Avis, B.Arch., OAA, MRAIC, CAHP concerning the War Memorial Children's Hospital (Building No. 52) and the Colborne building (Building No. 67) BE RECEIVED for information; and,

- ii) upon completion of the 2012 budget process, a source of financing BE IDENTIFIED by the City Treasurer, in an amount estimated to be up to \$2,500,000, to contribute to the overall cost of Phase A decommissioning work to be carried out by LHSC on City lands located south of South Street in late 2012 and 2013;
- c) the Civic Administration BE REQUESTED to report to the Finance and Administrative Services Committee on minimizing the mothballing costs of the Colborne Building and War Memorial Children's Hospital building;

it being noted that the Planning and Environment Committee heard verbal presentations from J. M. Fleming, Director of Land Use Planning and City Planner, D. Menard, Heritage Planner and received the attached presentation from G. Belch, Corporation Counsel and a verbal presentation, including photographs, demonstrating the information provided below from A. Avis, Allan Avis Architects Inc., with respect to this matter:

Children's War Memorial Hospital:

- the south wing was built in 1922;
- the north wing was built in 1945;
- the building is built entirely of brick;
- the building has approximately 220 windows;
- there is approximately 20,000 square feet of brick exterior;
- Indiana limestone was used in the design;
- in 1978, a rooftop addition was added as a recreation area;
- the parapet below the rooftop addition has crude mortar joints;
- the stone elements are in good condition;
- the brick is questionable in some areas;
- the metal bands are painted, galvanized metal;
- advising that they removed the brick in some areas and the mortar is still in good condition;
- advising that the mortar and brick needs to be addressed in short-order or this will create more problems;
- the parapets are major structural components;
- there are single-hung windows with mutton bars;
- there is evidence of rot;
- advising that there was discussion of turning this building into affordable housing units as an adaptive re-use, but the windows would all need to be replaced;
- there are wide corridors inside the building;
- the rooms are approximately 15 feet; and,
- there is a sun-room at each end of the building.

Colborne Building:

- the building was built in 1899, with additions added in 1922 and c1920;
- this building has similar cornices and a hip roof;
- the building is 260 feet in length;
- there are approximately 156 door and window openings;
- there are areas of severe brick deterioration; however, in other areas, the bricks are in reasonable condition;
- advising that the steel lintels are causing problems with the stone work as it expands;
- the detailed metal cornices are painted;
- at the north end of the building, the roof is slate;
- at the south end of the building, the roof is asphalt;
- advising that the roof is in rough condition; and,
- advising that the corridors are 7 to 8 feet wide, with the rooms remaining 15 feet wide;

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

- M. Woodward, 142 Waterloo Street – advising that a survey of the members of the SoHo Executive expressed overwhelming support of Civic Administration's Option #2.
- S. Bellyk, 304 South Street – advising that the art-deco portion of the wing is quite solid and is a prime candidate for renovation; advising that the art-deco is more solid than his house, which is 105 years old; and enquiring as to what the negatives to this are.

- D. McBurney, #4 – 466 South Street – expressing appreciation to everyone who worked on this initiative; and expressing support for Civic Administration’s Option #2, which is the most flexible option.
- J. Hodder, Architectural Conservancy of Ontario, London Branch – enquiring as to the maximum length of time for mothballing and how long can the two buildings be held before they are demolished.
- G. Ecker, 181 Grey Street – indicating that the staff report is straight-forward; expressing concern with the verbage about this being a “new” neighbourhood when the SoHo area is trying to pull together as a community; and advising that he would rather see the wording amended to read as an “enhancement” to the neighbourhood.
- J. O’Neil, Vice-Chair, London Advisory Committee on Heritage – advising that the original reason that the hospital is located here is because this is where the Irish and Black community lived; indicating that it was the first building for the dead and dying; advising that if you give it 10 to 15 years, it is going to be the #1 place in the city to live; expressing support for the staff recommendation; advising that this is the first place that radiation was effectively used to combat cancer in the world; expressing surprise for the recommendation to save the 1945 addition, as the builders had to cut corners with the war going on; suggesting that the Civic Administration further review this and consider saving the 1922 portion of the building; advising that the Colborne Building was the first children’s hospital in Southwestern Ontario; and indicating that if you cover the roof in solar panels you may be eligible for a government grant; suggesting that the building be used as an adaptive reuse so that you can put in what you want; indicating that the street level view is considered with new buildings in Old East being 2 or 3-storeys; and advising that the windows don’t have to be wood, but can be a material that looks like wood.

Motion Passed

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

NAYS: D.G. Henderson (1)

18. Property located at 1961 Cedarhollow Boulevard (Z-7979)

Motion made by Councillor B. Polhill to Approve that, on the recommendation of the Director, Land Use Planning and City Planner, based on the application of Cedarhollow Developments relating to the property located at 1961 Cedarhollow Boulevard, the ~~attached~~ proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on January 31, 2012 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a Convenience Commercial (CC6) Zone, which permits convenience service uses TO a Residential R5/Residential R6/Residential R7 (R5-3/R6-5/R7•H12•D50) Zone, to permit singles, semis, duplex dwellings, fourplex, townhouse, cluster townhouse dwellings, stacked townhouse dwellings, senior citizen apartment buildings; handicapped persons apartment buildings; nursing homes; retirement lodges; continuum-of-care facilities; emergency care establishments, with a maximum height of 12 meters and a maximum density of 50 units per hectare;

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, N. Branscombe, M. Brown, P. Hubert, P. Van Meerbergen, D. Brown, H.L. Usher, S.E. White (13)

NAYS: D.G. Henderson (1)

19. Properties located at 550 Kingsway Avenue and 572 Wonderland Road North (OZ-7946)

Motion made by Councillor B. Polhill to Approve that, the application of Dr. E.D. Armogan, M.D., relating to the property located at 550 Kingsway Avenue and 572 Wonderland Road North BE REFERRED back to the Civic Administration to prepare a revised by-law to implement the changes discussed at the public participation meeting;

it being pointed out that at the public participation meeting associated with this matter, the

following individuals made an oral submission in connection therewith:

- L. Kirkness, on behalf of the applicant – advising that 90 letters were sent out by the City; indicating that five letters were received back, with one expressing an objection; advising that there are two bungalows on the subject property; indicating that a Chapter 10 Special Policy has been approved by the Municipal Council; indicating that Wonderland Road is to be widened in the future, noting that 52 feet will be on the applicant's side of the street which provides for an 8 foot road allowance; indicating that current traffic volumes are high; advising that there is a fenced bungalow, on the northeast corner, that the property owner runs a business out of; advising that the subject property inclines uphill from south to north; advising that it is the easterly gateway to the Oakridge Acres neighbourhood; indicating that the owner has hired a surveyor; indicating that they are following urban design guidelines by placing the building at the front of the lot; indicating that the setback is 0m; advising that the building will be located at the front of the lot with the parking lot at the back of the lot; indicating that the first plan showed the retaining wall along the street; advising that there will be parking on the corner with plantings and an ornamental retaining wall; indicating that this is a commercial perspective; advising that the Civic Administration asked for a 6m by 6m daylight triangle in which the property owner loses another parking spot; indicating that the site is being used efficiently; asking for 18 parking spots, which is two less than the required 20 parking spots; indicating that the site plan is virtually site plan approval ready; requesting a lower lot setback minimum of 0m; requesting the ornamental retaining wall setback be 0m; advising that on page 340, section (vi) is not necessary as the 30% requirement will be met; indicating that on page 340, section (ii), the front yard depth will be 0m; requesting that the landscape to open space be eliminated; advising that on page 340, section (vii) should be 18 parking spaces, not 19; advising that the parking lot is three feet higher than the adjacent single family residence; and advising that the sound from the arterial road will be more insulated. (See attached presentation.)
- B. Wade, Design, Construction, Management – indicating that the glazing on the building has been increased; advising that the number of waterfall features can be decreased; advising that there will be a landscaped barrier around the parking lot; advising that you can see the waterfall feature from Wonderland Road North; advising that the residence is at the lower elevation at the back of the proposed building and that the building has been naturally elongated to fit into the surrounding development.
- S. Kelly, 51 Coachwood/C. Jenkins, 558 Kingsway – expressing appreciation for the adjustments being made; indicating that there is no noise from cars going into or out of the storage unit facility; indicating that the two buildings are eyesores; expressing concern with carbon and safety in the parking lot; enquiring as to why 18 parking spaces are required; indicating that four parking spaces are adjacent to her backyard and would like to see this reduced; indicating that there is children's play equipment by the parking lot and she often has two young children playing in her backyard; enquiring as to how the parking lot will drain; expressing concern as she has never been told the number of people that will be going in and out in a day; and advising that there could be traffic issues.
- T. Crawford, 571 Wonderland Road North – advising that he resides across the street from the proposed development; indicating that his concerns have been addressed by the Civic Administration; expressing concern with the lights at night as they will be right across from his living room window; expressing apprehension with respect to the noise from the waterfall; advising that traffic is already a problem; and indicating that the hours of operation can be a problem if the business is operated in the evening.
- V. Shinde, 547 Wonderland Road North – indicating that she is a potential owner; advising that she was a tenant when the storage rental building was installed; advising that she has seen very garish buildings built; advising that this building is going to elevate the area and be part of the community; advising that the building is going to be aesthetically pleasing and that the waterfall is quiet; adding that it adds a bit of nature back to the area; advising that there will only be five or six patients seen at one time; and indicating that it is not a noise-based business.

Motion Passed

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

RECUSED: D.G. Henderson (1)

Councillor S. Orser leaves the meeting.

20. Holding Provisions - Section 3.8 of Zoning By-law Z-1 (Z-7973)

Motion made by Councillor B. Polhill to Approve that, on the recommendation of the Managing Director, Development Approvals Business Unit and the Director, Development Planning, based on the City initiated application relating to Section 3 of the Z-1 Zoning By-law, the revised, ~~attached~~ proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on January 31, 2012 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to amend:

- a) Section 3.8 "Holding Zones" to permit conditional permits for model homes to be issued in conformity with Section 4.5 (2) of the Z-1 Zoning By-law prior to the removal of "h" holding provision;
- b) Section 4.5 2) to clarify that site servicing may be permitted for model homes subject to any requirements of the Chief Building Official and to clarify the number of model home permits which may be considered; and,
- c) the "h-100" holding provision to provide additional clarity to the Chief Building Official on the number of units which may be constructed prior to the removal of this holding provision;

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, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, S.E. White (12)

NAYS: J.L. Baechler (1)

Councillor S. Orser returns to the meeting.

21. The Piccadilly Area Neighbourhood and Application by Montessori School House of Children re property located at 719 Waterloo Street (O-7980/Z-7686)

Motion made by Councillor H.L. Usher to Approve that, on the recommendation of the Director, Land Use Planning and City Planner, the following actions be taken with respect to the applications of the City of London and the Montessori School House of Children relating to the Piccadilly Area Neighbourhood and the property located at 719 Waterloo Street:

- a) the ~~attached~~ proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on January 31, 2012, to amend the Official Plan by ADDING a special policy in Chapter 10 – "Policies for Specific Areas" to limit the expansion of private schools and the establishment of new private school uses, to those properties within the Piccadilly Area Neighbourhood that are zoned for private schools on the date of adoption of the Official Plan Amendment, and to 701/703 Waterloo Street, 719 Waterloo Street, 311 Oxford Street East, and 711 Colborne Street;
- b) the ~~attached~~ proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on January 31, 2012, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of 719 Waterloo Street FROM a Residential R2 (R2-2) Zone, which permits single detached dwellings, semi-detached dwellings, duplex dwellings, converted dwellings (maximum 2 dwelling units), TO a Residential R2 Special Provision/Neighbourhood Facility Special Provision (R2-2(2)/NF1()) Zone, to permit single detached, semi-detached, duplex and converted dwellings, elementary schools, churches, community centres, day care centres, libraries, and private schools, with special provisions to permit an expansion of up to a maximum of 10% of the gross floor area of the existing building, and a south interior side yard of "zero" metres;
- c) the Site Plan Approval Authority BE DIRECTED to hold a public site plan meeting and to consider any traffic safety and maneuverability issues relating to 719 Waterloo Street, during the site plan review process;
- d) the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject property FROM a Residential R2 (R2-2) Zone, which permits single detached dwellings, semi-detached dwellings, duplex dwellings, converted dwellings (maximum 2

dwelling units), TO a Residential R2 Special Provision/Neighbourhood Facility Special Provision (R2-2(2)/NF1()) Zone, to permit, in addition to the already permitted uses, elementary schools, churches, community centres, day care centres, libraries, private schools, fire stations, private clubs, and police stations, limiting the aggregate number of student and day care places at 719 Waterloo Street, combined with student and day care places at 711 Waterloo (the current Montessori site), to a maximum of 180, and permitting only existing buildings to be used, but allowing an expansion of up to a maximum of 10% of their gross floor area, **BE REFUSED** for the following reasons:

- i) it is appropriate to eliminate fire stations, private clubs and police stations;
 - ii) the proposed special provision to cap the number of students in an effort to control further impacts on amenity, character and function cannot be easily or readily investigated or enforced; and,
 - iii) the proposed special provision at 719 Waterloo Street cannot be legally enforced against 711 Waterloo Street;
- e) the Civic Administration BE DIRECTED to initiate a Zoning by-law amendment to the Neighbourhood Facility (NF1) Zone, applicable to 711 Waterloo Street, to limit the permitted uses to elementary schools, churches, community centres, day care centres, libraries, and private schools, eliminating fire stations, private clubs and police stations from the list of permitted uses;
- f) the Civic Administration BE DIRECTED to continue to work with the Montessori School House of Children, the Piccadilly Area Neighbourhood Association (PANA) and the area landowners, to evaluate and decide on the best option to improve the traffic situation, including alternative drop-off locations, traffic patterns, signage and enforcement;
- g) the Civic Administration BE DIRECTED to conduct a neighbourhood planning study for the Piccadilly Area Neighbourhood to address a variety of broader community issues, including traffic, parking, heritage conservation, non-residential uses, and residential intensification, and that the Civic Administration include the study within the Planning Division's mid to long-term work program; and,
- h) the Civic Administration BE DIRECTED as part of the review of the design of the west end of Piccadilly Park, to review the potential parking and drop-off area and to review the potential installation of a parking area and drop-off on Kenneth Avenue and Wellington Street for the Montessori School;

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

- A. R. Patton, Patton Cormier & Associates, on behalf of Mrs. Whitley, Montessori and R. Zelinka – advising that Montessori has been operating as an educational institution since 1968; indicating that he is anxious to resolve the zoning by-law for 719 Waterloo Street; expressing support for pages 380 and 381 of the January 16, 2012 Planning and Environment Committee Agenda; advising that the application has been in the process for over two years; advising that Montessori is anxious to meet the needs of its students; advising that there is no need to defer the decision; expressing support with the staff comments listed on page 366 of the Planning and Environment Agenda relating to the section entitled “Neighbourhood Solutions”; indicating that there are no issues in the Official Plan process that would compromise dealing with the property located at 719 Waterloo Street; expressing support for the site plan located on page 365 of the Planning and Environment Committee Agenda; advising that there will be no changes made to the building, the driveway or the street access; indicating that it is not necessary to have a public site plan meeting for the property located at 719 Waterloo Street; indicating that it is clear from the Civic Administration's comments that the Piccadilly Area Neighbourhood Association has not been destabilized and requesting that the zoning by-law included on pages 182 to 184, inclusive, on the Planning and Environment Agenda, be passed.
- A. Woodson, Executive Director, Piccadilly Area Neighbourhood Association (PANA) – advising that she has reviewed the staff report; expressing appreciation with the meeting with staff; supporting the R2 Zoning and the R2-NF1 Zone; expressing concern with the wording at the beginning of staff recommendation c); requesting that a public site plan be required; requesting that a cap be placed on the number of students allowed in all of the buildings; advising that Montessori has several locations; advising that there is an application to turn the properties located at 701 and 703 Waterloo Street into private schools; advising that there are three day cares in the neighbourhood; requesting that the

Civic Administration be directed to work with PANA; requesting that a neighbourhood study be conducted; enquiring as to whether or not additional parking is being required; expressing concern with the proposed indoor connection; expressing surprise by the comments of the Transportation Division; advising that she is willing to share videos of traffic congestion; advising that traffic issues are also caused by the day care centres in the neighbourhood; advising that the main issues are traffic and parking; requesting that the application be deferred until solutions are found for traffic and parking issues; and expressing support for a continued dialogue.

- M. Cooney, 67 Barrydale Crescent – advising that he is a parent with three kids that attend the Montessori School; indicating that he works in Strathroy; advising that at 3:30 p.m., he drove past Wilfred Jury Public School and was delayed, he went through Orchard Park and was also delayed, then he was stopped by a train and was late picking up his kids; and requesting that something be done about people backing up traffic between 8:30 a.m. to 9:00 a.m. and 3:30 p.m. to 4:00 p.m.
- D. Santarella, 38 Kenneth Avenue – advising that he has worked closely with the Planning Division staff and is open to solutions; advising that there are several issues, such as traffic problems and losing the neighbourhood; indicating that people are spending thousands of dollars on their properties; expressing support for the use of transit and the decrease of automobile use; advising that they live with the problems that comes with living in the core area; promoting an urban lifestyle; advising that there are traffic problems at schools; enquiring as to how many people that live in the neighbourhood have children who attend Montessori; advising that Montessori is a successful school; advising that Montessori's cap is 180 students and they now have 225 students enrolled; expressing wariness for future uses; enquiring as to how the school is going to expand; advising that Waterloo Street and Kenneth Lane are one lane streets; advising that Montessori currently has 10 parking spaces but that parents don't use the parking spaces; indicating that Montessori parents block driveways; indicating that his pregnant wife was unable to get out of the driveway the day before she gave birth; advising that students are residents of London and bring opportunities; advising that he had no issues with the frat house that was previously located on this site; advising that a majority of people like to see residential development; asking for specific boundaries that won't change; enquiring as to what happens to the properties across the street; advising that this won't be a residential area any more; advising that on Kenneth Avenue, out of 12 homes, four have families in them; advising that the goal is to keep this a family neighbourhood; advising that the major concern is that Montessori wanted to build a junior high school and Montessori went beyond what was agreed to by the Neighbourhood Association; advising that Montessori doesn't have a play area and uses the public park; indicating that he can't get on his street; advising that he pays a premium to live in the core; and advising that he is not asking Montessori to give up anything, just asking that they respect the neighbours.
- C. Martin, 735 Waterloo Street – advising that he is on the Executive of the Piccadilly Area Neighbourhood Association; advising Mr. Patton that there has been no destabilization of the neighbourhood; requesting that residents can thrive in their community; and requesting for a delay to meet with Montessori School representatives and city staff.
- P. Noad, 62 Glenview Crescent – advising that there are mixed messages being received at the public meeting; and indicating that residents wants businesses to thrive, but don't want it to be a school in their neighbourhood.
- E. Bothwell, 30 Shady Lane – advising that she is a parent who volunteers at Montessori and that the school uses the city park for the children to play at; advising that the school gives back to the community; indicating that the school fundraises for the park; advising that raccoons were living in the frat house and there were beer bottles on the lawn; advising that she volunteers in the school; advising that the school is creative in what it has done; and advising that the school works well with what it has.
- M. Whitley, Montessori – advising that there are less than 150 students enrolled at the locations being discussed at this meeting; advising that the school has never exceeded 180 students; advising that most residential communities have schools in them; and that over 50 children in the downtown and Old North walk or bike to Montessori.
- P. Piitas, 311 Piccadilly Street – advising that he has lived in his residence for 50 years and that it is a beautiful neighbourhood; advising that he has never had a problem with traffic; indicating that people have advised of a problem with Montessori school traffic; indicating that the house on the corner was previously a frat house and people had to call the police all the time and there were a lot of problems; and advising that Montessori keeps the property beautiful with plants and flowers.

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)

RECUSED: N. Branscombe (1)

Councillor S. Orser leaves the meeting.

22. Property located at 567 Rosecliffe Terrace (former address: 633 Commissioners Road West) (39CD-09509)

Motion made by Councillor B. Polhill to Approve that, the following actions be taken in response to the December 7, 2011 Municipal Council resolution directing the Development Approvals Business Unit to process and circulate the revised application for a Zoning By-law Amendment, Draft Plan of Vacant Land Condominium and Site Plan Approval on property located at 567 Rosecliffe Terrace (formerly 633 Commissioners Road West) and Blocks 66 and 73, Plan 33M-119:

- a) the Ontario Municipal Board BE ADVISED that a geotechnical study, hydrogeological evaluation, conceptual grading plan, storm drainage/ stormwater management study and tree preservation reports have been received by the City, circulated for public review, evaluated and considered at a public participation meeting held on January 16, 2012;
- b) the Ontario Municipal Board BE ADVISED that the Municipal Council recommends to the Board that the revised conditions of Draft Plan Approval, ~~attached~~ as Appendix "A", form the basis for draft approval and will satisfactorily address the issues previously raised with this development application; and,
- c) any additional reports, comments and information received with the revised application, at the meeting on January 16, 2012, BE PROVIDED to the Ontario Municipal Board for consideration;

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

- A. R. Patton, Patton, Cormier & Associates – advising that the Ontario Municipal Board was well through the hearing on this matter when the matter was adjourned by the inclusion of an outside planning consultant provided by the City; advising that they worked through the draft plan of subdivision; indicating that the condominium plan appealed to the Ontario Municipal Board is different from what is before the Planning and Environment Committee tonight; advising that the plan that was before the Ontario Municipal Board had the following three differences; (1) instead of a bulb at the north end, there was a hammerhead; (2) the number of units was reduced from 22 to 21; and (3) the City determined that the second access was not necessary (from Baseline Road); indicating that the City of London Realty Services Division does not need the 66 foot road allowance, and asked if Mr. Patton's client would purchase 33 feet as the two neighbours would like to buy their 33 feet; indicating that the price was fair, so his client purchased the 33 feet; advising that the units along the north end have been changed to show the bulb configuration and the 33 feet that now belong to lots 15 and 16; enquiring as to whether or not the changes to the plan of condominium are minor; advising that the 33 feet to the north will provide a large amenity area and one less unit; advising that the road grades meet the specifications of the Roads and Transportation Division; Mr. Patton recited sections 15, 16 and 17 of Appendix "A" of the Staff Report relating to the Approval Authority's conditions and amendments to final approval for registration of this plan of condominium, File No. 39CD-09509; advising that the Planner, T. Grawey, is amenable to the amendments Mr. Patton provided; advising that it is not necessary to the City to have a public road, and convert back to Ardshell; advising that when the Ontario Municipal Board hearing resumes on Thursday, January 19, 2012, Mr. Halwa's evidence will be completed; advising that the Ontario Municipal Board will want to hear the Planning and Environment Committee's comments from this meeting; indicating that the site plan application has no adverse effects on the adjoining property; indicating that the development could have been more intense; indicating that his client retained a number of experts; expressing approval for this plan; advising that this has been a long process and was thrown off track by the positions previously taken by the Municipal Council; advising that on the drawing on page 407, the common elements are the retaining walls; indicating that the Ontario Municipal Board will not have the benefit of the Municipal Council decision, but will have the Planning and Environment Committee decision; advising that when the date of January 19, 2012, was set at the Ontario Municipal Board hearing in August, 2010, they thought that the Ontario Municipal Board would have the decision of

- the Municipal Council.
- Mr. Sheppard, 20 – 665 Commissioners Road West – advising that he lives west of the subject property; expressing concerns from the beginning; advising that the Civic Administration has a copy of his letter; expressing concern with the drainage and overland flow of water; advising that the original plan had a hammerhead design; indicating that this plan deals a bit with this issue; enquiring as to the capacity of the drainage flow that can be handled; indicating that there was no tree preservation report at the Ontario Municipal Board hearing; expressing appreciation hearing about the tree plantings; advising that their condominium units are all single level units on the same topographical level; advising that this property should be compared with their condominium level rather than others due to the different topographical levels; requesting that this development be restricted to single levels; requesting that people take a good look, go down to 545 Rosecliffe Terrace and look at the adjoining properties; requesting that the application not be approved; expressing hope that everything carries on at the Ontario Municipal Board hearing; and advising that he has not been advised that the Ontario Municipal Board hearing will be resuming.
 - R. Ambrose, 547 Rosecliffe Terrace – advising that she has not been advised of a retaining wall and enquiring as to the height of the wall and the type of material to be used; advising that they were given a small plan that is unreadable; enquiring that if a retaining wall is to be put in, are trees to be removed; advising that a tree fell on their house this summer and they sustained thousands of dollars damage and they had to move out of their home for five weeks.
 - M. Albrecht, 10 – 665 Commissioners Road West – advising that their condominium consists of 27 units; requesting that the proposed condominium remain a single level development; advising that the City is making a big mistake as this property has a lot of wildlife living on it; and advising that the City should be ashamed of themselves.
 - M. Shahabi, 539 Rosecliffe Terrace – advising that their lots have 60 feet of frontage; indicating that a tree fell on their neighbours house this summer; advising that some of the trees are damaged; and advising that kids hang out and drink in this lot.
 - H. Williams, 575 Rosecliffe Terrace – advising that the largest tree in the area is on the border of her property; indicating that she hired a professional to determine the health of this tree; advising that the area around the retaining wall is not sufficient to protect the tree and that the tree has a high probability of dying; enquiring as to whose expense it is going to be at; advising that S. Evans spoke to her about the retaining wall being on the drip line; advising that she is disappointed by the lack of communication with the developer; advising that the developer has no regard for the neighbours; and requesting that the trees that are remaining, be preserved.
 - S. Warmuth, 516 Jarvis Street – advising that to the west of this development is a cluster of single-detached dwellings; enquiring as to what on the proposal is to be planted; enquiring as to why there are no plantings in the northwest corner of the development; advising that the height of the buildings is crucial; advising that a two-story building does not sound so bad; however, it depends on the starting elevation; requesting consideration of further height restrictions; and enquiring as to whether a two-story, includes a walkout.
 - D. Ambrose, 547 Rosecliffe Terrace – advising that this property is a bottomed-out pit that has been referred to by developers as a nightmare; advising that there will be retaining walls around the entire development; indicating that there are serious water draining problems; advising that he has lived there for 26 years; advising that the area is completely surrounded by residences; indicating that all wildlife will be forced off that land and enquiring as to where they are going to go when the developer moves in; advising that the residents have looked after the city property and the building lot for 26 years and does not see why it needs to disappear; indicating that the entrance should be at 633 Commissioners Road; advising that Rosecliffe cannot handle all of the traffic; requesting that the tree situation be taken into account; advising that we are supposed to be the “Forest City” and the developer is ripping out trees to put in 21 condominiums.

Motion Passed

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

NAYS: J.L. Baechler (1)

23. Parcel of Land Bounded by Longwoods Road, Murray Road, Colonel Talbot Road and Highway 402

Motion made by Councillor B. Polhill to Approve that, the Planning and Environment Committee (PEC) reviewed and received a communication, dated December 19, 2011, from S.

Farhi, Farhi Holdings Corporation, with respect to a parcel of land bounded by Longwoods Road, Murray Road, Colonel Talbot Road and Highway 402. The PEC referred the communication to the Civic Administration for consideration with the Official Plan review currently being undertaken.

Motion made by Councillor B. Polhill and seconded by Councillor S.E. White to Amend clause 23 to read, "That the communication dated December 19, 2011, from S. Farhi, Farhi Holdings Corporation, with respect to a parcel of land bounded by Longwoods Road, Murray Road, Colonel Talbot Road and Highway 402 BE REFERRED to the Civic Administration for consideration with the Official Plan review currently being undertaken."

Motion Passed

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

The motion to adopt clause 23, as amended, is put.

Motion Passed

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

Clause 23, as amended, reads as follows:

"That the communication dated December 19, 2011, from S. Farhi, Farhi Holdings Corporation, with respect to a parcel of land bounded by Longwoods Road, Murray Road, Colonel Talbot Road and Highway 402 BE REFERRED to the Civic Administration for consideration with the Official Plan review currently being undertaken."

24. Zoning By-law Amendment Application - 783 Richmond Street

Motion made by Councillor B. Polhill to Approve that, the Planning and Environment Committee (PEC) reviewed and received a communication, dated December 20, 2011, from A. Patton, Patton, Cormier & Associates, with respect to the application of 1152587 Ontario Limited, relating to the property located at 783 Richmond Street. The PEC advised the Civic Administration that it does not understand the need for the requirement of a parking study for this application.

Motion made by Councillor B. Polhill and seconded by Councillor S.E. White to Amend clause 24 to read, "That the Civic Administration BE ADVISED that it is the Planning and Environment Committee's view that there is no need for a parking study to be undertaken in order for the application of 1152587 Ontario Limited, relating to the property located at 783 Richmond Street to be deemed complete; it being noted that the PEC reviewed and received a communication dated December 20, 2011, from A. Patton, Patton, Cormier & Associates, with respect to this matter."

Motion Passed

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

NAYS: J.L. Baechler, P. Hubert (2)

Motion made by Councillor P. Hubert and seconded by Councillor J.L. Baechler to Refer clause 24 back to civic administration for further report, related to the matter of parking and the need for a study.

Motion Failed

YEAS: W.J. Armstrong, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, H.L. Usher (6)

NAYS: J.F. Fontana, B. Polhill, J.B. Swan, D.G. Henderson, P. Van Meerbergen, D. Brown, S.E. White (7)

The motion to adopt clause 24, as amended, is put.

Motion Passed

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

Clause 24, as amended, reads as follows:

That the Civic Administration BE ADVISED that it is the Planning and Environment Committee's view that there is no need for a parking study to be undertaken in order for the application of 1152587 Ontario Limited, relating to the property located at 783 Richmond Street to be deemed complete; it being noted that the PEC reviewed and received a communication dated December 20, 2011, from A. Patton, Patton, Cormier & Associates, with respect to this matter.

25. Membership of the Planning and Environment Committee

Motion made by Councillor B. Polhill to Approve that, the Planning and Environment Committee reviewed and received a Municipal Council resolution adopted at its meeting held on November 21, 2011 with respect to the membership of the Planning and Environment Committee, for the term ending November 30, 2012.

Motion Passed

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

26. Application to the Ontario Superior Court of Justice - Court File No. 2263/2010

Motion made by Councillor B. Polhill to Approve that, on the recommendation of the City Solicitor, the report provided to the Planning and Environment Committee at its meeting held on Monday, January 16, 2012, regarding the endorsement of the Ontario Superior Court of Justice, issued December 16, 2011 in connection with the costs related to the application in respect of By-law No. C.P.-19, the Residential Rental Units Licensing By-law, BE RECEIVED.

Motion Passed

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

Councillor S. Orser returns to the meeting.

4th Report of the Strategic Priorities and Policy Committee
Councillor M. Brown presents.

Motion made by Councillor N. Branscombe and seconded by Councillor M. Brown to Approve that the 4th Report of the Strategic Priorities and Policy Committee, from its meeting held on January 17, 2012, **BE REFERRED** to budget meeting.

Motion Passed

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

NAYS: S. Orser (1)

The following clauses were referred:

1. No pecuniary interests were disclosed.
2. 2012 Budget - Public Participation Meeting

That the following actions be taken:

- a) the ~~attached~~ presentation from Hope Clarke, Executive Director and Chris Olech, Vice Chair, Board of Directors, Neighbourhood WATCH London BE RECEIVED; it being noted that their request for ongoing additional funding of \$35,000 will be before the Services Review Committee at its meeting on January 18, 2012, for consideration and

recommendation to the Strategic Priorities and Policy Committee as part of the 2012 Budget process;

- b) the ~~attached~~ presentation from Julie Ryan, Executive Director, ReForest London BE RECEIVED; it being noted that ReForest London's request for \$100,000 in support of its Million Tree Challenge is already before the Services Review Committee for consideration and recommendation to the Strategic Priorities and Policy Committee as part of the 2012 Budget process;
- c) the ~~attached~~ presentation from Jim Hewett, Chair - Advocacy Committee and Keith Trussler, President, Board of Directors Community Living London, asking that the City of London initiate a policy and a process that ensures that people who receive ODSP Income Support have access to affordable transportation BE RECEIVED and their request for related funding BE REFERRED to the 2012 Budget process;
- d) the ~~attached~~ presentation from Gail McMahon, Executive Director, London Block Parent Program, seeking funding assistance to offset the costs arising as a result of a recent reduction in in-kind supports from the London Police Service BE RECEIVED and their request for ongoing additional funding BE REFERRED to the 2012 Budget process; it being noted that the Mayor will bring the matter before the London Police Services Board at its meeting on January 19, 2012;
- e) the ~~attached~~ presentation from Patrick Searle, Vice-President, University Affairs, University Students' Council, University of Western Ontario, expressing the Students' Council's view that the Municipal Council should prioritize and protect a progressive transportation system and strengthening community engagement in the Budget BE RECEIVED;
- f) the written submission from Greg Thompson, President, Urban League of London, outlining general matters pertaining to tax planning policy and asking questions and providing comments on various 2012 Budget items BE RECEIVED; it being noted that Mr. Thompson extended regrets that he would not be able to attend the public participation meeting in person;
- g) the ~~attached~~ submission and verbal delegation from Susan Macphail, Director of My Sisters' Place of WOTCH Community Mental Health Services BE RECEIVED and the request for a \$100,000 pledge from the City of London towards their capital campaign BE REFERRED to the 2012 Budget process;
- h) the submission and verbal delegation from Brenda Ryan, 3 Hammond Crescent, regarding her thoughts for an improved 2012 Budget BE RECEIVED;
- i) the ~~attached~~ presentation from Robin Honey, Vice President, Board of Directors, the Arts Project, requesting \$300,000 in funding to assist with programming and capital improvements BE RECEIVED;
- j) the verbal delegation from Randy Warden, London Celebrates Canada, providing an update on upcoming events, including preparations for the Sesquicentennial celebrations, and noting that there will be funding requirements that will be brought through the Creative City Committee to the Investment and Economic Prosperity Committee BE RECEIVED;
- k) the submission from Bob Hewitt, President, Jet Aircraft Museum, regarding their \$200,000 capital grant request submitted to the City of London BE RECEIVED;

it being noted that Mr. P. Rumsey, a scheduled delegate, did not attend the public participation meeting.

3rd Report of the Investment and Economic Prosperity Committee
Councillor J.B. Swan presents.

7. Orchestra London

Motion made Councillor M. Brown to Approve that, on the recommendation of the Deputy City Treasurer, the following actions be taken with respect to funding assistance for Orchestra London:

- a) funding to Orchestra London in 2012 BE CONTINUED SUBJECT TO approval of the 2012 Budget, annual review of Orchestra London's business plan to ensure it is operating in keeping with its business plan, and a monthly monitoring of cash flow by the Civic Administration; and
- b) notwithstanding that the 2012 Budget will not be approved until February 2012, the release of a pro-rated amount equivalent to the January and February monthly installments of the proposed 2012 funding for Orchestra London BE APPROVED SUBJECT TO review and authorization by Civic Administration, with release of the balance of the 2012 funding approved as part of the 2012 Budget being contingent upon 2012 Budget approval.

Motion Passed

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

RECUSED: J.B. Swan (1)

Pursuant to section 17.2 of the Council Procedure By-law, Councillor D.G. Henderson calls for a separate vote on clause 10.

1. Disclosures of Pecuniary Interest

Motion made by Councillor J.B. Swan to Note that Councillor J.B. Swan disclosed a pecuniary interest in clause 7 of this Report, having to do with funding assistance for Orchestra London, by indicating that Orchestra London is his employer.

Motion Passed

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

2. 1st Report of the London Diversity & Race Relations Advisory Committee

Motion made Councillor J.B. Swan to Approve that the 1st Report of the London Diversity & Race Relations Advisory Committee from its meeting held on December 15, 2011, BE RECEIVED.

Motion Passed

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

3. 2nd Report of the London Diversity & Race Relations Advisory Committee

Motion made Councillor J.B. Swan to Approve that the 2nd Report of the London Diversity & Race Relations Advisory Committee from its meeting held on January 9, 2012, BE RECEIVED.

Motion Passed

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

4. Municipal Council resolution adopted at its meeting held on November 21, 2011 with respect to actions being taken with respect to London's competitive position

Motion made by Councillor J. B. Swan to Approve that the Municipal Council resolution adopted at its meeting held on November 21, 2011, with respect to actions being taken regarding London's competitive position, BE RECEIVED.

Motion Passed

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

5. Municipal Council resolution adopted at its meeting held on December 6 and 7, 2011 with respect to the Thames Valley Corridor Plan Business Case

Motion made by Councillor J.B. Swan to Approve that the Municipal Council resolution adopted at its meeting held on December 6 and 7, 2011, with respect to the Thames Valley Corridor Plan Business Case, BE RECEIVED.

Motion Passed

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

6. Developing A Strategic Investment and Economic Prosperity Plan

Motion made by Councillor J.B. Swan to Approve that, on the recommendation of the Director of Land Use Planning and City Planner, and the City Treasurer, Chief Financial Officer, the following actions be taken with respect to the development of a Strategic Investment and Economic Prosperity Plan:

- a) the refined process, goals, objectives, and evaluation criteria identified within the report dated January 23, 2012 from the Director of Land Use Planning and City Planner, and the City Treasurer, Chief Financial Officer BE ENDORSED to guide and focus the preparation of Council's Strategic Investment and Economic Prosperity Plan over the course of 2012, to those areas/investments that will maximize returns for the community and at the same time recognize the limited staff and financial resources available to apply to these investments;
- b) Corporate Communications BE DIRECTED to work with the Investment and Economic Prosperity Committee to further develop the communications and engagement plan appended to the January 23, 2012 report from the Director of Land Use Planning and City Planner, and the City Treasurer, Chief Financial Officer, as well as develop plans to engage and consult with the public throughout the process of developing investment priorities;
- c) staff BE DIRECTED to make additions and revisions to the project list included in the January 23, 2012 report from Director of Land Use Planning and City Planner, and the City Treasurer, Chief Financial Officer based on Committee and Council feedback, and to report back at a future meeting of the Investment and Economic Prosperity Committee with the revised list, including a completed information template for each project;
- d) staff BE DIRECTED to conduct a public meeting on the draft Unsolicited Proposal Policy appended to the January 23, 2012 report from the Director of Land Use Planning and City Planner, and the City Treasurer, Chief Financial Officer for comment and feedback;
- e) a staff team, led by the Managing Director of Corporate Investments and Partnerships and the Director of Land Use Planning and City Planner, BE DIRECTED to initiate a process for the redevelopment of the South Street Campus lands, beginning with a report to the Investment and Economic Prosperity Committee that identifies the approach, proposed process, timeline, required consulting resources, and proposed source of financing for securing the necessary resources; it being noted that the City's contribution of \$3.2 Million towards the remediation and decommissioning of these lands has been planned through temporary financing, pending the ultimate sale of the land; and
- f) staff BE DIRECTED to prepare a comprehensive industrial land acquisition and servicing plan for the next 20 years which identifies and evaluates potential industrial park opportunities and provides an estimate of development costs to the municipality; it

being noted that the plan will provide a basis for attracting senior government infrastructure funding, attracting new industry to London, and will allow Council to consider future investment in industrial land development against other investment opportunities and strategies.

Motion Passed

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

8. 5th Report of the Creative City Committee

Motion made by Councillor J.B. Swan to Approve that the following actions be taken with respect to the 5th Report of the Creative City Committee from its meeting held on November 23, 2011:

- a) the following matters related to London Celebrates Canada, a celebration of the 150th Anniversary of Canada BE REFERRED to a future meeting of the Investment and Economic Prosperity Committee (IEPC) :
 - i) the establishment of a Citizen Sesquicentennial Advisory Committee;
 - ii) consideration of \$50,000 annually, through 2017, for two staff positions and operating costs;
 - iii) provision of a high-profile office space; and,
 - iv) considering the approval of the exclusive use of the John Labatt Centre on Canada Flag Day 2015 and Canada Flag Day 2017; and
- b) London Celebrates Canada BE REQUESTED to submit a Business Plan regarding the matters listed above, including information as to how London Celebrates Canada will co-ordinate with other community organizations that are undertaking similar celebrations, at a future meeting of the IEPC; it being noted that the Creative City Committee received a presentation from R. Warden, London Celebrates Canada, with respect to this matter.
- c) the EI Sistema Aeolian Orchestra BE INVITED to perform at the beginning of a Municipal Council meeting; it being noted that the Creative City Committee was advised by S. Merritt, Old East Village Business Improvement Area, that the EI Sistema Aeolian Orchestra launch will be held at the Aeolian Hall; and
- d) clauses 3 through 10, inclusive, BE RECEIVED.

Motion Passed

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

9. Building the Investment Strategy

Motion made by Councillor J.B. Swan to Approve that, the ~~attached~~ presentation from M. Hayward, City Treasurer, Chief Financial Officer, and J. Fleming, Director of Land Use Planning and City Planner entitled "Positioning London for Prosperity", BE RECEIVED.

Motion Passed

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

10. Argyle BIA Draft Constitution, Proposed Budget and List of BIA Supporters

Motion made by Councillor S.E. White to Approve that the following actions be taken with respect to the request from the Argyle Business Improvement Association to establish an Argyle Business Improvement Area:

- a) the establishment of an Argyle Business Improvement Area BE ENDORSED IN PRINCIPLE;
- b) the Civic Administration BE DIRECTED to report back to the Investment and Economic Prosperity Committee (IEPC) with respect to the BIA proposal and to undertake the necessary administrative and legislative functions with respect to the creation of the Argyle Business Improvement Area;

it being noted that the IEPC heard a verbal delegation from N. McSloy, Executive Director, Argyle Business Improvement Association, with respect to this matter.

Motion Passed

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

11. London Health Sciences Centre's (LHSC) Canadian Surgical Technologies and Advanced Robotics (CSTAR) Partnership Opportunity

Motion made by J.B. Swan to Approve that the communication from London Health Sciences Centre (LHSC) with respect to the Canadian Surgical Technologies and Advanced Robotics (CSTAR) Partnership Opportunity BE RECEIVED and BE REFERRED to the Strategic Investment and Economic Prosperity Plan process for evaluation.

Motion Passed

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

12. Downtown Development

Motion made by Councillor J.B. Swan to Approve that the communication, dated December 12, 2011 from Sifton Properties Limited, requesting consideration of the disposal of the City of London Queens Avenue parking lot BE RECEIVED and BE REFERRED to the Strategic Investment and Economic Prosperity Plan process for evaluation.

Motion Passed

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

13. Proposal for a London Immigrant Entrepreneur Incubator

Motion made by Councillor J.B. Swan to Approve that the communication, dated December 6, 2011 from Councillor Sandy White, with respect to a request for support of the incorporation of a London Immigrant Entrepreneur Incubator into the Municipal Council's investment and economic prosperity framework BE RECEIVED and BE REFERRED to the Strategic Investment and Economic Prosperity Plan process for evaluation.

Motion Passed

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

14. St. Joseph's Health Care London Innovation in Surgical Advancements

Motion made by Councillor J.B. Swan to Approve that the ~~attached~~ communication from St. Joseph's Health Care London with respect to innovation in surgical advancements BE RECEIVED and BE REFERRED to the Strategic Investment and Economic Prosperity Plan process for evaluation.

Motion Passed

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

IX DEFERRED MATTERS

None.

X ENQUIRIES

None.

Councillor Armstrong leaves the meeting at 9:56 PM.

XI EMERGENT MOTIONS

Motion made by Councillor H.L. Usher and seconded by Councillor P. Hubert to Approve leave, pursuant to section 18.2 of the Council Procedure By-law, for the introduction of an emergent motion related to "International Development Week" in the City of London.

Motion Passed

Motion made by Councillor S.E. White and seconded by Councillor D. Brown to Approve leave, pursuant to section 18.2 of the Council Procedure By-law, for the introduction of an emergent motion related to Electro-Motive Diesel.

Motion Passed

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

Motion made by Councillor H.L. Usher and seconded by Councillor J.L. Baechler to Approve that the following resolution be adopted by the Municipal Council and forwarded to the appropriate Provincial Government officials:

WHEREAS Canadians significantly help improve the quality of life in various communities around the world by their involvement as international development stakeholders, volunteers, and supporters;

AND WHEREAS throughout 2012, the Federation of Canadian Municipalities (FCM) will celebrate 25 years of mobilizing the expertise of Canadian municipalities to support local governance, democratic practices, and the provision of essential services in 43 developing countries, and counting;

AND WHEREAS since 1987, the Federation of Canadian Municipalities has been a valued partner, together with the Canadian International Development Agency and member municipalities, in strengthening the effectiveness and focus of Canada's international aid;

AND WHEREAS during the first full week of February each year, the Government of Canada celebrates Canada's contribution to international development and its commitment to improving the quality of life in various communities around the world;

NOW THEREFORE BE IT RESOLVED that:

- a) the week of February 5-11, 2012, BE CELEBRATED as "International Development Week" in the City of London;
- b) the Federation of Canadian Municipalities BE RECOGNIZED for its contribution over the past 25 years as a Canadian and world leader in international municipal

- development; and,
c) the citizens of London BE ENCOURAGED to become informed about international development, to show their solidarity with developing countries, and to continue to support Canadian municipalities' international community-building efforts."

Motion Passed

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

Motion made by Councillor S.E. White and seconded by Councillor J.B. Swan to Approve that the following resolution be adopted by the Municipal Council:

WHEREAS London-based Electro-Motive Diesel's labour situation is more than a labour dispute; it represents a precedent-setting scenario which could have dire consequences in the future with other foreign-owned companies in Canada;

AND WHEREAS Electro-Motive Diesel has locked out our local workers, notwithstanding the record profits that its parent company, Caterpillar, recently announced, and is also anticipating for 2012;

AND WHEREAS the Federal Government's intervention is immediately required in order to protect Canadian families and Canadian jobs;

THEREFORE BE IT RESOLVED THAT the Federal Government BE REQUESTED to consider taking the necessary steps to provide E.I. benefits to the workers of Electro Motive Diesel in London, who have been locked out by Caterpillar Inc.

Motion Passed

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

XII BY-LAWS

Motion made by Councillor B. Polhill and seconded by Councillor M. Brown to Approve 1st reading of Bill 65.

Motion Passed

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

RECUSED: N. Branscombe (1)

Motion made by Councillor D. Brown and seconded by Councillor H.L. Usher to Approve 2nd reading of Bill 65.

Motion Passed

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

RECUSED: N. Branscombe (1)

Motion made by Councillor B. Polhill and seconded by Councillor S. Orser to Approve 3rd reading and enactment of Bill 65.

Motion Passed

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

RECUSED: N. Branscombe (1)

Motion made by Councillor B. Polhill and seconded by Councillor N. Branscombe to Approve 1st reading of Bills 66 and 67.

Motion Passed

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

NAYS: P. Van Meerbergen, H.L. Usher (2)

RECUSED: D. Brown (1)

Motion made by Councillor B. Polhill and seconded by Councillor S. Orser to Approve 2nd reading of Bills 66 and 67.

Motion Passed

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

NAYS: P. Van Meerbergen, H.L. Usher (2)

RECUSED: D. Brown (1)

Motion made by Councillor B. Polhill and seconded by Councillor S.E. White to Approve 3rd reading and enactment of Bills 66 and 67.

Motion Passed

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

NAYS: P. Van Meerbergen, H.L. Usher (2)

RECUSED: D. Brown (1)

Motion made by Councillor D. Brown and seconded by Councillor H.L. Usher to Approve 1st reading of Bills 58 to 64, inclusive, Bills 68 to 83, inclusive, and the added Bill 85.

Motion Passed

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

Motion made by Councillor S. Orser and seconded by Councillor B. Polhill to Approve 2nd reading of Bills 58 to 64, inclusive, Bills 68 to 83, inclusive, and the added Bill 85.

Motion Passed

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

Motion made by Councillor D. Brown and seconded by Councillor S.E. White to Approve 3rd reading of Bills 58 to 64, inclusive, Bills 68 to 83, inclusive, and the added Bill 85.

Motion Passed

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

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

Bill No. 58, By-law No. A.- A by-law to confirm the proceedings of the Council Meeting held on the 31st day of January, 2012. (City Clerk)

Bill No. 59, By-law No. A.- A by-law to authorize and approve an Agreement between London Golf Club Inc. and The Corporation of the City of London; and to authorize the Executive Director of Community Services, or designate, to execute the Agreement.(3/2/CSC)

Bill No. 60, By- A by-law to delegate authority to the Executive Director of

law No. A.-	Community Services to execute Homeownership Loan Agreements on behalf of the City of London under the Investing in Affordable Housing Program.(6/2/CSC)
Bill No. 61, By-law No. A.-	A by-law to approve demolition of the property with the municipal address of 475 McCormick Blvd. under the Property Standards provisions of the Building Code Act.(19/1/PSC)
Bill No. 62, By-law No. A.-	A by-law to implement a new Council Policy related to community engagement. (2/3/SPPC)
Bill No. 63, By-law No. A.-	A by-law to appoint Tim L. Dobbie Consulting Ltd. as City Manager of The Corporation of the City of London. (City Clerk)
Bill No. 64, By-law No. C.P.-1284(rt)-	A by-law to amend the Official Plan for the City of London, 1989 relating to the Environmentally Significant Areas within the park hierarchy system. (15/3/PEC)
Bill No. 65, By-law No. C.P.-1284(ru)-	A by-law to amend the Official Plan for the City of London, 1989 relating to the Piccadilly Area Neighbourhood, bounded by Wellington Street, Oxford Street East, Adelaide Street North, and the Canadian Pacific Railway. (21/3/PEC)
Bill No. 66, By-law No. L.-126()	A by-law to amend By-law L.-126-256 being "A by-law to provide for the Licensing, Regulating and Governing of Taxicabs, namely Cab, Accessible Cab, Limousine and Group Transportation Drivers, Owners and Brokers". (14/1/PSC)
Bill No. 67, By-law No. L.-	A by-law for the licensing, regulating and governing of vehicles for hire, including cab, accessible cab, limousine and group transportation vehicle drivers, owners and brokers.(16/1/PSC)
Bill No. 68, By-law No. PH-	A by-law to prohibit the possession, purchase, sale, trade, distribution, consumption, or preparation for consumption of Shark Fins within the City of London. (18/1/PSC)
Bill No. 69, By-law No. S.-	A by-law to assume certain works and services in the City of London (Upland Hills – Phase 3; Plan 33M-463).(Director of Water Engineering and City Engineer)
Bill No. 70, By-law No. S.-	A by-law to assume certain works and services in the City of London (Beaverbrook – Phase 5; Plan 33M-532). (Director of Water Engineering and City Engineer)
Bill No. 71, By-law No. S.-	A by-law to lay out, constitute, establish and assume certain reserves in the City of London as public highway. (as part of Eagletrace Drive, east of Foxwood Avenue, as part of Medway Park Drive, east of Foxwood Avenue and as part of Medway Park Drive, east of Eagletrace Drive) (Chief Surveyor)
Bill No. 72, By-law No. S.-	A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Glanworth Drive, west of Old Victoria Road) (Chief Surveyor)
Bill No. 73, By-law No. S.-	A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Huron Street, west of Preston Street) (Chief Surveyor)
Bill No. 74, By-law No. S.-	A by-law to lay out, constitute, establish and assume lands in the City of London as a public walkway. (Chief Surveyor)
Bill No. 75, By-law No. S.-	A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Oxford Street East, west of Jim Ashton Street) (Chief Surveyor)
Bill No. 76, By-law No. S.-	A by-law to permit Western Fair Association to maintain and use an encroachment upon the lane running west of Ontario Street, City of London. (City Solicitor)

Bill No. 77, By-law No. Z.-1-122074	A by-law to amend By-law No. Z.-1 to remove the holding provision from the zoning for an area of land located at 1390 Highbury Avenue North. (6/3/PEC)
Bill No. 78, By-law No. Z.-1-122075	A by-law to amend By-law No. Z.-1 to remove the holding provision from the zoning for an area of land located on the southern portion of 1270 Sunningdale Road East (33M-631). (7/3/PEC)
Bill No. 79, By-law No. Z.-1-122076	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 1959 Wharnccliffe Road South. (14/3/PEC)
Bill No. 80, By-law No. Z.-1-122077	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 1961 Cedarhollow Boulevard. (18/3/PEC)
Bill No. 81, By-law No. Z.-1-122078	A by-law to amend By-law No. Z.-1 to amend Section 3 and Section 4.(20/3/PEC)
Bill No. 82, By-law No. Z.-1-122079	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 719 Waterloo Street. (21/3/PEC)
Bill No. 83, By-law No. Z.-1-122080	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 1522 Kilally Road, 1654 Highbury Avenue North, and a portion of 1782 Kilally Road.(2/2/PEC)
Bill No. 85, By-law No. A.-6777-61	A by-law to appoint John Braam as Acting Executive Director, Planning, Environment and Engineering Services. (City Clerk)

XIII COMMITTEE OF THE WHOLE, IN CAMERA

MOTION FOR IN CAMERA SESSION

Motion made by Councillor B. Polhill and seconded by Councillor P. Hubert that Council rise and go into Committee of the Whole, in closed session for the purpose of considering the following:

- a) A matter pertaining to personal matters about identifiable individuals, including municipal employees, with respect to employment related matters, advice and recommendations of officers and employees of the Corporation concerning employee negotiations, litigation or potential litigation affecting the municipality and advice which is the subject of solicitor client privilege, including communications necessary for that purpose. (FASC)
- b) A matter pertaining to instructions and directions to officers and employees of the Corporation pertaining to a lease amendment; 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 lease amendment; commercial and financial information supplied in confidence pertaining to the proposed lease amendment, the disclosure of which could reasonably be expected to, prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of the Corporation, result in similar information no longer being supplied to the Corporation where it is in the public interest that similar information continue to be so supplied, and result in undue loss or gain to any person, group, committee or financial institution or agency; commercial, information relating to the proposed acquisition that belongs to the Corporation that has monetary value or potential monetary value; information concerning the proposed lease amendment whose disclosure could reasonably be expected to prejudice the

economic interests of the Corporation or its competitive position; information concerning the proposed lease amendment 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 lease amendment. (FASC)

- c) A matter pertaining to instructions and directions to officers and employees of the Corporation pertaining to a proposed acquisition of land; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; reports or advice or recommendations of officers and employees of the Corporation pertaining to a proposed acquisition of land; commercial and financial information supplied in confidence pertaining to the proposed acquisition the disclosure of which could reasonably be expected to, prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of the Corporation, result in similar information no longer being supplied to the Corporation where it is in the public interest that similar information continue to be so supplied, and result in undue loss or gain to any person, group, committee or financial institution or agency; commercial, information relating to the proposed acquisition that belongs to the Corporation that has monetary value or potential monetary value; information concerning the proposed acquisition whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or its competitive position; information concerning the proposed acquisition whose disclosure could reasonably be expected to be injurious to the financial interests of the Corporation; and instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the Corporation concerning the proposed acquisition. (FASC)
- d) A matter pertaining to personal matters about an identifiable individual, including municipal employees with respect to employment related matters, advice or recommendations of officers and employees of the Corporation including communications necessary for that purpose. (FASC)
- e) A matter pertaining to personal matters about an identifiable individual, including municipal employees; instructions and directions to officers and employees of the Corporation; advice that is subject to solicitor client privilege, including communications for that purpose. (FASC)
- f) A matter pertaining to personal matters about an identifiable individual, including a municipal employee with respect to employment related matters, advice or recommendations of officers and employees of the Corporation including communications necessary for that purpose and for the purpose of providing instruction and direction to officers and employees of the Corporation. (FASC)
- g) A matter pertaining to advice that is subject to solicitor-client privilege, including communications necessary for that purpose, and for the purpose of giving directions or instructions to officers, employees or agents of the municipality, as necessary, with respect to the request from the Ontario Ombudsman dated January 11, 2012 to interview certain members of Council and the Civic Administration identified by the Ontario Ombudsman in connection with his investigation regarding a closed meeting of Municipal Council held on November 7, 2011 with respect to Occupy London. (FASC)
- h) A matter pertaining to litigation or potential litigation and advice that is subject to solicitor-client privilege, including communications necessary for that purpose, with respect to the appeal of London Property Management Association to the Court of Appeal for Ontario from the Judgement of Madam Justice Leitch released September 30, 2011 upholding By-law C.P.-19 and the Endorsement on Costs of Madam Justice Leitch release on December 16, 2011. (PEC)

- i) A matter to be considered for the purpose of instructions and directions to officers and employees of the Corporation pertaining to a proposed acquisition or disposition of land; reports or advice or recommendations of officers and employees of the Corporation pertaining to a proposed or pending acquisition or disposition of land; commercial and financial information supplied in confidence pertaining to the proposed acquisition or disposition the disclosure of which could reasonably be expected to, prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of the Corporation, result in similar information no longer being supplied to the Corporation where it is in the public interest that similar information continue to be so supplied, and result in undue loss or gain to any person, group, committee or financial institution or agency; commercial, information relating to the proposed acquisition or disposition that belongs to the Corporation that has monetary value or potential monetary value; information concerning the proposed acquisition or disposition whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or its competitive position; information concerning the proposed acquisition or disposition whose disclosure could reasonably be expected to be injurious to the financial interests of the Corporation; and instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the Corporation concerning the proposed acquisition or disposition. (IEPC)
- j) A matter pertaining to a proposed or pending acquisition or disposition of land by the municipality or local board. (IEPC)
- k) A matter that is subject to solicitor-client privilege, including communications necessary for that purpose, with respect to banning shark fin products. (PSC)

Motion Passed

The Council rises and goes into closed session at 9:56 PM, with all Members present except Councillors Armstrong and Bryant.

At 10:13 PM all staff leave the meeting except J.P. Barber, Veronica McAlea Major, J. Page, L.M. Rowe, C. Saunders and B. Westlake-Power.

At 10:38 PM J.P. Barber and J. Page leave the meeting.

The Committee rises and Council resumes in regular session at 10:45 PM.

3rd Report of the Committee of the Whole

Councillor D. Brown presents.

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

ALSO PRESENT: J. Braam, R.L. Fair, J.P. Barber, J. Fleming, G. Hopcroft, T. Johnson, V. McAlea Major, J. Page, L.M. Rowe, M. Turner, B. Warner and B. Westlake-Power.

1. Base Rent Negotiation – 220 Dundas Street, 6th Floor – J. D. Edwards Upgrade Project

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, on the advice of the Manager Realty Services, with the concurrence of the City Treasurer, Chief Financial Officer, the lease of 220 Dundas Street between the City and The Court House Block Inc. (the "Landlord") **BE RENEWED** for an additional term of two (2) years, with a base rent of \$8.00 per square foot.

2. SOHO Wellington Centre Project Proposal - Fincore Group

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, notwithstanding the recommendation of the Managing Director - Corporate Assets, on the advice of the Manager Realty Services, with the concurrence of the City Treasurer, Chief Financial Officer and the Director, Land Use Planning and City Planner, the unsolicited Expression of Interest from Fincore Group with respect to the acquisition of the City of London and Upper Thames River Conservation Authority (UTRCA)-owned lands located on South Street bounded by Wellington Street / Waterloo Street and the Thames River BE REFERRED for evaluation through the Strategic Investment and Economic Prosperity Plan process.

3. Companion Report to "Developing a Strategic Investment and Economic Prosperity Plan" - Industrial Land Strategy Discussion

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

That, the following actions be taken with respect to the acquisition of industrial land:

- a) on the recommendation of the Director of Land Use Planning and City Planner, and the City Treasurer, Chief Financial Officer, staff BE DIRECTED to identify an amount of \$7.3M in the 2012 Budget for the purpose of acquiring industrial land; and
- b) the City Solicitor BE REQUESTED to provide a report providing advice as to economic development matters that can be discussed in closed session, in compliance with the Municipal Act, 2001.

The motion to adopt clauses 1 to 3, inclusive, is put.

Motion Passed

XII BY-LAWS, continued

Motion made by Councillor P. Hubert and seconded by Councillor S.E. White to Approve leave for the introduction of the following Bill:

Bill No. 84, By-law No. A.-6776-60	A by-law to authorize the renewal of the lease of property at 220 Dundas Street and to authorize the Mayor and City Clerk to execute the Lease Amending Agreement between The Corporation of the City of London and The Court House Block Inc. (City Clerk)
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Motion Passed

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

Motion made by Councillor P. Hubert and seconded by Councillor H.L. Usher to Approve 1st Reading of Bill 84.

Motion Passed

Motion made by Councillor P. Hubert and seconded by Councillor B. Polhill to Approve 2nd Reading of Bill 84.

Motion Passed

Motion made by Councillor H.L. Usher and seconded by Councillor S.E. White to Approve 3rd Reading and enactment of Bill 84.

Motion Passed

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

Bill No. 84, By-law No. A.-6776-60

A by-law to authorize the renewal of the lease of property at 220 Dundas Street and to authorize the Mayor and City Clerk to execute the Lease Amending Agreement between The Corporation of the City of London and The Court House Block Inc. (City Clerk)

XIV ADJOURNMENT

Motion made by Councillor S. Orser and seconded by Councillor S.E. White to Adjourn.

Motion Passed

The meeting adjourned at 10:55 PM

Joe Fontana, Mayor

Catharine Saunders, City Clerk