



London
C A N A D A

COUNCIL MINUTES 6TH MEETING

As amended by Council
Resolution April 10 and 11, 2012

March 20 and 21, 2012

The Council meets in Regular Session in the Council Chambers this day at 5:06 p.m.

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

ALSO PRESENT: T. Dobbie, J. Braam, R.L. Fair, M. Hayward, J.P. Barber, J. Edward, J.M. Fleming, E. Gamble, G.T. Hopcroft, T.J. Johnson, S. Jones, G. Kotsifas, V. Lakhotia, J. Leunissen, S. Maguire, E. Mogck, V. McAlea Major, D. O'Brien, L.M. Rowe, R. Skinner, J.W. Taylor, M. Turner, B. Warner, B. Westlake-Power and J. Winston.

At the beginning of the Meeting all Members are present.

I RECOGNITIONS

1. His Worship the Mayor makes a presentation to recognize and honour Tommy Hunter.

At 5:16 PM the Mayor places Councillor M. Brown in the Chair, and leaves the meeting.

2. Councillor M. Brown presents a certificate for "London's Featured Community Organization" to the YMCA Children's Safety Village.

II DISCLOSURES OF PECUNIARY INTEREST

Councillor Hubert discloses a pecuniary interest in clauses 3 and 4 of the 4th Report of the Community Services Committee having to do with Ontario Works, by indicating that he is the Executive Director of a social services agency which has a purchase of service agreement with Ontario Works. Councillor Hubert further discloses a pecuniary interest in clauses 11 and 14 of the 2nd Report of the Public Safety Committee, having to do with the Clearing of Land By-law and the Downtown Mural Pilot program to prevent graffiti by indicating that he is the Executive Director of an organization that runs cleaning and graffiti removal services. Councillor Hubert further discloses a pecuniary interest in clause C1 of the Confidential Appendix of the Investment and Economic Prosperity Committee having to do with a matter to be considered for the purpose of instructions and directions to officers and employees of the Corporation pertaining to a proposed acquisition of land; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; reports or advice or recommendations of officers and employees of the Corporation pertaining to a proposed acquisition of land; commercial and financial information supplied in confidence pertaining to the proposed acquisition the disclosure of which could reasonably be expected to, prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of the Corporation, result in similar information no longer being supplied to the Corporation where it is in the public interest that similar information continue to be so supplied, and result in undue loss or gain to any person, group, committee or financial institution or agency; commercial, information relating to the proposed acquisition that belongs to the Corporation that has monetary value or potential monetary value; information concerning the proposed acquisition whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or its competitive position; information concerning the proposed acquisition whose disclosure could reasonably be expected to be injurious to the financial interests of the Corporation; and instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the Corporation concerning the proposed acquisition, by indicating that he is the Executive Director of a social services agency which has a lease agreement with the property owner.

Councillor B. Polhill discloses a pecuniary interest in clause 7 of the 6th Report of the Planning and Environment Committee having to do with an Ontario Municipal Board decision related to a decision of the Committee of Adjustment, by indicating that his son is a member of the

Committee of Adjustment. Councillor Polhill further noted that his son did participate in the Committee of Adjustment decision related to clause 8 of the 6th Report of the Planning and Environment Committee.

Councillor M. Brown discloses a pecuniary interest in clause 6 of the 7th Report of the Strategic Priorities and Policy Committee, having to do with appointments to Thames Valley District School Board (TVDSB) Accommodation Review Committees by indicating that the TVDSB is his employer.

At 5:24 PM, the Mayor resumes the Chair and Councillor M. Brown takes his seat at the Council board.

III CONFIRMATION AND SIGNING OF THE MINUTES OF THE FIFTH MEETING HELD ON FEBRUARY 21 AND 22, 2012

Motion made by Councillor P. Van Meerbergen and seconded by Councillor P. Hubert to Approve the Minutes of the Fifth Meeting held on February 21 and 22, 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, J.P. Bryant, S.E. White (15)

IV REVIEW OF CONFIDENTIAL MATTERS TO BE CONSIDERED IN PUBLIC

None.

V COMMUNICATIONS AND PETITIONS

1. Managing Director, Corporate Assets - Expropriation of Lands - Southdale Road West Road Widening Project - Wharncliffe Road South to Wonderland Road South

Motion made by Councillor D. Brown and seconded by Councillor J.B. Swan to Refer Communication #1 back to staff as an additional report is required related to the expropriation of land 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, J.P. Bryant, S.E. White (15)

Motion made by Councillor P. Van Meerbergen and seconded by Councillor P. Hubert to Receive the following communications:

2. S. Boersen, E-mail - 2261531 Ontario Limited re property located at 1103 Adelaide Street North (OZ-7972) (Refer to the Planning and Environment Committee Stage for Consideration with Clause 20 of the 6th Report of the Planning and Environment Committee)
3. F. Filice, The Old East Village Community Association - Amendments to the Official Plan and Zoning By-law to Provide Appropriate Opportunities for the Siting of Methadone Clinics and Methadone Pharmacies Within the City of London (OZ-8004) (Refer to the Planning and Environment Committee Stage for Consideration with Clause 22 of the 6th Report of the Planning and Environment Committee)
4. City Clerk advising that the following zoning by-laws have come into force and effect, namely:
 - a) By-law No. Z.-1-122067 to amend By-law No. Z.-1 to renumber a special provision zone relating to an area of land located at 1311 and 1451 Wharncliffe Road South;

- b) By-law No. Z.-1-112068 to amend By-law No. Z.-1 to renumber a special provision zone relating to an area of land located at 655-685 Fanshawe Park Road West;
 - c) By-law No. Z.-1-122069 to amend By-law No. Z.-1 to rezone an area of land located at 530 Oxford Street West;
 - d) By-law No. Z.-1-122070 to amend By-law No. Z.-1 to rezone an area of land located at 2034 and 2214 Wilton Grove Road and 3700 Old Victoria Road;
 - e) By-law No. Z.-1-122071 to amend By-law No. Z.-1 to rezone an area of land located at 35 Southdale Road East;
 - f) By-law No. Z.-1-122074 to amend By-law No. Z.-1 to remove the holding provisions from the zoning for an area of land located at 1390 Highbury Avenue North;
 - g) By-law No. Z.-1-122082 to amend By-law No. Z.-1 to remove holding provisions from the zoning for a portion of land located at 312 Sunningdale Road West;
 - h) By-law No. Z.-1-122075 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); and
 - i) By-law No. Z.-1-112002 to amend By-law No. Z.-1 to rezone an area of land located at 1235, 1237, 1245, 1247 and 1253 Richmond Street
5. (ADDED) G. Thompson, The Urban League of London - Application by 1705820 Ontario Limited (York Developments) re property located at 2118 Richmond Street (OZ-7890) (Refer to the Planning and Environment Committee Stage for Consideration with Clause 19 of the 6th Report of the Planning and Environment Committee.)
6. (ADDED) Application by 2261531 Ontario Limited re property located at 1103 Adelaide Street North (OZ-7972) (Refer to the Planning and Environment Committee Stage for Consideration with Clause 20 of the 6th Report of the Planning and Environment Committee.)
- a) W. Gidney, 551 St. George Street;
 - b) R. & M. Joseph, 545 Huron Street; and
 - c) J. & H. Kiewiet, 847 Maitland Street
7. (ADDED) The London Homeless Coalition - Amendments to the Official Plan and Zoning By-law to Provide Appropriate Opportunities for the Siting of Methadone Clinics and Methadone Pharmacies Within the City of London (OZ-8004) (Refer to the Planning and Environment Committee Stage for Consideration with Clause 22 of the 6th Report of the Planning and Environment Committee.)

Motion Passed

YEAS: J.F. Fontana, B. Polhill, 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, J.P. Bryant, S.E. White (15)

VI MOTIONS OF WHICH NOTICE IS GIVEN

None.

Motion made by Councillor J.L. Baechler and seconded by Councillor J.P. Bryant to Approve leave to introduce a motion pursuant to section 7.4 of the Council Procedure By-law to change the order of business to permit consideration of clause 19 and clause 20 of the 6th Report of the Planning and Environment Committee at 7:30 p.m.

Motion Passed

Motion made by Councillor J.L. Baechler and seconded by Councillor J.P. Bryant to Approve that pursuant to section 7.4 of the Council Procedure By-law, the order of business be changed to permit consideration of clause 19 and clause 20 of the 6th Report of the Planning and Environment Committee, having to do with an application from 1705820 Ontario Limited (York Development) regarding the property located at 2118 Richmond Street and an application from 2261531 Ontario Limited regarding the property located at 1103 Adelaide Street North, respectively, at 7:30 p.m.

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, J.P. Bryant, S.E. White (14)

NAYS: S. Orser (1)

VII ADDED REPORTS

1. 7th Report of the Planning and Environment Committee
2. 9th Report of the Finance and Administrative Services Committee
3. 10th Report of the Finance and Administrative Services Committee
4. 3rd Report of the Public Safety Committee
5. 7th Report of the Strategic Priorities and Policy Committee

VIII REPORTS

5th Report of the Civic Works Committee

Councillor H.L. Usher presents.

1. Disclosures of Pecuniary Interest

Motion made by Councillor H.L. Usher 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, J.P. Bryant, S.E. White (15)

2. 3rd Report of the Transportation Advisory Committee

Motion made by Councillor H.L. Usher to Approve that the 3rd Report of the Transportation Advisory Committee, from its meeting held on February 7, 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, J.P. Bryant, S.E. White (15)

3. Closed Circuit (CCTV) Sewer Inspection Service - Tender 12-12

Motion made by Councillor H.L. Usher to Approve that, on the recommendation of the Acting Executive Director, Planning, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the contract award for the Closed Circuit (CCTV) sewer inspection service (Tender 12-12):

- a) the bid submitted by Benko Sewer Service, Division of Badger Daylighting Inc., 6629 Orr Drive, London, Ontario N6L 1P1, at their tendered price of \$356,325.00, HST extra, with an option to renew for one (1) additional year, BE ACCEPTED; it being noted that the bid submitted by Benko Sewer Service was the lowest of five (5) bids and meets the City's specifications and requirements in all areas;
- b) the financing for this purchase BE APPROVED as set out in the Source of Finance Report provided as Appendix "A" to the associated staff report, dated March 5, 2012;
- c) the Civic Administration BE AUTHORIZED to undertake all of the administrative acts that are necessary in connection with this contract; and,
- d) the approval given herein BE CONDITIONAL upon the Corporation entering into a formal contract or issuing purchase orders or a contract record relating to the matters of this approval. (2012-W10-00)

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, J.P. Bryant, S.E. White (15)

4. Granular Materials - Area "B" - Tender 12-18

Motion made by Councillor H.L. Usher to Approve that, on the recommendation of the Acting Executive Director, Planning, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the contract award for granular materials for Area "B" (Tender 12-18):

- a) the bid submitted by Aaroc Aggregates Ltd., 31 Exeter Rd., London, Ontario N6L 1B6, at their tendered price of \$449,698.50, HST extra, for Area "B" (south half of the City), BE ACCEPTED; it being noted that six (6) bids were received;
- b) the financing for this purchase BE APPROVED as set out in the Source of Finance Report provided as Appendix "A" to the associated staff report, dated March 5, 2012;
- c) the Civic Administration BE AUTHORIZED to undertake all of the administrative acts that are necessary in connection with this contract; and,
- d) the approval given herein BE CONDITIONAL upon the Corporation entering into a formal contract or issuing purchase orders or a contract record relating to the matters of this approval. (2012-F13-00)

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, J.P. Bryant, S.E. White (15)

5. Supply of Hot Mix Asphalt for Road Maintenance and Repair - Tender 12-20

Motion made by Councillor H.L. Usher to Approve that, on the recommendation of the Acting Executive Director, Planning, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the contract award for the supply of hot mix asphalt for road maintenance and repair (Tender 12-20):

- a) the bid submitted by Dufferin Construction Company, A Division of Holcim (Canada) Inc., 2200 Jetstream Road, P.O. Box 189, London, Ontario N6A 4V7, at their tendered price of \$876,125.00, HST extra, BE ACCEPTED; it being noted that the bid submitted by Dufferin Construction Company was the lowest of three (3) bids and meets the City's conditions and specifications in all areas;
- b) the Civic Administration BE AUTHORIZED to undertake all of the administrative acts that are necessary in connection with this contract; and,

- c) the approval given herein BE CONDITIONAL upon the Corporation entering into a formal contract or issuing purchase orders or a contract record relating to the matters of this approval.

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, J.P. Bryant, S.E. White (15)

6. Amendments to the Traffic and Parking By-Law

Motion made by Councillor H.L. Usher to Approve that, on the recommendation of the Acting Executive Director, Planning, Environmental and Engineering Services and City Engineer, the revised ~~attached~~ proposed by-law (Appendix "A") to amend the Traffic and Parking By-law (P.S. 111), BE INTRODUCED at the Municipal Council meeting to be held on March 20, 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, J.P. Bryant, S.E. White (15)

7. Lead Mitigation Program Update

Motion made by Councillor H.L. Usher to Approve that the information report, dated March 5, 2012, from the Acting Executive Director, Planning, Environmental and Engineering Services and City Engineer, with respect to the City of London's lead mitigation program for Londoners with lead water service pipes, 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, J.P. Bryant, S.E. White (15)

8. City of London Water Distribution System - 2011 Compliance Report

Motion made by Councillor H.L. Usher to Approve that the information report dated March 5, 2012, including the ~~attached~~ revised "Sampling & Water Quality Monitoring" information that notes the change to the fluoride parameter in the table relating to Appendix 'A', from the Acting Executive Director, Planning, Environmental and Engineering Services and City Engineer, with respect to the 2011 Compliance Report for the City of London's Water Distribution System, BE RECEIVED. (2012-W13-00)

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, J.P. Bryant, S.E. White (15)

9. The Meadowlily Bridge Restoration and Cultural Heritage Evaluation Study Report

Motion made by Councillor H.L. Usher to Approve that, on the recommendation of the Acting Executive Director, Planning, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the Meadowlily Bridge Restoration and Cultural Heritage Evaluation Study Report:

- a) the above-noted report and recommendations BE ACCEPTED; it being noting that the Study Report will form the basis of the detailed design and rehabilitation of the bridge; and,
- b) the report BE REFERRED to the London Advisory Committee on Heritage (LACH), for its review and further recommendations related to a potential heritage designation; it

being noted that the LACH has previously recommended the designation of the Meadowlily Bridge;

it being noted that the Civic Works Committee heard the ~~attached~~ presentation from the Division Manager, Transportation Engineering, 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, J.P. Bryant, S.E. White (15)

6th 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 7 of this Report, relating to the property located at 4 Erie Avenue, by indicating that his son is a member of the Committee of Adjustment. Councillor Polhill further disclosed a pecuniary interest in clause 8 of the this Report, relating to the property located at 50 Jacqueline Street, by indicating that his son is a member of the Committee of Adjustment.

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, J.P. Bryant, S.E. White (15)

2. 3rd 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 3rd Report of the London Advisory Committee on Heritage from its meeting held on February 8, 2012:

- a) the Civic Administration BE ADVISED that the Heritage Alteration Permit Application of St. Paul's Cathedral requesting permission for changes to the main front entrance, and other changes related to accessibility, to the designated heritage property located at 472 Richmond Street BE APPROVED; it being noted that the Heritage Planner has reviewed the proposed changes and has advised that the impact of such alterations on the heritage features of the property identified in the reasons for designation is negligible; it being further noted that the London Advisory Committee on Heritage heard verbal presentations from P. Rutherford, St. Paul's Cathedral Administration and M. Wasylo, Wasylo Architect Inc., with respect to this matter;
- b) the residence located at 14 Rogers Street BE ADDED to the Inventory of Heritage Resources as a Priority 3 listing;
- c) the Heritage Planner BE ASKED to forward the Statement of Significance, for the property located at 678 Talbot Street, to the owner for signature; and,
- d) that clauses 3 through 15, 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, J.P. Bryant, S.E. White (15)

3. Forest City Industrial Stormwater Management Facility and Westminster Wetland Complex

Motion made by Councillor B. Polhill to Approve that, on the recommendation of the Acting Executive Director, Planning, Environmental & Engineering Services and City Engineer, the following actions be taken with respect to the Forest City Stormwater Management Facility Westminster Wetland Complex Assessment of Reported Die-back report:

- a) the report relating to the Forest City Stormwater Management Facility Westminster Wetland Complex Assessment of Reported Die-back BE ACCEPTED; it being noted that the assessment concluded that there is no evidence that the contribution of stormwater from the Forest City SWM facility is causing stress or tree mortality within the Westminster Wetland Complex; and,
- b) the Civic Administration BE REQUESTED to work with ReForest London, as part of the One Million Tree Challenge, on tree plantings for this area.

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, J.P. Bryant, S.E. White (15)

4. Ballymote Woods Subdivision

Motion made by Councillor B. Polhill to Approve that, on the recommendation of the Director of Development Planning and the Managing Director of the Development Approvals Business Unit, the following actions be taken with respect to the application by Sifton Properties Ltd. to exempt Lots 88-94 in Plan 33M-631 and Lots 1-12 Plan 33M-632 from Part Lot Control:

- a) the following conditions of approval **BE REQUIRED** to be completed prior to the passage of a Part Lot Control By-law for Lots 88-94 in Plan 33M-631 and Lots 1-12 Plan 33M-632:
 - i) the applicant be required to submit a draft reference plan, for review and approval, to the Civic Administration, prior to a reference plan being deposited in the Land Registry Office to ensure the proposed development plans comply with the regulations of the Zoning By-law;
 - ii) the applicant be required to submit, to the Civic Administration, a digital copy and a hard copy of each reference plan to be deposited; it being noted that the digital file is to be assembled in accordance with the City of London's Digital Submission / Drafting Standards and be referenced to the City's NAD83 UTM Control Reference;
 - iii) the applicant be required to obtain confirmation, from the Civic Administration, prior to the reference plan being deposited in the Land Registry Office, that the assignment of municipal numbering has been completed;
 - iv) the applicant be required to enter into an amended subdivision agreement with the City for Plan 33M-631 and Plan 33M-632 to address all issues outlined below:
 - A) the applicant be required to submit, to the City, for review and acceptance, revised servicing and grading drawings for Registered Plan 33M-631 and Plan 33M-632 to reflect the proposed relotting and identify any services that require removal and relocation;
 - B) the applicant shall submit, a revised grading plan that reflects the final lot layout and is in compliance with all obligations for current and proposed works and with associated requirements to be set out in an amended subdivision agreement;
 - C) the applicant is to provide adequate security as needed; and,
 - D) prior to the issuance of a Certificate of Conditional Approval for the proposed lots, a clearance is to be obtained from the City that requirements iv) A) to C) , as outlined above, have been satisfactorily completed;
 - v) the applicant be required to submit, to the City, confirmation that an approved reference plan for final lot development has been deposited in the Land Registry Office;
- b) pursuant to subsection 50(7) of the *Planning Act, R.S.O. 1990, c. P.13*, the attached proposed by-law **BE INTRODUCED** at a future Municipal Council meeting, to exempt

Lots 88-94 in Plan 33M-631 and Lots 1-12 Plan 33M-632 from the Part Lot Control provisions of subsection 50(5) of the said *Act*, for a period not to exceed six (6) months; it being pointed out that these lands are subject to a registered subdivision agreement and Lots 1-12 Plan 33M-632 are zoned Holding Residential R1 (h-96*R1-5) Zone and Lots 88-94 in Plan 33M-631 are zoned Residential R1 (R1-5) Zone in Zoning By-law No. Z.-1, which permits single detached dwellings with a minimum lot frontage of 12m and minimum lot area of 415m²; and,

- c) the applicant **BE ADVISED** that the cost of registration of these by-laws is to be borne by the applicant in accordance with City 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, J.P. Bryant, S.E. White (15)

5. Properties Located at 1280 Fanshawe Park Road West and 1875 and 1965 Hyde Park Road (OZ-7401)

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 with respect to the application by Smartcentres relating to the properties located at 1280 Fanshawe Park Road West and 1875 and 1965 Hyde Park Road:

- a) the ~~attached~~ revised by-law BE INTRODUCED at the Municipal Council meeting to be held on March 20, 2012, to amend policy 4.7.1.5.4 of the Official Plan, which refers to the Fanshawe Park Road/Hyde Park Commercial Node, to change the maximum gross floor area for retail commercial uses in this node from 113,620m² to 117,336m² and to change the maximum gross floor area for retail commercial uses permitted on the southeast corner from 53,890m² to 57,606m²;
- b) the ~~attached~~ revised by-law BE INTRODUCED at the Municipal Council meeting to be held on March 20, 2012, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan, as amended in part a) above), to change the zoning of the subject property FROM a Holding Associated Shopping Area Special Provision (h*h-25*ASA3/ASA6/ASA8(4)) Zone which permits a wide range of commercial uses in a shopping centre or stand alone buildings with a maximum gross floor area of 53,890m² provided that a development agreement is entered into with the City and that the development complies with the City of London Commercial Urban Design Guidelines TO an Associated Shopping Area Special Provision (ASA3/ASA6/ASA8 ()) Zone which permits commercial uses in a shopping centre or stand alone buildings with a maximum gross floor area of 57,606m²; and,
- c) the date of passing referred to in the proposed by-laws BE AMENDED from March 5, 2012 to March 20, 2012 and pursuant to section 34(17) of the Planning Act, as determined by the Municipal Council, no further notice BE GIVEN in respect to the proposed by-laws as the proposed changes to the by-laws are minor in nature;

it being noted that the Planning and Environment Committee received a communication, dated February 26, 2012 from E. Saulesleja, GSP Group Inc., with respect to this matter.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (15)

6. Comprehensive Official Plan Review and Komoka-Kilworth Secondary Plan

Motion made by Councillor B. Polhill to Approve that, on the recommendation of the Director of Land Use Planning and City Planner, the following actions be taken with respect to the Municipality of Middlesex Centre Official Plan Amendment 28:

- a) the Civic Administration BE REQUESTED to inform the County of Middlesex that the City of London does not object to the approval of Middlesex Centre Official Plan Amendment 28; and,

- b) the County of Middlesex BE REQUESTED to work with the Municipality of Middlesex Centre to develop phasing policies to manage Middlesex Centre's rate of growth and the physical expansion of Komoka-Kilworth and Ilderton.

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, J.P. Bryant, S.E. White (15)

7. Ontario Municipal Board Decision - 4 Erie Avenue

Motion made by Councillor S.E. White and seconded by to Approve That, the decision of the Ontario Municipal Board relating to the appeal submitted by Leo Belair against the decision of the Committee of Adjustment which refused an application for minor variances, respecting property at 4 Erie Avenue BE RECEIVED. (2012-D16-00)

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, J.P. Bryant, S.E. White (14)

RECUSED: B. Polhill (1)

8. Ontario Municipal Board Decision - 50 Jacqueline Street

Motion made by Councillor B. Polhill to Approve that, the decision of the Ontario Municipal Board relating to the appeal submitted by Alan Patton, on behalf of John Brotzel against the decision of the Committee of Adjustment which refused an application for minor variances, and the London Consent Authority which did not make a decision on the application for consent, respecting property at 50 Jacqueline Street 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, J.P. Bryant, S.E. White (15)

9. Telecommunication Towers (O-7881)

Motion made by Councillor B. Polhill to Approve that, on the recommendation of the Director of Land Use Planning and City Planner, the following actions be taken with respect to the issue of municipal control over the location, design and construction of communication towers:

- a) the Telecommunication Facilities report, presented to the Planning and Environment Committee on February 27, 2012, BE CIRCULATED to members of the public, major telecommunication carriers, Industry Canada and all interested parties and individuals for review and comment; and,
- b) a public participation meeting at the Planning and Environment Committee BE HELD in May, 2012, relating to the Official Plan Amendment to adopt the Telecommunication Facilities Policy Plan.

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, J.P. Bryant, S.E. White (15)

10. Building Division Monthly Report for January 2012

Motion made by Councillor B. Polhill to Approve that the Building Division Monthly Report for January 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, J.P. Bryant, S.E. White (15)

11. Property Located at 43 Saunby Street

Motion made by Councillor B. Polhill to Approve that, on the recommendation of the Director of Development Planning, the following actions be taken with respect to the site plan approval application by Escalade Property Corp., relating to the property located at 43 Saunby Street:

- a) the Approval Authority BE ADVISED that there were no issues raised at the public participation meeting of the Planning and Environment Committee with respect to the site plan approval application for the construction of a duplex dwelling;
- b) the Approval Authority BE ADVISED that the Municipal Council supports the approval of the ~~attached~~ Site Plan for a duplex dwelling; and,
- c) the financing for the project BE APPROVED in accordance with the "Claims and Revenues Report" provided as Schedule "A" to the associated staff report, dated February 27, 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, J.P. Bryant, S.E. White (15)

12. Property located at 47 Saunby Street

Motion made by Councillor B. Polhill to Approve that, on the recommendation of the Director of Development Planning, the following actions be taken with respect to the site plan approval application by Escalade Property Corp., relating to the property located at 47 Saunby Street:

- a) the Approval Authority BE ADVISED that there were no issues raised at the public participation meeting of the Planning and Environment Committee with respect to the site plan approval application for the construction of a duplex dwelling;
- b) the Approval Authority BE ADVISED that the Municipal Council supports the approval of the ~~attached~~ Site Plan for a duplex dwelling; and,
- c) the financing for the project BE APPROVED in accordance with the "Claims and Revenues Report" provided as Schedule "A" to the associated staff report, dated February 27, 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, J.P. Bryant, S.E. White (15)

13. Property Located at 280 Callaway Road

Motion made by Councillor B. Polhill to Approve that, on the recommendation of the Director of Development Planning, the following actions be taken with respect to the site plan approval application by Domus Developments London Limited, relating to the property located at 280 Callaway Road:

- a) the Approval Authority BE ADVISED that there were no issues raised at the public participation meeting of the Planning and Environment Committee with respect to the site plan approval application for the construction of five buildings with three or four units in each, for a total of 18 street townhouses on the lot;
- b) the Approval Authority BE ADVISED that the Municipal Council supports the approval of the ~~attached~~ Site Plan for five buildings; and,
- c) the financing for the project BE APPROVED in accordance with the "Claims and

Revenues Report” provided as Schedule “A” to the associated staff report, dated February 27, 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, J.P. Bryant, S.E. White (15)

14. Property Located at 28 Watmar Avenue

Motion made by Councillor B. Polhill to Approve that, on the recommendation of the Director of Development Planning, the following actions be taken with respect to the site plan approval application of Anna-Maria and Domenic Anello, relating to the property located at 28 Watmar Avenue:

- a) the Approval Authority BE ADVISED that there were no issues raised at the public participation meeting of the Planning and Environment Committee with respect to the site plan approval application for the construction of a single-detached dwelling on a lot to be created on lands at 28 Watmar Avenue;
- b) the Approval Authority BE ADVISED that the Municipal Council supports the approval of the ~~attached~~ Site Plan for a single-detached dwelling; and,
- c) the financing for the project BE APPROVED in accordance with the “Claims and Revenues Report” provided as Schedule “A” to the associated staff report, dated February 27, 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, J.P. Bryant, S.E. White (15)

15. Property Located at 2020 Hyde Park Road (Z-8009)

Motion made by Councillor B. Polhill to Approve that, on the recommendation of the Director of Land Use Planning and City Planner, based on the application of BFM (London) Enterprise Society, relating to the property located at 2020 Hyde Park Road , the ~~attached~~ by-law BE INTRODUCED at the Municipal Council meeting to be held on March 20, 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 Restricted Service Commercial (RSC1/RSC4/RSC5) Zone, which permits animal clinics; automobile rental establishments; automobile repair garages; automobile sales and service establishments; automobile supply stores; automotive uses, restricted; catalogue stores; duplicating shops; home and auto supply stores; home improvement and furnishing stores; kennels; repair and rental establishments; service and repair establishments; studios; taxi establishments; bake shops; convenience service establishments; convenience stores; day care centres; financial institutions; florist shops; personal service establishments; restaurants; video rental establishments; brewing on premises establishments; auction establishments; bakeries; building or contracting establishments; building supply outlets; bulk sales establishments; dry cleaning and laundry plants; manufacturing and assembly industries with related sales; garden stores; printing establishments; service trades; support offices; warehouse establishments; wholesale establishments; commercial schools; truck sales and service establishments; and industrial malls TO a Holding Restricted Service Commercial Special Provision (h-11•h-32•RSC1()/RSC4/RSC5) Zone, to permit a retail store (thrift store) with a maximum gross floor area of 1500m², within a portion of the existing building, and to maintain existing parking, subject to holding provisions to ensure that upon future redevelopment a development agreement is entered into with the City of London to provide appropriate access arrangements and that any new development is consistent with the Hyde Park Community Plan and Urban Design Guidelines;

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

S. Cornwell, Zelinka Priamo Ltd., on behalf of P. Stavrou – indicating that there is a disparity between how the Official Plan and Zoning By-law treat the subject property and Mr. Stavrou’s

neighbouring property; requesting that the Civic Administration investigate the disparity between possible retail uses on the subject property and properties to the west of Hyde Park Road and report back with policies; advising that there is built form on Mr. Stavrou's site; and reiterating that the policies treat the lands separately.

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, J.P. Bryant, S.E. White (15)

16. Pellumb Jakupi re Property Located at 363 Edmonton Street

Motion made by Councillor B. Polhill to Approve that, on the recommendation of the Director of Development Planning, the following actions be taken with respect to the site plan approval application of Pellumb Jakupi, relating to the property located at 363 Edmonton Street:

- a) the Approval Authority BE ADVISED that there were no issues raised at the public participation meeting of the Planning and Environment Committee with respect to the site plan approval application for the construction of a single-detached dwelling on a lot to be created on lands at 363 Edmonton Street;
- b) the Approval Authority BE ADVISED that the Municipal Council supports the approval of the ~~attached~~ Site Plan for a single-detached dwelling; and,
- c) the financing for the project BE APPROVED in accordance with the "Claims and Revenues Report" provided as Schedule "A" to the associated staff report, dated February 27, 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, J.P. Bryant, S.E. White (15)

17. The Ashfield Group Inc. re Property Located at 503 York Street (Z-7996)

Motion made by Councillor B. Polhill to Approve that, on the recommendation of the Director of Land Use Planning and City Planner, the following actions be taken with respect to the application of The Ashfield Group Inc. relating to the property located at 503 York Street:

- a) the ~~attached~~ revised by-law BE INTRODUCED at the Municipal Council meeting to be held on March 20, 2012 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the property located at 503 York Street FROM a Restricted Service Commercial (RSC2/RSC4) Zone which permits animal clinics, automobile rental establishments, automobile repair garages, automobile sales and service establishments, automobile supply stores; automotive uses, restricted; bulk beverage stores, dry cleaning and laundry depots, liquor, beer and wine stores, pharmacies, convenience stores, day care centres, duplicating shops financial institutions, florist shops, personal service establishments TO a Restricted Service Commercial Special Provision (RSC2()/RSC4()) Zone to add "service office" to the list of above permitted uses with a maximum gross floor area of 2000 m², a minimum lot depth of 48 meters, a front yard setback of 0 meters, a rear lot line setback of 0 meters, a minimum landscaped open space of 5%, a maximum lot coverage of 45% and a 0 meter setback to parking area from ultimate road allowance; and,
- b) the Site Plan Approval Authority BE REQUESTED to consider the following design objectives through the site plan process, in accordance with the site plan submitted as part of this application, as shown in the ~~attached~~ Appendix 'B':
 - i) reinforcement of the landscaped screen between York Street and the parking area by extending the landscaped island at the northwest corner of the building west to the entry/exit driveway;
 - ii) enhancement of the pedestrian approach to the westerly entry by widening the sidewalk along the west side of the building and extending the 'courtyard' paving material to this entrance;

- iii) consideration of placement of the building's principal entrance on the north elevation with the westerly entry utilized as the secondary entrance. Alternatively, redesign the north elevation glazed storefront to downplay the exit;
- iv) improvement of vehicular movement by deleting the curbed island in the middle of the parking area and aligning the parking stalls;
- v) improvement of the view and identification of the main west entrance by shifting the two treed landscaped islands to the north and south ends of the middle row;
- vi) utilization of pervious pavement to the project parking area to enhance the project's sustainability; and,
- vii) resolution of the directional conflicts inherent within the elevations due to the barrel vaults recommendations noted herein;

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, J.P. Bryant, S.E. White (15)

18. Old Oak Properties re Properties Located at 909 Southdale Road West and 3045 Pomeroy Lane (OZ-7988)

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 with respect to the application of Old Oak Properties, relating to the property located at 909 Southdale Road West and 3045 Pomeroy Lane:

- a) the ~~attached~~ by-law BE INTRODUCED at the Municipal Council meeting to be held on March 20, 2012 to amend the Official Plan by adding wording to Special Policy 3.5.11 (North Talbot Community) to permit building heights to exceed a maximum of 40 metres through the use of bonus zoning;
- b) the ~~attached~~ revised by-law BE INTRODUCED at the Municipal Council meeting to be held on March 20, 2012 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan, as amended in part a) above), to change the zoning of the subject property FROM an Urban Reserve (UR) Zone, which permits existing dwellings; limited agricultural uses; conservation land; managed woodlots; wayside pits; and passive recreation use AND a holding Residential R9 (h-5•h-53•h-55•h56•R9-7•H40) Zone which permits apartment buildings; lodging house class 2; senior citizens apartment buildings; handicapped persons apartment buildings; and, continuum-of-care facilities, with a maximum height of 40 metres and subject to holding provisions which require: a public site plan review; street-oriented development and consistency with the community plan; a traffic impact study; and, implementation of noise attenuation measures to mitigate noise emanating from Southdale Road West prior to the removal of the holding provisions TO a holding Residential R9 Bonus (h-5•h-53•h-55•h56•R9-7•H40•B(_)) Zone to permit the same range of uses and subject to the same holding provisions in the Residential R9 Zone (listed above) as the base zoning and adding a bonusing provision to permit, subject to design approval: a maximum height of 50.5 metres; a maximum density of 207 units per hectare; a minimum south interior side yard depth of 35.0m from the main building; a minimum rear yard depth of 18.1 metres; and, a maximum lot coverage of 40.5%; such increases in height and density shall be permitted in return for the construction of a specified building design which is in accordance with the illustration included as Appendix "C" of the staff report, dated February 27, 2012, that provides for the following design features:
 - i) construction of two apartment buildings that are "L" shaped, with terraced profiles that will achieve a maximum height of 50.5m and contains a maximum of 434 dwelling units;

- ii) the two apartment buildings shall be constructed in a mirror image with one apartment building located at the northeast corner of the subject lands with the two building faces constructed parallel to Southdale Road West and Pomeroy Lane and the other building located at the northwest corner of the subject lands with the two building faces constructed parallel to Southdale Road West and the westerly rear lot line in order to frame public realm;
- iii) defining the base, middle, and top of the apartment buildings as follows:
 - A) with the base consisting of the portion of the façade between the ground floor and the third and fourth floors and using architectural stone and cornice lines to define the base;
 - B) with the middle consisting of the portion of the façade between the top of the base to the fourteenth floor and using coloured concrete and cornice lines to define the middle; and,
 - C) with the top consisting of the portion of the façade above the fourteenth floor and using coloured concrete differentiated from the middle, floorplate setbacks and a roof form profile to define the top;
- iv) concentrating the massing and architectural treatment of the eastern apartment building to naturally direct the user to the primary entrances;
- v) the introduction of trees and vegetation along the street frontage to improve the pedestrian experience along this section of Southdale Road;
- vi) the design and construction of an attractive, curb free paved and landscaped forecourt using unit pavers between the north facade and the Southdale Road West and the east façade and Pomeroy Lane to create an appealing interface between the buildings and the abutting roads;
- vii) the design of the parking structure elevations to complement the architectural details and materials used in the elevations of the base of the two residential apartment buildings to create visual consistency between the apartment buildings and parking structure;
- viii) the construction of a 1.8m high solid board privacy fence along the southern property line to provide a visual barrier between the parking structure and the rear yards of the abutting single detached residential lots to the south; and,
- ix) the planting of a dense row of coniferous trees between the privacy fence and the parking structure to augment the visual barrier between the parking structure and the rear yards of the abutting single detached residential lots to the south;
- c) the Site Plan Approval Authority BE REQUESTED to implement the design and landscape features proposed in part b) above, through the Site Plan Approval process; and,
- d) pursuant to Section 34(17) of the Planning Act, as determined by the Municipal Council, no further notice BE GIVEN in respect of the proposed by-law as the proposed change to the by-law are minor in nature;

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

- M. Hannay, Zelinka Priamo Limited, on behalf of the applicant – expressing support for the application; expressing appreciation to the Planning Staff for the time they spent with the applicant; advising that there is a major topographical drop along the west end of the property from Southdale Road West to Pomeroy Lane; indicating that the parking lot cannot be lowered; noting that in order to have positive drainage you need gravity flow to the sewer; and advising that they will work with the residents to improve the looks of the back of the parking garage.
- M. McDonagh, 1472 Thornley Street – indicating that her yard is south facing; advising that she sees no reason to have more layers added to the apartment buildings; indicating that more people will be able to view her backyard; and advising that there is already a lot of traffic in the area.

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, J.P. Bryant, S.E. White (15)

21. Sifton Properties Limited re Property Located at 1551 Blackwell Boulevard (39T-08504/Z-7521)

Motion made by Councillor B. Polhill to Approve that, notwithstanding the recommendation of the Managing Director of the Development Approvals Business Unit and the Manager, Development Planning, a special meeting of the Planning and Environment Committee BE HELD on Tuesday, March 20, 2012 at 3:00 p.m., at which time Sifton Properties Limited and representatives from the North Park Church will provide an update on their discussions relating to the property located at 1551 Blackwell Boulevard;

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

- M. Zunti, Sifton Properties Limited – advising that Sifton Properties Limited has been working on this application on and off for three years; indicating that they have been working with representatives from the Church on issues of drainage, servicing and access; advising that she believes that they can achieve a mutually beneficial solution; advising that Sifton is willing to consider providing access through the subdivision, with conditions; and asking that the Approval Authority support draft approval, if Sifton and the Church cannot arrive at an agreement in two or three weeks.
- A. R. Patton, Patton Cormier & Associates, on behalf of North Park Church – advising that this has been an on again and off again situation; advising that he has been aware of this file since 2009; advising that the Church received the proposal to provide access to Blackwell Road on Saturday; indicating that they have not had time to get the proposed plan to their engineers; advising that there is possibly both ground and surface water concerns; advising that there needs to be comprehensive service for sanitary, access and sewer; supporting Mr. D. Aille's comments that the staff report be referred back; requesting that the matter be adjourned and held at a future meeting; and advising that the issues need to be resolved.
- R. Antuma, Delcan, on behalf of Sifton Properties Limited – indicating that the depression on Sifton lands is the result of a glacial kettle; advising that it is beneficial to both parties to alleviate the existing ponding water; the construction will allow a private drain connection (pdc) which will assist in alleviating the church's drainage issue; indicating that storm and sanitary pdc's will be constructed this summer when Fanshawe Park Road is widened; the construction of the pdc's will provide an outlet for the Church; advising that there has been co-operation between Sifton and the Church; and recommending that the application move forward.

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, J.P. Bryant, S.E. White (15)

22. Amendments to the Official Plan and Zoning By-law to Provide Appropriate Opportunities for the Siting of Methadone Clinics and Methadone Pharmacies Within the City of London (OZ-8004)

Motion made by Councillor N. Branscombe and seconded by Councillor S.E. White to Refer consideration of clause 22 to the 7th Report of the Planning and Environment Committee.

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, J.P. Bryant, S.E. White (15)

7th Report of the Planning and Environment Committee
Councillor B. Polhill presents.

Motion made by Councillor S.E. White to Approve that the following actions be taken with respect to the request to amend the Zoning By-law to provide appropriate opportunities for the siting of methadone clinics and methadone pharmacies within the City of London:

- a) the zoning by-law amendment considered at the February 27, 2012 meeting of the Planning and Environment Committee BE REVISED to permit pharmacies to dispense methadone to up to 40 clients per day as an ancillary function, without being defined as a methadone pharmacy; and,
- b) the City Solicitor's Report relating to proposed amendments to the Official Plan and Zoning By-law to provide appropriate opportunities for the siting of methadone clinics and methadone pharmacies within the City of London BE RECEIVED.

Pursuant to section 17.2 of the Council Procedure By-law, Councillor J.P. Bryant calls for a separate vote on parts a) and b) of clause 2.

Motion made by Councillor D. Brown and seconded by Councillor S. Orser to Amend clause 2 to add daycare centres to the list of uses requiring a minimum separation distance of 300 m, with respect to the proposed methadone clinic by-law for clinic locations only.

Motion Failed

YEAS: S. Orser, D.G. Henderson, P. Van Meerbergen, D. Brown, S.E. White (5)

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

At 6:42 PM, the Mayor places Councillor Hubert in the Chair and takes a seat at the Council Board.

Motion made by Councillor J.B. Swan and seconded by Councillor B. Polhill to Amend part a) of clause 2, to reflect a limit of 30 clients per day as an ancillary function of a pharmacy.

Motion Failed

YEAS: B. Polhill, W.J. Armstrong, J.B. Swan, J.L. Baechler, N. Branscombe, M. Brown, J.P. Bryant (7)

NAYS: J.F. Fontana, S. Orser, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, S.E. White (8)

The motion to adopt part a) of clause 2 is put.

Motion Passed

YEAS: J.F. Fontana, W.J. Armstrong, S. Orser, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, S.E. White (9)

NAYS: B. Polhill, J.B. Swan, J.L. Baechler, N. Branscombe, M. Brown, J.P. Bryant (6)

The motion to adopt part b) of clause 2 is put.

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, J.P. Bryant, S.E. White (15)

At 6:47 PM, the Mayor resumes the Chair, and Councillor Hubert takes a seat at the Council Board.

Motion made by Councillor P. Hubert and seconded by Councillor J.P. Bryant to Amend clause 2 by adding a new part c), as follows:

- "c) the Minister of Health and Long Term Care BE REQUESTED to review the 2006 (Smitherman) Report related to methadone clinics, and encourage more pharmacies to serve methadone clients."

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, J.P. Bryant, S.E. White (15)

The motion to adopt clause 2, as amended is put.

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, J.P. Bryant, S.E. White (15)

Clause 2, as amended, reads as follows:

That, the following actions be taken with respect to the request to amend the Zoning By-law to provide appropriate opportunities for the siting of methadone clinics and methadone pharmacies within the City of London:

- a) the zoning by-law amendment considered at the February 27, 2012 meeting of the Planning and Environment Committee BE REVISED to permit pharmacies to dispense methadone to up to 40 clients per day as an ancillary function, without being defined as a methadone pharmacy;
- b) the City Solicitor's Report relating to proposed amendments to the Official Plan and Zoning By-law to provide appropriate opportunities for the siting of methadone clinics and methadone pharmacies within the City of London BE RECEIVED; and,
- c) the Minister of Health and Long Term Care BE REQUESTED to review the 2006 (Smitherman) Report related to methadone clinics, and encourage more pharmacies to serve methadone clients.

At 7:17 p.m. Councillor H. Usher and Michelle Edwards, Chair of the London Diversity & Race Relations Advisory Committee present the 2012 City of London Race Relations Recognition Awards to: Aboutown Transportation Limited (Business & Labour Category), London InterCommunity Health Centre (Social & Community Services Category) and the Community Services Department (The Corporation of the City of London, its Departments, Advisory Committees, City Boards and Commissions Category).

Motion made by Councillor M. Brown and seconded by Councillor N. Branscombe that Council recess.

Motion Passed

The Council recesses at 7:24 PM and reconvenes at 7:54 PM with Mayor J. Fontana in the Chair and all Members present except Councillors P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant and S.E. White.

Councillor J.P. Bryant enters the meeting at 7:55 PM.

Motion made by Councillor B. Polhill and seconded by Councillor S. Orser to Amend clause 22 of the 6th report in part b), by inserting the word "revised" before the word "by-law" in the first line.

Councillors H. Usher and P. Van Meerbergen enter the meeting at 7:56 PM.

Councillor S.E. White enters the meeting at 7:56 PM.

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, J.P. Bryant, S.E. White (14)

Motion made by Councillor S.E. White and seconded by Councillor P. Hubert to Approve clause 22 of the 6th Report of the Planning and Environment Committee, as amended.

At 7: 58 PM Councillor D. Brown enters the meeting.

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, J.P. Bryant, S.E. White (14)

NAYS: J.B. Swan (1)

Clause 22 of the 6th Report of the Planning and Environment Committee, as amended, reads as follows:

that, on the recommendation of the Director of Land Use Planning and City Planner, the following actions be taken with respect to methadone clinics and methadone pharmacies in the City of London:

- a) the ~~attached~~ by-law BE INTRODUCED at the Municipal Council meeting to be held on March 20, 2012, to amend the Official Plan to establish new policies to plan for methadone clinic and methadone pharmacy land uses;
- b) the ~~attached~~ revised by-law BE INTRODUCED at the Municipal Council meeting to be held on March 20, 2012, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan, as amended in part a) above), to:
 - i) add new, and amend existing, definitions in Section 2 to define methadone clinics and methadone pharmacies;
 - ii) add a new Section "4.36 Clinic, Methadone and Pharmacy, Methadone Uses to stipulate that these uses shall be permitted through amendment to the zoning by-law; that these uses shall not be permitted within 300 metres (984.3 ft.) of an elementary or secondary school; a municipal pool, a municipal arena, a municipal library or the Western Fairgrounds; and, methadone clinics shall require a waiting room area of no less than 15% of the total gross floor area;
 - iii) add new parking regulations to Section 4.19 to provide for "Clinic, Methadone" and "Pharmacy, Methadone" uses; and,
 - iv) add the Boys and Girls Club to Section 4.36, "Clinic, Methadone and Pharmacy, Methadone", to include a 300 metre separation distance from the Boys and Girls Club, recognizing that this facility attracts large numbers of children much like schools, libraries, pools and arenas;
- c) the final "Planning for Methadone Clinics and Methadone Pharmacies" background study date February, 2012, Appendix C, and the associated Methadone Research Compendium (Volumes 1, 2 and 3) that have been posted on the City's website at www.london.ca/methadonestudy BE RECEIVED;
- d) recognizing that the commercial corridor along Horton Street, between Wellington Street and Colborne Street, is to become a pedestrian-oriented main street, consistent with the SOHO Community Improvement Plan and the proposed road allowance improvements approved by Council, the Civic Administration BE DIRECTED to initiate an Official Plan amendment to re-designate these lands from Auto-oriented Commercial Corridor to Main Street Commercial Corridor;
- e) the Mayor BE REQUESTED to write a letter, on behalf of Municipal Council, to the Minister of Health and Long-Term Care encouraging the Minister to put in place legislation to regulate community consultation practices, maximum patient volumes, minimum facility standards and management and operational requirements of methadone clinics and dispensaries so as to ensure that clients are served effectively and with dignity and that the potential for neighbourhood impacts are minimized; and,
- f) a special meeting of the Planning and Environment Committee BE HELD on Tuesday, March 20, 2012 at 3:00 p.m., to receive a report from the City Solicitor with respect to whether or not the proposed amendments restrict human rights and to receive a report from the Manager, By-law Enforcement with respect to the enforceability of the proposed by-law;

it being noted that Interim Control By-law No. 1476-298 is in force and effect until May 15, 2012, after which time the By-law that "holds the status quo" for methadone clinics and methadone pharmacies will lapse;

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

- a communication, dated February 24, 2012, from B. Hall, Chief Commissioner, Ontario Human Rights Commission;
- a communication from M. Woodward, SoHo Executive, SoHo London Community Association;
- a communication, dated February 22, 2012, from G. Thompson, President, Urban League of London;
- a communication, dated February 23, 2012, from S. Merritt, Manager, Old East Village BIA;
- a communication, dated February 24, 2012, from H. Blackwell, Director, Corporate Affairs, Western Fair District;
- a communication, dated C. Harvey, Director of Operations, Boys and Girls Club of London; and,
- a communication from W. Dickinson, Planning Chair, The Woodfield Community Association;

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

- A. Kussner, Weirfoulds, on behalf of Shoppers Drug Mart – advising that there are 24 Shoppers Drug Mart stores in London; expressing appreciation for the Civic Administration's efforts in this matter; expressing concern with a number of the proposals; advising that a major concern is the definition of methadone pharmacy; indicating that the previous definition was overly broad and that this definition is still too broad; advising that the Shoppers Drug Mart, in the Wharncliffe Plaza, dispenses methadone to over 300 patients; advising that that pharmacy fills over 170,000 prescriptions a year, which is 465 prescriptions a day; noting that methadone is only 7% of the prescriptions that are filled; advising that there is no differential land use impact; advising that you would be unable to tell the difference between this pharmacy and a pharmacy that does not dispense methadone; advising that the Ontario Municipal Board concluded that a clinic is a distinct land use; advising that the definition in the Interim Control By-law is more restrictive; indicating that it is an arbitrary decision; advising that all pharmacies are tarred with the same brush; indicating that this exceeds the City's jurisdiction in health care matters; advising that other concerns flow from the definition under the *Planning Act*; indicating that there is a reference to the public site plan process which provides an opportunity for a public forum, such as this one; advising that the proposed minimum distance separation between methadone pharmacies and schools is unwarranted and excessive; advising that currently 12 Shoppers Drug Marts are located within 300 metres of public or secondary schools; advising that there is no due regard for intent to continue operating in the future; expressing appreciation for the concerns expressed by the City; indicating that care and concern is paid to public concerns; indicating that the recommendations cast too far a net; and advising that it is unsupportable from the land use planning perspective.
- A. R. Patton, Patton Cormier & Associates, on behalf of the Ontario Addiction Treatment Centres (OATC) – advising that the OATC operates 42 methadone clinics throughout Ontario; expressing support for many of Mr. Kussner's comments; advising that the OATC is the largest methadone provider and have not been consulted by Planning Staff; indicating that in 1991, the ARP, acting as the AIDS Committee of London, operated the hospice on Dufferin Avenue, which was strongly opposed by the community association; it being noted that the community association expressed opposition to the presence of death in the neighbourhood; advising that the hospice has now moved to a larger facility on Central Avenue; indicating that people fear the unknown; advising that for a year and a half, staff have been studying methadone clinics on the understanding that there were five in the City; indicating that an Interim Control By-law has been proposed and that 80% of the clinics were not even known; indicating that the clinic at 528 Dundas Street moved to that location after operating for many years at another location in the City; indicating that the clinic on Dundas Street is a problem; advising that there are new restrictions being placed on methadone clinics; advising that the Ontario Human Rights Commissioner has provided remarks and a warning on the Planning and Environment Committee Added Agenda; advising that his client has two concerns with the documents that have been put forward for approval;

advising that methadone clinics are operating unobtrusively in the city; advising that there does not need to be a site plan public participation meeting on this matter; expressing concern with the maximum of 30 clients per day; indicating that the City has a major oxycontin problem; advising that there is a new drug called oxyneo that is causing problems; indicating that if this true, there is more need for methadone clinics; expressing opposition to the public site plan process; advising that last year, in a small town, his client opened a methadone clinic; noting that when it became known that it was a methadone clinic, there was great concern; advising that when the municipality realized that it could not stop the methadone clinic, it used the licensing by-law to try to stop the opening of the clinic; advising that the municipality was advised that it was illegal to do this but went ahead anyway; noting that the municipality is now looking at lowering the fee for the clinic to \$500 or less; questioning the ability of enforcement as the patient log would identify the patient by name, number or anything else and would be a breach of client confidentiality; and expressing concern with the legality of the by-law to control a federally regulated drug.

- K. Wilkinson, Thames Valley District School Board – requesting that the uses be planned to avoid potential impact; indicating that a communication was provided to the previous Mayor on November 1, 2005, with respect to the clinic at 528 Dundas Street; indicating that a communication was provided to the Built and Natural Environment Committee expressing concern with the placement of methadone clinics in close proximity to schools; advising that the Thames Valley District School Board was represented at a public meeting with respect to this matter; advising that under Section 4.3.3., with the requirement to have methadone clinics a minimum distance of 300 metres from schools, it would solve the issues at 528 Dundas Street; advising that having a waiting room would also be of assistance; it being noted that the Thames Valley District School Board encompasses a large geographic area; and commending the City and staff for this undertaking.
- D. MacPherson, Principal, H.B. Beal Public School – (see attached presentation).
- C. Harvey, Boys and Girls Club – advising that 50,000 children and youth visit the Boys and Girls Club; indicating that their Board of Directors is generally supportive of the recommendations; expressing concern that the buffer does not include the Boys and Girls Club; expressing concerns about the proposed clinic to be built near the Club; expressing concern about the safety of visitors to the Club; and requesting that the Boys and Girls Club be added to the buffer.
- W. Pol, on behalf of Dr. Sidhu, 502 Oxford Street East – advising that Dr. Sidhu has been operating at this location for 18 months and has 350 patients; advising that Dr. Sidhu has had no problems or complaints and there are no off-site impacts; advising that 528 Dundas Street continues to operate as a clinic; advising that reducing existing sites may cause problems; advising that we are talking about one drug – methadone; advising that suboxol is an alternative to methadone; advising that in one year's time, the staff will be preparing a study on this new drug; recommending that an analysis be prepared on the number of proposed sites to determine which ones are zoned for medical-dental uses; advising that the issues of drug addition, HIV, etc., are multi-dimensional; and warning that the City should not reduce opportunities and risk discrimination.
- B. Sexsmith, 120-1231 Sandford Street – expressing frustration; advising that he has been working with the City on this matter; advising that people are talking about legal niceties; advising that people have been working on this for four years; indicating that he knows that there are a lot of problems on the streets; suggesting that people be given a chance; advising that this is a NIMBY problem; advising that it is confusing having drug stores looking after methadone; noting that he is not as concerned with drug stores; advising that the City felt, with all the time and effort, it is important to the residents in the City; advising that it is about time that other Londoners are paid attention to; and this is the first attempt to address citizen concerns.
- K. Wheeley – advising that she is recovering; indicating that she hears discrimination; advising that she no longer sticks needles in her arms; enquiring as to what kind of message the City is sending; advising that this is a human rights issue and should not be put aside for any reason; and indicating that they have the same rights as everyone else.
- Dr. Sidhu, 502 Oxford Street East – acknowledging that Mr. W. Pol is representing him; indicating that there is a drop-in centre next to 528 Dundas Street; indicating that 528 Dundas Street is not a problem by itself, but that the patients have nowhere else to go; advising that to say that methadone clinics should be in one area is discrimination; and suggesting that a fee be applied to all doctor's offices, not just methadone clinics.
- A. Ford – advising that this is a large problem; indicating that this is more of a problem in certain areas; advising that this is only part of a bigger issue and advising that there are substitutes for methadone.

- S. Lawrence, 30 Redwood Lane – advising that he has been listening to the discussion for a long time; advising that he has nothing against the clinics; requesting the Planning and Environment Committee to vote for the amendments; advising that he lost his brother to an overdose; recommending that clinics not be opened anywhere; advising that drug dealing is done for profit; and indicating that some clinic owners own 6 or 7 clinics and don't live in London.

Motion made by Councillor B. Polhill to Approve clause 3 of 7th Report of the Planning and Environment Committee.

That, at the request of Sifton Properties Limited and A.R. Patton, Patton, Cormier & Associates, on behalf of North Park Church, the consideration of the application of Sifton Properties Limited, relating to the property located at 1551 Blackwell Boulevard, BE REFERRED to the April 16, 2012 Planning and Environment Committee 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, J.P. Bryant, S.E. White (15)

6th Report of the Planning and Environment Committee (continued)

19. 1705820 Ontario Limited (York Developments) re property located at 2118 Richmond Street (OZ-7890)

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 1705820 Ontario Limited (York Developments) relating to the property located at 2118 Richmond Street:

- a) the Civic Administration BE ASKED to meet with the applicant to request that the application be revised in order that:
 - i) the proposed apartment building is reduced by two floors; and,
 - ii) the proposed townhouses are built first or simultaneously with the apartment building;
- b) the Civic Administration BE DIRECTED to report back on the results of the above-noted meeting and to provide advice with respect to potential holding provisions to achieve the following:
 - i) site access from Richmond Street only;
 - ii) quality urban design;
 - iii) provision of a view shed study to define the views from the apartment building to the neighbouring properties south of Sunningdale Road and to provide possible remedies;
 - iv) installation of roundabouts as per the submitted proposal; and,
 - v) holding of a public site plan meeting;
- c) the Civic Administration BE DIRECTED to provide notice in accordance with the provisions of the Planning Act;
- d) the Civic Administration BE DIRECTED to prepare a traffic study for the area outside of Sunningdale Road and Richmond Street; and,
- e) the Civic Administration BE DIRECTED to widen Sunningdale Road as soon as possible;

it being noted that the Planning and Environment Committee received a communication, dated February 25, 2012, from A. Soufan, York Developments, with respect to this matter;

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

- A. Soufan, York Developments – advising that they have gone through various hybrids; indicating that the proposal has been downgraded to a 113-unit apartment building and eight townhouse units; indicating that the staff recommendation has gone back and

forth numerous times; advising that the Tricar property is the same size as the subject property; reiteration of section 3.4.2 of the Official Plan and advising that the application meets the test on all three fronts; advising that the Richmond Street design is to be four lanes, increasing to five lanes at the intersection; advising that Sunningdale Road is to be five lanes, increasing to six lanes at the intersection; indicating that this is a desired mix of housing; indicating that the market conditions change depending on the surrounding area; indicating that this development will not impact the surrounding neighbourhood; advising that Sunningdale Road is buffered by three storey townhouses; indicating that the narrow side of the building will be facing Sunningdale Road; advising that the north boundary of the subject property is bounded by Drewlo Holdings Inc. high density lands; indicating that the proposed sanitary sewers are north of the property; indicating that they are able to contain their own stormwater on the site; advising that he has spoken with the pipeline company and they want to encase the pipe in concrete; ensuring that the City knows first and foremost that he will build what is proposed; advising that the intent is to build the townhouses at the same time as the apartment building; advising that they have reviewed the traffic concerns that the neighbours have expressed; advising that they conducted their own study; indicating that they plan to install two roundabouts at their own expense; advising that a tree preservation plan will be initiated; and advising that there is an existing traffic issue on Sunningdale Road.

- A. R. Patton, Patton, Cormier & Associates, on behalf of Barvest Realty – advising that his clients own the property to the north and west of the Tricar building; advising that an Ontario Municipal Board (OMB) hearing was held in 2009; indicating that the OMB expressed opposition to the planning for the site; and indicating that the application does not conform with the Official Plan and Zoning By-law which is consistent with the previous position.
- C. Munn, 2090 Richmond Street – advising that she lives on the southeast corner of Richmond Street and Sunningdale Road, directly south of the application; advising that she has lived there since 1980 and that when she moved in, Sunningdale Road was a gravel road; advising that it was in the Township of London and had septic systems and wells; commending the Planning Division staff on the report; expressing opposition to the proposed changes on this application; advising that the applicant is back here with another version; expressing opposition to the last minute changes that are not relevant; indicating that she does not want to keep coming back; advising that with the proposed Sunningdale Road widening, two or maybe all, of the current houses will be gone; advising that there is less land for the applicant; advising that the pipeline is a complicating factor that may need to be moved and indicating that there are serious safety concerns if there is an explosion; advising that there are traffic hazards on Sunningdale Road; advising that Sunningdale Road is not adequate to handle the volume of traffic on it now; advising that there is cut-through traffic on Uplands Avenue; advising that the neighbouring roads are winding and that there are no sidewalks; indicating that the City has posted signs but that no one pays attention to them; advising that the south side of Sunningdale Road is single-family residences and that the applicant is proposing to build buildings higher than the one and two-storey homes; indicating that there is a change from the previous report relating to the three storey townhouses; indicating that the present application is not even close to being adequate; advising that with the proposed widening of Sunningdale Road, it is impossible to build; noting that there is no buffering between the single-family residences as no one has seen a proposal to keep the trees; and requesting that the maximum building height be 13 metres.
- P. Weibe, 73 Sunningdale Road East – advising that he has lived at his residence since 2003; indicating that the Uplands North Plan was part of the annexation in 1993 and was completed in 2003; advising that the process is to come up with plans relating to London's future, such as planning, engineering, Council, traffic; indicating that it is important that the neighbourhood is involved in applications; advising that the strength of the City plan is recognized and that the plan maintains buffering and transition of scale; indicating that the subject site is a small area; advising that this application is located in a medium-density area; advising that traffic on Sunningdale Road is really backed up; advising that previous applications were rejected by Council and the Ontario Municipal Board; advising that London's vision for the future is at stake; enquiring as to the City's responsibility; suggesting that the City is built for all Londoners and that he prefers to see low development; indicating that the developer needs to make concessions; and indicating that he is willing to work together to move London forward.
- D. Nish, 1970 Richmond Street – advising that he lives across the street from the Tricar building; advising that the Tricar building, which is not a good example; indicating that the Ontario Municipal Board ruled in favour of the building but that it should not be there; advising that the Tricar building is not located at a node; advising that there was

a huge issue around Plane Tree Avenue; recommending that there be no more developments like that in this area; and that the building should not be used as a benchmark.

- G. Bikas, Drewlo Holdings Inc. – advising that Drewlo Holdings Inc. is the landowner to the north of the subject property; expressing concern with the type of development proposed; advising that an area plan study was completed in 2003 and this application doesn't conform to the land use put forward; indicating that they are bringing forward plans in the next few years for their 191 acres; advising that they have set aside 1.4 hectares for a stormwater management facility; advising that access points will be incorporated within the internal road pattern once Drewlo starts building; and requesting that the lands be kept multi-family, medium density.
- T. Quniton, 29 Sunningdale Road East – advising that there are a number of neighbours in the gallery; and advising that they appointed two neighbours to speak on the neighbourhoods' behalf.
- G. McGinn-McTeer, Stoneybrook Heights/Uplands Community Association – advising that she has spent hours and a depth of discussion on this area; advising that medium-density has been slated for this corridor; advising that the talk about the depth of the valley tells you the amount of detail required to put a neighbourhoods concerns to rest; advising that the Association has attended Council to talk about Blocks 1 and 2; advising that Council did not support the application; indicating that the Ontario Municipal Board advised that if Association's are ignored, it throws into question why neighbourhoods would come out; and Council gives the same message to all neighbourhoods.

Motion made by Councillor H.L. Usher and seconded by Councillor D.G. Henderson to Refer clause 19 back to staff for continued discussions with the developer to come to an amicable solution that residents might be happier with.

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

Councillor P. Van Meerbergen moves, seconded by Councillor S. Orser, that pursuant to section 9.6 of the Council Procedure By-law, Mayor Fontana be permitted to speak longer than 5 minutes with respect to this matter.

Motion passed.

Motion made by Mayor J.F. Fontana and seconded by Councillor D.G. Henderson to Amend the motion to refer clause 19 to add the words "in the context of medium density residential policies and regulations".

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)

NAYS: J.P. Bryant (1)

At 8:34 PM the Mayor resumes the Chair, and Councillor Hubert takes his seat at the Council board.

Motion made by Councillor N. Branscombe and seconded by Councillor B. Polhill to amend the amendment to the referral, to add the wording, "and also in the context of the Community Plan".

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, J.P. Bryant, S.E. White (11)

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

The motion to refer clause 19 back to staff for continued discussions with the developer to come to an amicable solution that residents might be happier with, in the context of medium density residential policies and regulations, and also in the context of the Community Plan is put.

Motion Passed

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

NAYS: J.L. Baechler, N. Branscombe, J.P. Bryant (3)

At 8:53 PM, the Mayor places Councillor Hubert in the Chair, and leaves the meeting.

20. 2261531 Ontario Limited re property located at 1103 Adelaide Street North (OZ-7972)

Motion made by Councillor B. Polhill to Approve that, on the recommendation of the Director of Land Use Planning and City Planner, based on the application of 2261531 Ontario Limited, relating to the property located at 1103 Adelaide Street North, the following actions be taken:

- a) the ~~attached~~ by-law BE INTRODUCED at the Municipal Council meeting to be held on March 20, 2012 to amend the Official Plan to change the designation of the subject lands FROM Multi Family High Density Residential, which permits low-rise and high-rise apartment buildings; apartment hotels; multiple-~~attached~~ dwellings; emergency care facilities; nursing home; rest homes; homes for the aged; and rooming and boarding houses TO Neighbourhood Commercial Node, which permits small retail stores; food stores; pharmacies; convenience commercial uses; personal services; financial institutions; service-oriented office uses such as real estate, insurance and travel agencies; community facilities such as libraries or day care centres; professional and medical/dental offices; small-scale restaurants; commercial recreation establishments; and similar uses that draw customers from a neighbourhood-scale trade area;
- b) the ~~attached~~ revised by-law BE INTRODUCED at the Municipal Council meeting to be held on March 20, 2012 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan, as amended in part a), above), to change the zoning of the subject lands FROM an Automobile Service Station (SS1) Zone, which permits automobile service stations and gas bars, TO a Holding Neighbourhood Shopping Area Special Provision (h-5*h-11*h-64*h-95 NSA1(_)) Zone, which permits a range of neighbourhood scale commercial retail, service and office uses which are primarily intended to provide for the convenience shopping and service needs of nearby residents with a special provision to permit: a reduced rear yard setback from 8 metres to 3.4 metres to recognize the existing building and proposed addition; a reduced setback for parking next to a road allowance and a reduced setback for parking next to a property line from 3 metres to 0 metres to recognize existing parking and proposed parking; a reduced setback for a drive-through lane and speaker from 15 metres to 0 metres with a 2.4 metre high noise attenuation barrier to accommodate a rear drive-through lane with an existing building; a loading space from 1 to 0; and a gross floor area increase from 150 square metres to 416.4 square metres for one proposed restaurant; it being noted that the holding h-5 has been applied to ensure a public site plan review meeting; it being further noted that the holding h-11 has been added to ensure the access arrangements are addressed at site plan review; it being also noted that the holding h-64 has been applied to address noise attenuation and design mitigating measures as recommended in a noise study; it being also noted that the holding h-95 has been added to ensure that urban design is addressed at site plan review;
- c) a holding provision BE INCLUDED requiring a traffic impact study to be completed; and,
- d) the Approval Authority BE REQUESTED to consider limiting access to Adelaide Street only or to exit onto Huron Street, travelling east;

it being noted that staff believe that the proposed conceptual site plan is not achievable and will have to be modified through the site plan process to meet the parking requirements of the proposed zone;

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

- A. Soufan – advising that he is willing to move forward using the existing shell of the building; advising that he is proposing two units, one for a restaurant and one for a different use; advising that there has been no formal site plan application made; advising that there are four existing access points; noting that he will be closing the two

- access points closest to the intersection, which will allow traffic on Adelaide Street to turn right in and out of the parking lot; and advising that he plans to remove the rear portion of the building that juts out so that the building will be square in shape.
- L. Carroll, 897 William Street – expressing opposition to the application; indicating that it is interesting that, with the traffic calming measures undertaken in Old North, there is now a situation where a property will be severed on two sides to provide additional traffic lanes which facilitates cut-through traffic in Old North; advising that putting drive-through traffic on this type of arterial road will attract business from the street, not to attract people from the neighbourhood; suggesting that people will follow Adelaide Street and exit onto Huron Street, noting that Huron Street is a residential area, whereas Adelaide Street isn't; advising that the drive-through will funnel traffic onto Huron Street and into Old North, or the traffic will try to get back onto Adelaide Street, off of Huron Street; advising that the existing building has been at that location longer than its surroundings; indicating that some commercial use is reasonable; indicating that there are fourteen speed bumps on the way to Oxford Street; advising that this will create cut-through traffic; advising that this is not an expressway or there wouldn't be 35,000 cars travelling Adelaide Street; advising that the Planners see Adelaide Street as a residential street; and advising that the first step, as residents, is to say "No".
 - R. Joseph, 545 Huron Street – advising that they have lived in their house for almost 30 years; indicating that Councillor Swan promised her that it would be a "Mom and Pop" business; advising that they do not have problems with their neighbours across the street; advising that the former garage was not three garages, but had three bays of cars and was a small operation; advising that the increased traffic is not suitable as there is a nursery school and an old age home across the street; indicating that there is already a 24-hour Metro and a United Food Store in the area; indicating that 55,000 cars go down Adelaide Street; advising that there is another food store with other small stores on Adelaide Street near this area; requesting that a park be located in this spot; realizing that this is a commercial node, but it should not be a commercial site for a drive-through; and advising that she is not trying to be emotional, but she lives across the street.
 - C. McDonnell, 525 Huron Street – expressing surprise at this application; advising that there have been a lot of traffic calming applications in Old North; advising that the west side of Adelaide Street is two lanes and is used as a four-way road; indicating that some neighbours have put concrete blocks at the front of their yard to keep people from driving on their lawns; advising that there are no sidewalks on the south side of the street; indicating that the London Transit Commission won't install a bus stop as it is inaccessible; advising that it is amazing that no one has been killed; advising that he has lived in his residence for 10 years; indicating that there is a gravelly patch; indicating that there is a paved shoulder on the other side of the street; advising that people drive at high speeds in the residential neighbourhood; advising that this would sling shot cars into Old North; advising that Huron Street turns left onto William Street at a 90° angle, then turns right onto Huron Street again and people need to correct their steering; advising that the speed and the amount of traffic are concerns; indicating that there is talk about putting in a sidewalk; advising that people that don't live in the area use the streets as a cut-through; advising that putting in a drive-through is for the rest of the people driving down Adelaide Street; advising that the residents can't get out of their own driveways; advising that there is a Wendy's across from the proposed site; advising that there is a Subway and a plaza with a Tim Horton's across the street, as well; advising that the Price Chopper plaza has had vacant store space for 10 years; advising that the jewelry store recently closed; requesting that a compromise to medium-density be made; advising that this application is not in the interest of the neighbourhood; and indicating that it will create more problems.
 - B. Weisdorf, 528 Huron Street – advising that living in the neighbourhood is convenient as she can walk across the street to get what she needs; advising that she has lost pets to cars; indicating that, on paper, the application looks perfect; advising that she is a single mother with five children; indicating that she would like to remain in this neighbourhood; enquiring as to how many evenings she is going to be able to sit on her deck; questioning why anyone would think that this is wonderful; expressing confusion about people speaking about high density and that the land is not zoned for what they want to put there; advising that the applicant is recommending a change that doesn't need to be made; advising that it is not so perfect when you have children and elderly people in the neighbourhood; advising that this is not pedestrian friendly; enquiring as to how safe it will be for her or anyone else to cross the applicant's driveway with cars coming and going from the proposed drive-through; indicating that they do not need more commercial in this area; advising that she won't be getting in her car to drive to the restaurant; indicating that she doesn't want to hear a person asking to take an order 24/7; advising that Harry's was only open from 8:00 a.m. to 6:00 p.m. and until noon on Saturday; enquiring as to how many people will be loitering in the area and throwing

their garbage on lawns; advising that the staff report indicates that a lot of what the applicant is asking for exceeds what is allowed on the property; advising that there is a bus stop beside the driveway; indicating that she has seen people, at rush hour, tired of waiting for her to turn into her driveway; advising that the problem makes headache after headache; advising that they pay for the maintenance of the Synagogue parking lot, which is located behind the applicant's site; indicating that she doesn't like cars idling; and advising that Huron Street will receive the brunt of all of the traffic.

- J. Chan, 521 Huron Street – advising that everyone has been here all night, that the Committee is three hours behind and that everyone is tired; advising that he has lived in his residence for over 30 years; advising that it is a beautiful place to raise children; advising that there is wilderness around the corner; indicating that there is lots of open space and that the houses are wide apart; indicating that he has to wait to turn onto Huron Street when the light is amber because he can't see traffic coming; advising that, with the installation of a drive-through, people will be coming from the north and when he comes to Huron Street, he can't get onto Huron Street; advising that this application is at the intersection of two busy streets and recommending that people imagine trying to get into the drive-through; advising that another fast-food restaurant is not needed; indicating that there is a Tim Horton's and a Wendy's in the area; advising that it will change the way that people on the west side of Adelaide Street live; requesting that the west side be kept quiet; requesting that people imagine seeing lights 24 hours a day; indicating that people may use people's driveways to turn around in; advising that the amount of traffic creates danger for all who live there; advising that there are 11 houses on this block of Huron Street; and recommending that it be kept as quiet and livable as possible.
- S. Holmes, 383 Huron Street – advising that the applicant mentioned four access points and that out of goodwill, he will cut that down to one and a half; suggesting that an island be placed on the north side of Adelaide Street; advising that the bulk of traffic will be placed onto Huron Street at some point; advising that this will be forcing 75% of the patrons onto a residential street; advising that traffic is already a problem; and requesting that the Committee think of the residents of Old North.
- S. Boersen, 310 Huron Street – advising that there is a significant difference between the commercial properties on the east and west sides of Adelaide Street; noting that the west side of the street has single-family residences that have been converted to businesses; advising that, on the west side of the street, there is not much garbage or noise and the businesses have restricted hours; advising that, on the east side of the street, the businesses are set back from the road, there are sound barriers and there is a multi-unit apartment complex; advising that there are 14 homes in a block on Huron Street; indicating that this is not how a collector street is built; advising that it is a residential street and that it is the entrance to Old North; indicating that what is being suggested is that all north-bound traffic being forced onto Huron Street; advising that people don't want to wait for traffic, so they do a u-turn into driveways or drive through the neighbourhood; recommending that the Huron Street collector be distinguished from the Huron Street residential; indicating that the street should look more residential; expressing surprise as she is not sure what the Committee is voting on; advising that the applicant needs six different special zonings; advising that the intersection has a 47% collision rate, and enquiring as to why the application is even here.
- A. Gannon, 115 Thornton Avenue – indicating that she lives in Old North; and requesting that the drive-through option be reconsidered.
- Rabbi, Or Shalom Congregation, 540 Huron Street – advising that the Synagogue operates a day school and a pre-school and that they have a regular flow of children that cross Huron Street; advising that people can't get out of their driveways during rush hour; advising that it is important to hear what the people want; expressing surprise that the people for the application on Richmond Street were heard and then were out-voted; and advising that there is a significant pedestrian flow of children.
- C. McKee, 520 Huron Street – advising that she lives on the bend of Huron Street and William Street; advising that cars speed and sometimes flip over or crash into the barrier because they drive too fast; advising that she never lets her son go to the end of the driveway; and advising that this isn't going to keep people safe.
- J. Classic, 530 Huron Street – advising that when he came to Canada, he looked for "For Sale" signs in a good area; and indicating that he cannot get out of his laneway.
- M. Joseph, 545 Huron Street – advising that with a drive through, car lights will shine into his bedroom.
- B. Hickey, 541 Huron Street – expressing concern with the safety of the residents; experiencing conflict with people who want to turn left into the Jewish Centre; advising that there is a bus stop in front of her property; advising that the roadway is not big enough to accommodate what is there now; and advising that there will be lights shining in people's windows.

- K. Gannon, 383 Huron Street – expressing opposition to the application; advising that it will increase the traffic to her part of Huron Street and indicating that it doesn't flow with the neighbourhood.

Motion made by Councillor N. Branscombe and seconded by Councillor J.P. Bryant to Amend clause 20, in part b), by revising the by-law to include a special provision prohibiting drive-thru, and further amended by adding at the end the words, "that no further notice be required".

Motion Failed

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

NAYS: B. Polhill, J.B. Swan, S. Orser, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, S.E. White (8)

Motion made by Councillor N. Branscombe and seconded by Councillor J.B. Swan to Amend clause 20 by deleting part d) and by replacing it with a new part d) as follows:

“d) the Approval Authority BE REQUESTED to prohibit access to Huron Street;”.

Motion made by Councillor J.L. Baechler and seconded by Councillor N. Branscombe to Refer clause 20 back to staff for further consultation with the applicant and neighbouring property owners.

Motion Failed

YEAS: W.J. Armstrong, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, J.P. Bryant, S.E. White (7)

NAYS: B. Polhill, J.B. Swan, S. Orser, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher (7)

The motion to amend part d) is put.

Motion Passed

YEAS: W.J. Armstrong, J.B. Swan, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, J.P. Bryant, S.E. White (8)

NAYS: B. Polhill, S. Orser, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher (6)

The Motion to Approve clause 20, as amended is put.

Motion Passed

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

NAYS: J.L. Baechler, N. Branscombe, J.P. Bryant (3)

Clause 20, as amended, reads as follows:

that, on the recommendation of the Director of Land Use Planning and City Planner, based on the application of 2261531 Ontario Limited, relating to the property located at 1103 Adelaide Street North, the following actions be taken:

- a) the ~~attached~~ by-law BE INTRODUCED at the Municipal Council meeting to be held on March 20, 2012 to amend the Official Plan to change the designation of the subject lands FROM Multi Family High Density Residential, which permits low-rise and high-rise apartment buildings; apartment hotels; multiple-~~attached~~ dwellings; emergency care facilities; nursing home; rest homes; homes for the aged; and rooming and boarding houses TO Neighbourhood Commercial Node, which permits small retail stores; food stores; pharmacies; convenience commercial uses; personal services; financial institutions; service-oriented office uses such as real estate, insurance and travel agencies; community facilities such as libraries or day care centres; professional and medical/dental offices; small-scale restaurants; commercial recreation establishments; and similar uses that draw customers from a neighbourhood-scale trade area;

- b) the ~~attached~~ revised by-law BE INTRODUCED at the Municipal Council meeting to be held on March 20, 2012 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan, as amended in part a), above), to change the zoning of the subject lands FROM an Automobile Service Station (SS1) Zone, which permits automobile service stations and gas bars, TO a Holding Neighbourhood Shopping Area Special Provision (h-5*h-11*h-64*h-95 NSA1(_)) Zone, which permits a range of neighbourhood scale commercial retail, service and office uses which are primarily intended to provide for the convenience shopping and service needs of nearby residents with a special provision to permit: a reduced rear yard setback from 8 metres to 3.4 metres to recognize the existing building and proposed addition; a reduced setback for parking next to a road allowance and a reduced setback for parking next to a property line from 3 metres to 0 metres to recognize existing parking and proposed parking; a reduced setback for a drive-through lane and speaker from 15 metres to 0 metres with a 2.4 metre high noise attenuation barrier to accommodate a rear drive-through lane with an existing building; a loading space from 1 to 0; and a gross floor area increase from 150 square metres to 416.4 square metres for one proposed restaurant; it being noted that the holding h-5 has been applied to ensure a public site plan review meeting; it being further noted that the holding h-11 has been added to ensure the access arrangements are addressed at site plan review; it being also noted that the holding h-64 has been applied to address noise attenuation and design mitigating measures as recommended in a noise study; it being also noted that the holding h-95 has been added to ensure that urban design is addressed at site plan review;
- c) a holding provision BE INCLUDED requiring a traffic impact study to be completed; and,
- d) the Approval Authority BE REQUESTED to prohibit access to Huron Street;

it being noted that staff believe that the proposed conceptual site plan is not achievable and will have to be modified through the site plan process to meet the parking requirements of the proposed zone;

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

- A. Soufan – advising that he is willing to move forward using the existing shell of the building; advising that he is proposing two units, one for a restaurant and one for a different use; advising that there has been no formal site plan application made; advising that there are four existing access points; noting that he will be closing the two access points closest to the intersection, which will allow traffic on Adelaide Street to turn right in and out of the parking lot; and advising that he plans to remove the rear portion of the building that juts out so that the building will be square in shape.
- L. Carroll, 897 William Street – expressing opposition to the application; indicating that it is interesting that, with the traffic calming measures undertaken in Old North, there is now a situation where a property will be severed on two sides to provide additional traffic lanes which facilitates cut-through traffic in Old North; advising that putting drive-through traffic on this type of arterial road will attract business from the street, not to attract people from the neighbourhood; suggesting that people will follow Adelaide Street and exit onto Huron Street, noting that Huron Street is a residential area, whereas Adelaide Street isn't; advising that the drive-through will funnel traffic onto Huron Street and into Old North, or the traffic will try to get back onto Adelaide Street, off of Huron Street; advising that the existing building has been at that location longer than its surroundings; indicating that some commercial use is reasonable; indicating that there are fourteen speed bumps on the way to Oxford Street; advising that this will create cut-through traffic; advising that this is not an expressway or there wouldn't be 35,000 cars travelling Adelaide Street; advising that the Planners see Adelaide Street as a residential street; and advising that the first step, as residents, is to say "No".
- R. Joseph, 545 Huron Street – advising that they have lived in their house for almost 30 years; indicating that Councillor Swan promised her that it would be a "Mom and Pop" business; advising that they do not have problems with their neighbours across the street; advising that the former garage was not three garages, but had three bays of cars and was a small operation; advising that the increased traffic is not suitable as there is a nursery school and an old age home across the street; indicating that there is already a 24-hour Metro and a United Food Store in the area; indicating that 55,000 cars go down Adelaide Street; advising that there is another food store with other small stores on Adelaide Street near this area; requesting that a park be located in this spot; realizing that this is a commercial node, but it should not be a commercial site for a drive-through; and advising that she is not trying to be emotional, but she lives across

the street.

- C. McDonnell, 525 Huron Street – expressing surprise at this application; advising that there have been a lot of traffic calming applications in Old North; advising that the west side of Adelaide Street is two lanes and is used as a four-way road; indicating that some neighbours have put concrete blocks at the front of their yard to keep people from driving on their lawns; advising that there are no sidewalks on the south side of the street; indicating that the London Transit Commission won't install a bus stop as it is inaccessible; advising that it is amazing that no one has been killed; advising that he has lived in his residence for 10 years; indicating that there is a gravelly patch; indicating that there is a paved shoulder on the other side of the street; advising that people drive at high speeds in the residential neighbourhood; advising that this would sling shot cars into Old North; advising that Huron Street turns left onto William Street at a 90° angle, then turns right onto Huron Street again and people need to correct their steering; advising that the speed and the amount of traffic are concerns; indicating that there is talk about putting in a sidewalk; advising that people that don't live in the area use the streets as a cut-through; advising that putting in a drive-through is for the rest of the people driving down Adelaide Street; advising that the residents can't get out of their own driveways; advising that there is a Wendy's across from the proposed site; advising that there is a Subway and a plaza with a Tim Horton's across the street, as well; advising that the Price Chopper plaza has had vacant store space for 10 years; advising that the jewelry store recently closed; requesting that a compromise to medium-density be made; advising that this application is not in the interest of the neighbourhood; and indicating that it will create more problems.
- B. Weisdorf, 528 Huron Street – advising that living in the neighbourhood is convenient as she can walk across the street to get what she needs; advising that she has lost pets to cars; indicating that, on paper, the application looks perfect; advising that she is a single mother with five children; indicating that she would like to remain in this neighbourhood; enquiring as to how many evenings she is going to be able to sit on her deck; questioning why anyone would think that this is wonderful; expressing confusion about people speaking about high density and that the land is not zoned for what they want to put there; advising that the applicant is recommending a change that doesn't need to be made; advising that it is not so perfect when you have children and elderly people in the neighbourhood; advising that this is not pedestrian friendly; enquiring as to how safe it will be for her or anyone else to cross the applicant's driveway with cars coming and going from the proposed drive-through; indicating that they do not need more commercial in this area; advising that she won't be getting in her car to drive to the restaurant; indicating that she doesn't want to hear a person asking to take an order 24/7; advising that Harry's was only open from 8:00 a.m. to 6:00 p.m. and until noon on Saturday; enquiring as to how many people will be loitering in the area and throwing their garbage on lawns; advising that the staff report indicates that a lot of what the applicant is asking for exceeds what is allowed on the property; advising that there is a bus stop beside the driveway; indicating that she has seen people, at rush hour, tired of waiting for her to turn into her driveway; advising that the problem makes headache after headache; advising that they pay for the maintenance of the Synagogue parking lot, which is located behind the applicant's site; indicating that she doesn't like cars idling; and advising that Huron Street will receive the brunt of all of the traffic.
- J. Chan, 521 Huron Street – advising that everyone has been here all night, that the Committee is three hours behind and that everyone is tired; advising that he has lived in his residence for over 30 years; advising that it is a beautiful place to raise children; advising that there is wilderness around the corner; indicating that there is lots of open space and that the houses are wide apart; indicating that he has to wait to turn onto Huron Street when the light is amber because he can't see traffic coming; advising that, with the installation of a drive-through, people will be coming from the north and when he comes to Huron Street, he can't get onto Huron Street; advising that this application is at the intersection of two busy streets and recommending that people imagine trying to get into the drive-through; advising that another fast-food restaurant is not needed; indicating that there is a Tim Horton's and a Wendy's in the area; advising that it will change the way that people on the west side of Adelaide Street live; requesting that the west side be kept quiet; requesting that people imagine seeing lights 24 hours a day; indicating that people may use people's driveways to turn around in; advising that the amount of traffic creates danger for all who live there; advising that there are 11 houses on this block of Huron Street; and recommending that it be kept as quiet and livable as possible.
- S. Holmes, 383 Huron Street – advising that the applicant mentioned four access points and that out of goodwill, he will cut that down to one and a half; suggesting that an island be placed on the north side of Adelaide Street; advising that the bulk of traffic will be placed onto Huron Street at some point; advising that this will be forcing 75% of the patrons onto a residential street; advising that traffic is already a problem; and

- requesting that the Committee think of the residents of Old North.
- S. Boersen, 310 Huron Street – advising that there is a significant difference between the commercial properties on the east and west sides of Adelaide Street; noting that the west side of the street has single-family residences that have been converted to businesses; advising that, on the west side of the street, there is not much garbage or noise and the businesses have restricted hours; advising that, on the east side of the street, the businesses are set back from the road, there are sound barriers and there is a multi-unit apartment complex; advising that there are 14 homes in a block on Huron Street; indicating that this is not how a collector street is built; advising that it is a residential street and that it is the entrance to Old North; indicating that what is being suggested is that all north-bound traffic being forced onto Huron Street; advising that people don't want to wait for traffic, so they do a u-turn into driveways or drive through the neighbourhood; recommending that the Huron Street collector be distinguished from the Huron Street residential; indicating that the street should look more residential; expressing surprise as she is not sure what the Committee is voting on; advising that the applicant needs six different special zonings; advising that the intersection has a 47% collision rate, and enquiring as to why the application is even here.
- A. Gannon, 115 Thornton Avenue – indicating that she lives in Old North; and requesting that the drive-through option be reconsidered.
- Rabbi, Or Shalom Congregation, 540 Huron Street – advising that the Synagogue operates a day school and a pre-school and that they have a regular flow of children that cross Huron Street; advising that people can't get out of their driveways during rush hour; advising that it is important to hear what the people want; expressing surprise that the people for the application on Richmond Street were heard and then were out-voted; and advising that there is a significant pedestrian flow of children.
- C. McKee, 520 Huron Street – advising that she lives on the bend of Huron Street and William Street; advising that cars speed and sometimes flip over or crash into the barrier because they drive too fast; advising that she never lets her son go to the end of the driveway; and advising that this isn't going to keep people safe.
- J. Classic, 530 Huron Street – advising that when he came to Canada, he looked for "For Sale" signs in a good area; and indicating that he cannot get out of his laneway.
- M. Joseph, 545 Huron Street – advising that with a drive through, car lights will shine into his bedroom.
- B. Hickey, 541 Huron Street – expressing concern with the safety of the residents; experiencing conflict with people who want to turn left into the Jewish Centre; advising that there is a bus stop in front of her property; advising that the roadway is not big enough to accommodate what is there now; and advising that there will be lights shining in people's windows.
- K. Gannon, 383 Huron Street – expressing opposition to the application; advising that it will increase the traffic to her part of Huron Street and indicating that it doesn't flow with the neighbourhood.

4th Report of the Community Services Committee

Councillor M. Brown presents.

1. Disclosures of Pecuniary Interest

Councillor B. Polhill leaves the meeting at 9:55 PM.

Motion made by Councillor M. Brown to Note that Councillor P. Hubert disclosed a pecuniary interest in clauses 3 and 5 of this Report, having to do with Ontario Works, by indicating that he is the Executive Director of a social services agency which has a purchase of service agreement with Ontario Works; it being noted that Councillor Hubert is not a member of the Community Services Committee.

Motion Passed

YEAS: 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, J.P. Bryant, S.E. White (12)

NAYS: B. Polhill (1)

2. 1st Report of the London Housing Advisory Committee

Motion made by Councillor M. Brown to Approve that the 1st Report of the London Housing Advisory Committee, from its meeting held on February 8, 2012, BE RECEIVED.

Motion Passed

YEAS: 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, J.P. Bryant, S.E. White (12)

NAYS: B. Polhill (1)

5. Standard Purchase of Services Agreement for Community Services

Motion made by Councillor M. Brown to Approve that, on the recommendation of the Manager of Financial and Business Services, with the concurrence of the Executive Director of Community Services, the ~~attached~~ proposed by-law BE INTRODUCED at the Municipal Council Meeting of March 20, 2012 to :

- a) approve the standard form for a Purchase of Services Agreement (Schedule A) for Community Services;
- b) delegate to the Executive Director of Community Services, the authority to insert the details into the respective Purchase of Service Agreements in the form approved in a), above; and
- c) delegate to the Executive Director of Community Services, the authority to execute the Purchase of Service Agreements.

Motion Passed

YEAS: 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, J.P. Bryant, S.E. White (12)

NAYS: B. Polhill (1)

Councillor B. Polhill returns to the meeting at 9:59 PM.

3. Ontario Works Caseload Annual 2011 Update

Motion made by Councillor M. Brown to Approve that, on the recommendation of the Director of Social and Community Support Services, with the concurrence of the Executive Director of Community Services, the report dated March 5, 2012 and presentation by P. Sauro, Manager Ontario Works in the Community, with respect to the 2011 Annual Update on the Ontario Works caseload BE RECEIVED.

Motion Passed

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

NAYS: J.B. Swan (1)

RECUSED: P. Hubert (1)

4. Ontario Works Employment Assistance Framework 2013-2018

Motion made by Councillor M. Brown to Approve that, on the recommendation of the Director of Social and Community Support Services with the concurrence of the Executive Director of Community Services, the following actions be taken with respect to the Ontario Works Employment Assistance Framework 2013 - 2018:

- a) the proposed Framework 2013 – 2018 BE ENDORSED; it being noted that these changes will support the increased employment, employability and job retention of Ontario Works participants; and
- b) the Executive Director of Community Services BE AUTHORIZED to enter into one-time pilot initiatives, at a maximum value of \$100,000, to target identified employment and placement needs of a specific client group/community/employer;

it being noted that the Community Services Committee received a presentation from E. White, Manager, Employment Initiatives, with respect to this matter.

At 10:03 PM Councillor S. Orser leaves the meeting.

Motion Passed

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

NAYS: J.B. Swan (1)

RECUSED: P. Hubert (1)

At 10:04 PM Councillor S. Orser returns to the meeting.

Mayor J. Fontana returns to the meeting at 9:58 PM.

6. Report of the Citizen's Advisory Panel on the Social Assistance Review and Economic Inequality in London, Ontario

Motion made by Councillor M. Brown to Approve that the following actions be taken with respect to the Report of the Citizen's Advisory Panel relating to Social Assistance Review and Economic Inequality in London:

- a) the Report BE RECEIVED and BE ENDORSED; and,
- b) the Report BE INCLUDED with the submission of the Executive Director of Community Services to the Commission for the Review of Social Assistance (CRSA) in Ontario's Discussion Paper 2: Approaches to Reform;

it being noted that the Community Services Committee received a verbal delegation from W. Danaher, E. Shepherd, S. Quigley, S. Wilson and G. Pearson, with respect to this matter.

Motion made by Councillor H.L. Usher and seconded by Councillor J.P. Bryant to Amend clause 6 by adding a new part c) as follows:

- "c) the Mayor BE REQUESTED to write to the Citizen's Advisory Panel on Social Assistance Review and Economic Inequality in London, extending the Municipal Council's appreciation for its efforts, encouraging the Advisory Panel to continue with its good work, and asking that future updates be provided to the Community Services Committee".

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, J.P. Bryant, S.E. White (15)

Motion made by Councillor M. Brown to Approve clause 6, as amended is put.

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, J.P. Bryant, S.E. White (15)

Clause 6, as amended, reads as follows:

That the following actions be taken with respect to the Report of the Citizen's Advisory Panel relating to Social Assistance Review and Economic Inequality in London:

- a) the Report BE RECEIVED and BE ENDORSED;
- b) the Report BE INCLUDED with the submission of the Executive Director of Community Services to the Commission for the Review of Social Assistance (CRSA) in Ontario's Discussion Paper 2: Approaches to Reform;
- c) the Mayor BE REQUESTED to write to the Citizen's Advisory Panel on Social Assistance Review and Economic Inequality in London, extending the Municipal

Council's appreciation for its efforts, encouraging the Advisory Panel to continue with its good work, and asking that future updates be provided to the Community Services Committee;

it being noted that the Community Services Committee received a verbal delegation from W. Danaher, E. Shepherd, S. Quigley, S. Wilson and G. Pearson, with respect to this matter.

7. 1st Report of the Council Housing Leadership Committee

Motion made by Councillor M. Brown to Approve that the following actions be taken with respect to the 1st Report of the Council Housing Leadership Committee (CHLC), from its meeting held on February 14, 2012:

- a) 2011 Habitat for Humanity London Inc. Allocation:
 - i) Habitat for Humanity London Inc. BE ALLOCATED a grant for their 2011 builds, under the City of London Housing Partnership Policy, as follows:
 - A. \$24,000 for the housing unit at 1189 Huron Street; and,
 - B. \$1,117 for the housing unit at 578 Highbury Avenue, for a total municipal allocation of \$25,117; and,
 - ii) the Sources of Financing Report, as included in the staff report dated February 14, 2012 related to this matter, BE APPROVED; it being noted that the CHLC reviewed and received the ~~attached~~ report, dated February 14, 2012, from the Director of Municipal Housing, with respect to this matter; it being further noted that the CHLC asked that J. Duncan, Chief Executive Officer, Habitat for Humanity, be invited to a future meeting of the CHLC to provide an update on the Habitat for Humanity London Strategic Objectives Plan;
- b) Convert-to-Rent/Rehabilitation Program:
 - i) Vernon Martin and Adam Woodhouse BE APPROVED to receive a municipal allocation of \$22,667, per unit, for seven (7) affordable housing units at 392 Richmond Street;
 - ii) the Sources of Financing Report, as included in the staff report dated February 14, 2012 related to this matter, BE APPROVED; and,
 - iii) in accordance with Municipal Housing Facilities By-Law No A.-5814-11, the ~~attached~~ proposed by-law, BE INTRODUCED at the Municipal Council meeting to be held on March 20, 2012 to approve the Municipal Contribution Agreement pertaining to the above-noted proposal, substantially in the form of an agreement appended to the aforementioned by-law and to the satisfaction of the City Solicitor, and to authorize the Mayor and the City Clerk to execute the said Agreement; it being noted that the CHLC reviewed and received the ~~attached~~ report dated February 14, 2012 from the Director of Municipal Housing, with respect to this matter;
- c) Private Member's Bill:
 - i) the Mayor BE REQUESTED to send a letter to Marie-Claude Morin, Députée MP Saint-Hyacinthe-Bagot, acknowledging the City's receipt of the correspondence;
 - ii) the City of London's support of this Bill BE EXPRESSED to the Federation of Canadian Municipalities, through its membership;
- d) clauses 4 to 6 of the 1st Report BE RECEIVED for information; and
- e) the Civic Administration BE DIRECTED to prepare a report for the Investment and Economic Prosperity Committee with respect to a rationale to add a "5th Plank" to the economic development strategy, that being "Housing".

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, J.P. Bryant, S.E. White (14)

NAYS: D.G. Henderson (1)

8. The Bethesda Centre - 54 Riverview Avenue

Motion made by Councillor M. Brown to Approve that the Executive Director of Community Services and the Director of Land Use Planning and City Planner BE DIRECTED to liaise with the officials of the Salvation Army to discuss the continuation of the services provided by the Bethesda Centre and the future options with respect to the property located at 54 Riverview Avenue.

Motion made by Councillor J.P. Bryant and seconded by Councillor H.L. Usher to Amend clause 8 to read as follows:

That the following actions be taken with respect to the impending closure of the Bethesda Centre, located at 54 Riverview Avenue:

- a) the Executive Director of Community Services and the Director of Land Use Planning and City Planner BE DIRECTED to liaise with officials of the Salvation Army to discuss the continuation of the services provided by the Bethesda Centre and the future options with respect to the property located at 54 Riverview Avenue, and to provide whatever assistance they can to help the Salvation Army plan for the future; and
- b) the Mayor BE REQUESTED to write to the Salvation Army to express the importance of the Bethesda Centre; noting that the current location is within an established neighbourhood.

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, J.P. Bryant, S.E. White (14)

NAYS: D.G. Henderson (1)

The motion to approve clause 8, as amended, is put.

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, J.P. Bryant, S.E. White (15)

Clause 8, as amended, reads as follows:

That the following actions be taken with respect to the impending closure of the Bethesda Centre, located at 54 Riverview Avenue:

- a) the Executive Director of Community Services and the Director of Land Use Planning and City Planner BE DIRECTED to liaise with officials of the Salvation Army to discuss the continuation of the services provided by the Bethesda Centre and the future options with respect to the property located at 54 Riverview Avenue, and to provide whatever assistance they can to help the Salvation Army plan for the future; and
- b) the Mayor BE REQUESTED to write to the Salvation Army to express the importance of the Bethesda Centre; noting that the current location is within an established neighbourhood.

At 10:29 PM the Mayor resumes the Chair, and Councillor Hubert takes his seat at the Council board.

7th Report of the Finance and Administrative Services Committee
Councillor Hubert presents.

1. Disclosures 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, J.B. Swan, S. Orser, J.L. Baechler, N.

Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (15)

2. *Public Sector Salary Disclosure Act Detailed Report for Calendar Year 2011*

Motion made by Councillor P. Hubert to Approve that, on the recommendation of the City Treasurer, Chief Financial Officer, the report dated February 27, 2012 regarding 2011 salaries, as required by the Public Sector Salary Disclosure Act, 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, J.P. Bryant, S.E. White (15)

3. Statement of Remuneration and Expenses - Elected and Appointed Officials

Motion made by Councillor P. Hubert to Approve that the following actions be taken with respect to the Statement of Remuneration and Expenses for Elected and Appointed Officials:

- a) on the recommendation of the City Treasurer, Chief Financial Officer, in accordance with Section 284 of the Municipal Act, 2001 the 2011 Statement of Remuneration and Expenses for Elected and Appointed Officials BE RECEIVED for information;
- b) on the recommendation of the City Treasurer, Chief Financial Officer, in accordance with the Council Travel and Expenses Policy, the 2011 Statement of Travel Expenses for senior administrative staff BE RECEIVED for information;
- c) the Mayor BE REQUESTED to report back at the next meeting of the Finance and Administrative Services Committee with a detailed report on 2011 expenditures pertaining to the Mayor's Office; and
- d) the Mayor BE REQUESTED to provide annual reports detailing the Mayor's Office's annual expenditures.

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, J.P. Bryant, S.E. White (15)

4. Historical Restoration for Eldon House - Project No. Z08-PD2324-11 - Tender No. 12-15

Motion made by Councillor P. Hubert to Approve that, on the recommendation of the Director of Planning and the Managing Director – Corporate Assets, the following actions be taken with respect to historical restoration of Eldon House:

- a) the bid submitted by SDI Builders 2010 Ltd., 224 Riverside Drive, London, Ontario N6H 1E6 at its tendered price of \$149,900.00 (HST excluded) for the historical restoration of Eldon House BE ACCEPTED; it being pointed out that the bid submitted by SDI Builders 2010 Ltd. was the lowest bid received and meets the City's specifications and requirements in all areas;
- b) the financing for this purchase BE APPROVED as set out in the Source of Financing Report appended to the staff report dated February 27, 2012, with respect to this matter;
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts which are necessary in connection with this project; and
- d) the approval given herein BE CONDITIONAL upon the Corporation entering into a formal contract with the contractor for the work.

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, J.P. Bryant, S.E. White (15)

5. Advisory Committee Review

Motion made by Councillor P. Hubert to Approve that the following actions be taken with respect to Advisory Committees:

- a) the revised ~~attached~~ proposed by-law (Appendix "A") BE INTRODUCED at the Municipal Council meeting on March 20, 2012 to amend various Council policies related to advisory committees, in order to reflect policy changes approved by the Municipal Council as a result of the recent review of Advisory Committees, to incorporate all policies related to advisory committees into one comprehensive policy, and to include in Section 24, Subsection 1(a) of the proposed draft policy, reference to not only the Ontario Human Rights Code and City of London policies, but also any other applicable related statutes;
- b) the ~~attached~~ proposed by-law (Appendix "B") BE INTRODUCED at the Municipal Council meeting on March 20, 2012 to amend Council Policy 5(9) entitled "Process for Seeking Applications for Committee Appointments and the Handling of Those Applications" to reflect current practices; and
- c) the terms of reference for the Municipal Council's advisory committees BE APPROVED as detailed in the revised ~~attached~~ Appendix "C" which reflects the separation of the Environmental and Ecological Planning Advisory Committee and the Agricultural Advisory Committee, as requested by the Finance and Administrative Services Committee.

Motion made by Councillor P. Hubert and seconded by Councillor J.P. Bryant to Amend clause 5 by deleting part c) and by replacing it with a new part c) as follows:

- "c) the terms of reference for the Municipal Council's advisory committees BE APPROVED as detailed in the revised attached Appendix "C" which:
- i) reflects the separation of the Environmental and Ecological Planning Advisory Committee and the Agricultural Advisory Committee, as requested by the Finance and Administrative Services Committee;
 - ii) includes an amendment to the London Housing Advisory Committee terms of reference to delete non-voting representation from the Planning Division and to add non-voting representation from the City of London's Housing Division;
 - iii) excludes terms of reference for the amalgamation of the Advisory Committee on the Environment and the Trees and Forests Advisory Committee; and"

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, J.P. Bryant, S.E. White (15)

Motion made by Councillor J.P. Bryant and seconded by Councillor P. Hubert to Amend clause 5 to by adding a new part d) as follows:

- "d) the City Clerk BE DIRECTED to report back with separate proposed terms of reference for the Advisory Committee on the Environment and the Trees and Forests Advisory Committee."

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, J.P. Bryant, S.E. White (15)

Motion made by Councillor P. Hubert to Approve clause 5, as amended.

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, J.P. Bryant, S.E. White (15)

Clause 5, as amended, reads as follows:

that the following actions be taken with respect to Advisory Committees:

- a) the revised ~~attached~~ proposed by-law (Appendix "A") BE INTRODUCED at the Municipal Council meeting on March 20, 2012 to amend various Council policies related to advisory committees, in order to reflect policy changes approved by the Municipal Council as a result of the recent review of Advisory Committees, to incorporate all policies related to advisory committees into one comprehensive policy, and to include in Section 24, Subsection 1(a) of the proposed draft policy, reference to not only the Ontario Human Rights Code and City of London policies, but also any other applicable related statutes;
- b) the ~~attached~~ proposed by-law (Appendix "B") BE INTRODUCED at the Municipal Council meeting on March 20, 2012 to amend Council Policy 5(9) entitled "Process for Seeking Applications for Committee Appointments and the Handling of Those Applications" to reflect current practices;
- c) the terms of reference for the Municipal Council's advisory committees BE APPROVED as detailed in the revised ~~attached~~ Appendix "C" which:
 - i) reflects the separation of the Environmental and Ecological Planning Advisory Committee and the Agricultural Advisory Committee, as requested by the Finance and Administrative Services Committee;
 - ii) includes an amendment to the London Housing Advisory Committee terms of reference to delete non-voting representation from the Planning Division and to add non-voting representation from the City of London's Housing Division;
 - iii) excludes terms of reference for the amalgamation of the Advisory Committee on the Environment and the Trees and Forests Advisory Committee; and
- d) the City Clerk BE DIRECTED to report back with separate proposed terms of reference for the Advisory Committee on the Environment and the Trees and Forests Advisory Committee.

6. Employee Absenteeism

Motion made by Councillor P. Hubert to Approve that, on the recommendation of the Chief Human Resources Officer, the update report dated February 27, 2012 with respect to employee absenteeism 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, J.P. Bryant, S.E. White (15)

7. Agreement of Purchase and Sale Between the City and Dancor Forest City Inc. for the Purchase of Parts 4 and 6, Plan 33R-15731 - Forest City Industrial Park

Motion made by Councillor P. Hubert to Approve that, on the recommendation of the Managing Director - Corporate Assets, on the advice of the Manager Realty Services, the following actions be taken with respect to the request from Dancor Forest City Inc. to amend the Agreement of Purchase and Sale dated November 18, 2011 with respect to Parts 4 and 5, Plan 33R15731-Forest City Industrial Park:

- a) the Agreement of Purchase and Sale BE AMENDED to provide for the creation of 2 parcels of land (a 6 acre parcel and a 2 acre parcel as shown on the ~~attached~~ diagram,

Schedule A), subject to the following conditions:

- i) the Purchaser being responsible for all costs associated with providing services to the 2 acre parcel to the satisfaction of the City;
 - ii) the Purchaser preparing and depositing, at its expense, a reference plan showing the proposed parcels of land and any necessary servicing easements, to the satisfaction of the City Engineer; and
- b) the City's Disposal of Industrial Land Procedures BE AMENDED with respect to the 2 acre parcel to allow the Purchaser 3 years from the completion date of the transaction to commence construction, whereas the Procedures require construction to commence within 1 year;

it being noted that the purchase price will be allocated between the 2 parcels of land on the price per acre basis contained in the Agreement of Purchase and Sale.

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, J.P. Bryant, S.E. White (15)

8. Argyle Arena Life Cycle Renewal Upgrades - Project No. PRK053-RC2201-12 - Tender No. 12-003

Motion made by Councillor P. Hubert to Approve that, on the recommendation of the Managing Director – Corporate Assets, the following actions be taken with respect to the Agreement of Purchase and Sale between the City and Dancor Forest City Inc.:

- a) the bid submitted by Bronnenco Construction Ltd., 5625 Egremont Drive, RR#1, Ilderton Ontario, N0M 2A0 at its tendered price of \$942,000 (HST excluded) for the Argyle Arena Life Cycle Renewal Upgrades BE ACCEPTED; it being pointed out that the bid submitted by Bronnenco Construction Ltd. was the lowest bid received and meets the City's specifications and requirements in all areas;
- b) the financing for this purchase BE APPROVED as set out in the Source of Financing Report appended to the staff report dated February 27, 2012, with respect to this matter;
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts which are necessary in connection with this project; and
- d) the approval given herein BE CONDITIONAL upon the Corporation entering into a formal contract with the contractor for the work.

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, J.P. Bryant, S.E. White (15)

9. Tender 12-26 - Electrical Services

Motion made by Councillor P. Hubert to Approve that, on the recommendation of the Managing Director - Corporate Assets, the following actions be taken with respect to Tender 12-26:

- a) the bid submitted by Wilson & Associates, 453 Springbank Drive, London, Ontario N6J 1H3 for Electrical Services at various City facilities at their tendered hourly rates, BE ACCEPTED as follows:

Normal Working Hours

Master Electrician	\$ 40.00/hour
Electrician/Journeyman	\$ 40.00/hour
Apprentice	\$ 20.00/hour

Outside Normal Working Hours / Sunday / Holidays

Master Electrician	\$ 60.00/hour
Electrician/Journeyman	\$ 60.00/hour
Apprentice	\$ 30.00/hour

- b) the Civic Administration BE AUTHORIZED to undertake all of the administrative acts that are necessary in connection with this contract; and
- c) the approval hereby given BE CONDITIONAL upon the Corporation entering into formal contract or issuing purchase orders or contract record relating to the subject of this approval.

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, J.P. Bryant, S.E. White (15)

10. Addition to No. 6 Fire Station - Project No. FO06-PP1176-11

Motion made by Councillor P. Hubert to Approve that, on the recommendation of the Managing Director - Corporate Assets and the Fire Chief, the following actions be taken with respect to the addition to No. 6 Fire Station:

- a) the bid submitted by 668950 Ont. Inc. o/a Mycon Construction Ltd., 1615 N. Routledge Park #9, London Ontario, N6H 5L6 at its tendered price of \$487,750 (HST excluded) for the addition to No. 6 Fire Station BE ACCEPTED; it being pointed out that the bid submitted by 668950 Ont. Inc. o/a Mycon Construction Ltd., was the lowest bid received and meets the City's specifications and requirements in all areas;
- b) the financing for this purchase BE APPROVED as set out in the Source of Financing Report appended to the staff report dated February 27, 2012, with respect to this matter;
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts which are necessary in connection with this project; and
- d) the approval given herein BE CONDITIONAL upon the Corporation entering into a formal contract with the contractor for the work.

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, J.P. Bryant, S.E. White (15)

11. Agreement with the Province of Ontario to Enhance the Marketing of the London and Middlesex Immigration Portal

Motion made by Councillor P. Hubert to Approve that, on the recommendation of the Director of Intergovernmental and Community Liaison, the ~~attached~~ proposed by-Law (Appendix A) BE INTRODUCED at the Municipal Council meeting of March 20, 2012 to:

- a) approve the agreement with Her Majesty the Queen in Right of Ontario, as represented by the Minister of Citizenship and Immigration, to obtain Provincial funding of \$11,899 to enhance the marketing of the London and Middlesex Immigration Portal; and
- b) authorize the Mayor and the City Clerk to execute the Agreement in a) above.

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, J.P. Bryant, S.E. White (15)

12. Southwest Economic Alliance (SWEA)

Motion made by Councillor P. Hubert to Approve that, on the recommendation of the Director of Intergovernmental and Community Liaison, the following actions be taken with respect to the Southwest Economic Alliance (SWEA):

- a) the following individuals BE APPOINTED as the voting representatives of the City of London at the Annual General Meeting of the SWEA to be held in Stratford, June 13-14, 2012;
 - Joe Fontana, Mayor, City of London
 - Peter White, President and CEO, London Economic Development Corporation
 - Anne Marie DeCicco-Best, Government and Community Relations Advisor, Fanshawe College
 - Pam Waeland, Manager, Government Relations, 3M Company Canada
 - Tim Dobbie, Interim City Manager, or Designate, City of London
- b) the Civic Administration BE AUTHORIZED to continue paying the annual membership fee to SWEA; it being noted that the fee for 2012 is \$10,000 plus HST, with the cost to the corporation being offset by contributions of \$2,000 each from the London Economic Development Corporation and Fanshawe College; and
- c) the President of SWEA BE INVITED to a future meeting of the Finance and Administrative Services Committee to provide an update on the activities of SWEA.

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, J.P. Bryant, S.E. White (15)

At 10:38 PM Councillor M. Brown takes the Chair and Mayor J. Fontana takes a seat at the Council Board.

13. Desk Phone Communications Services Single Source

Motion made by Councillor J.L. Baechler to Approve that, on the recommendation of the Chief Technology Officer with the concurrence of the City Manager, the following actions be taken with respect to the provisioning of telephone communications services for The Corporation of the City of London (City) and the London Public Library (Library):

- a) the proposal submitted by Telus Communications Inc., 148 Fullarton Street, London, ON N6A 5P3 for a one-time buy out of our existing contract at their proposed price of \$126,047 for City equipment and \$13,219 for Library equipment (HST extra) BE ACCEPTED;
- b) the Civic Administration BE AUTHORIZED to undertake all the necessary administrative acts that are necessary in connection with this matter; and
- c) approval hereby given BE CONDITIONAL upon the Corporation entering into a formal contract or having a purchase order relating to the subject matter of this approval.

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, J.P. Bryant, S.E. White (15)

14. Indemnification and Defence of Members of Council Against Liability Incurred While Acting on Behalf of the Municipality

Motion made by Councillor J.L. Baechler to Approve that the following actions be taken with respect to the indemnification of Council Members:

- a) the City Solicitor BE REQUESTED to review the indemnification provisions of other municipalities and report back at a future meeting of the Finance and Administrative Services Committee (FASC) with proposed changes to the City of London's Indemnification By-law for Council Members with a view to developing a by-law which

speaks to adverse versus non-adverse behavior; and

- b) the communication dated January 19, 2012 from O. Hobson, 45 Evergreen Avenue, London BE REFERRED to the City Solicitor for consideration as part of his review of indemnification provisions;

it being noted that the FASC heard a verbal delegation from O. Hobson 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, J.P. Bryant, S.E. White (15)

15. Apportionment of Taxes

Motion made by Councillor J.L. Baechler to Approve that the recommendation of the Deputy City Treasurer, with respect to the taxes on the blocks of land described in the attached Schedules, BE REFERRED back to the Civic Administration for a report back prior to the Municipal Council meeting on March 20, 2012, with further details regarding the basis for the tax apportionment as indicated on the Schedules pursuant to Section 356 of the Municipal Act, 2001; it being noted that at the public hearing associated with these matters there were no members of the public in attendance to speak to these matters before the Finance and Administrative Services Committee.

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, J.P. Bryant, S.E. White (15)

16. Tax Adjustment Agenda

Motion made by Councillor J.L. Baechler to Approve that the recommendations in the Tax Adjustment Agenda dated February 27, 2012 BE APPROVED; it being noted that at the public hearing associated with these matters there were no members of the public in attendance to speak to these matters before the Finance and Administrative Services Committee.

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, J.P. Bryant, S.E. White (15)

17. Request for Designation of International Food Festival as a Municipally Significant Event

Motion made by Councillor J.L. Baechler to Approve that the International Food Festival to be held June 22-24, 2012 in Victoria Park BE DESIGNATED a Municipally Significant Event in 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, J.P. Bryant, S.E. White (15)

18. Request for Designation of London Rib Fest as a Municipally Significant Event

Motion made by Councillor J.L. Baechler to Approve that the London Rib Fest to be held August 2 – 6, 2012 in Victoria Park BE DESIGNATED a Municipally Significant Event in 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, J.P. Bryant, S.E. White (15)

19. Sound and Light Show - World Figure Skating Championships

Motion made by Councillor J.L. Baechler to Approve that the following actions be taken with respect to the Sound and Light Show for the World Figure Skating Championships:

- a) the City of London maximum contribution to this project BE REDUCED by \$150,000 to \$450,000 (excluding HST); it being noted that Tourism London, through the application of \$100,000 from its Special Initiatives Reserve Fund (approved by the Tourism London Board Executive and pending full Board approval March 20, 2012) and a \$50,000 re-allocation of its overall operating budget, will commit to a financial contribution of \$150,000 (excluding HST), to fulfill the requisite financial requirements in order to stage the Sound and Light Show; and
- b) Tourism London BE REQUESTED to press forward with the organization of a sponsorship committee in an attempt to raise \$200,000 through third party financial contributors, to offset the City's maximum contribution, in accordance with the attached sponsorship package and work plan.

Motion made by Mayor J.F. Fontana and seconded by Councillor S.E. White to Refer clause 19 to a future meeting of the Finance and Administrative Services Committee, in late April/early May 2012, in order to allow for efforts to achieve less cost to the taxpayer.

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, J.P. Bryant, S.E. White (14)

NAYS: S. Orser (1)

At 10:47 PM, the Mayor resumes the Chair, and Councillor M. Brown takes his seat at the Council board.

20. 2011 London Convention Centre Operating Surplus

Motion made by Councillor J.L. Baechler to Approve that, on the recommendation of the London Convention Centre (LCC) Board of Directors, the LCC 2011 Operating Surplus in the amount of \$315,731 BE TRANSFERRED to the LCC Capital Reserves as follows:

- a) 25% (\$78,933) to the LCC Special Projects Reserve, held by the LCC; and
- b) 75% (\$236,798) to the LCC Capital Reserve, held by the City of London;

it being noted that the Finance and Administrative Services Committee received a verbal overview with respect to this matter from L. Da Silva, General Manager, LCC.

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, J.P. Bryant, S.E. White (15)

8th Report of the Finance and Administrative Services Committee

Councillor P. Hubert presents

1. Disclosures 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, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L.

Usher, J.P. Bryant, S.E. White (15)

2. General Discussion

Motion made by Councillor P. Hubert to Approve the following actions be taken with respect to the meeting of the Finance and Administrative Services Committee (FASC) with the local Members of Provincial Parliament:

- a) it BE NOTED that the FASC held general discussions with The Honourable C. Bentley, MPP; The Honourable D. Matthews, MPP; T. Armstrong, MPP and J. Yurek, MPP on the following issues:
 - i) Economic Development and Regional Economic Development
 - A. London Strategic Economic Initiatives and Gateway
 - Southern Highways Plan
 - Fraunhofer Composites Research Centre
 - Canada-Ontario Immigration Agreement and Provincial Nominee Program
 - Culture Funding
 - B. Southwest Economic Development Fund
 - High Speed Rail
 - ii) City of London Pre-budget Submission to the Ontario Standing Committee on Finance and Economic Affairs;
 - iii) Social and Affordable Housing;
 - iv) Mental Health and Police Services;
 - v) Regional Mental Health Centre
 - Divestment of Geriatric Mental Health Beds; and,
 - vi) Community Services Briefing Note - Current Child Care Issues;
- b) that the following matters BE REFERRED to the next meeting of the Finance and Administrative Services Committee and the Members of Provincial Parliament:
 - i) City of London Pre-Budget Submission to the Ontario Standing Committee on Finance and Economic Affairs; and
 - ii) Community Services Briefing Note – Current Child Care Issues.

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, J.P. Bryant, S.E. White (15)

Councillor D. Brown moves and seconded by Councillor D. Henderson, that pursuant to section 2.4 of the Council Procedure By-law, section 11.10 of the said by-law be suspended for the purpose of permitting the meeting to proceed beyond 11:00 PM.

Motion Passed

9th Report of the Finance and Administrative Services Committee
Councillor Hubert presents.

1. Disclosures 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, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (15)

2. Declare Surplus Portion of South Street Lands

Motion made by Councillor P. Hubert to Approve that, on the recommendation of the Managing Director - Corporate Assets, on the advice of the Manager Realty Services, with respect to the City-owned lands located on South Street bounded by Wellington Street/ Waterloo Street and the Thames River, the subject lands identified to the north of the Hazard Limit Line established by the City's Official Plan, as shown on the attached plan, BE DECLARED SURPLUS, for the eventual sale and redevelopment for uses following the guiding principles of the Thames Valley Corridor Plan and the SOHO Community Improvement Plan.

Motion made by Councillor N. Branscombe and seconded by Councillor D.G. Henderson to Amend clause 2 to read as follows:

"That, on the recommendation of the Managing Director – Corporate Assets, on the advice of the Manager Realty Services, the following actions be taken with respect to the City-owned lands located on South Street bounded by Wellington Street/Waterloo Street and the Thames River, the subject lands identified to the north of the Hazard Limit Line established by the City's Official Plan, as shown on the attached plan:

- a) the subject lands BE DECLARED surplus, for eventual sale and redevelopment for uses following the guiding principles of the Thames Valley Corridor Plan and the SOHO Community Improvement Plan;
- b) the sale of the subject lands BE UNDERTAKEN in a competitive, fair and transparent process, in accordance with Part 2 of the City of London's Sale and Other Disposition of Land Policy; and,
- c) the Civic Administration BE REQUESTED to report back as soon as possible with respect to the status of the Central Subwatershed Study."

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, J.P. Bryant, S.E. White (15)

The motion to adopt clause 2, as amended, is put.

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, J.P. Bryant, S.E. White (15)

Clause 2, as amended, reads as follows:

That, on the recommendation of the Managing Director – Corporate Assets, on the advice of the Manager Realty Services, the following actions be taken with respect to the City-owned lands located on South Street bounded by Wellington Street/Waterloo Street and the Thames River, the subject lands identified to the north of the Hazard Limit Line established by the City's Official Plan, as shown on the attached plan:

- a) the subject lands BE DECLARED surplus, for eventual sale and redevelopment for uses following the guiding principles of the Thames Valley Corridor Plan and the SOHO Community Improvement Plan;
- b) the sale of the subject lands BE UNDERTAKEN in a competitive, fair and transparent process, in accordance with Part 2 of the City of London's Sale and Other Disposition of Land Policy; and,
- c) the Civic Administration BE REQUESTED to report back as soon as possible with respect to the status of the Central Subwatershed Study.

3. Team London Trade Mission to China - April 2012

Motion made by Councillor P. Hubert to Approve that, on the recommendation of the Director of Intergovernmental and Community Liaison, the Civic Administration BE AUTHORIZED to assist Team London and the Mayor in the planning and implementation of the Team London Mission to China, April 23-27, 2012 to Chengdu, Chongqing and Nanjing; it being noted that travel and related costs for civic participation will be accommodated within the existing operating budgets of the Mayor's Office, the City Manager's Department and the LEDC.

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, J.P. Bryant, S.E. White (15)

4. Tax Agendas

Motion made by Councillor P. Hubert to Approve that, on the recommendation of the Deputy City Treasurer, the following actions be taken with respect to the Tax Division Agenda submitted to the Finance and Administrative Services Committee meeting on February 27, 2012:

- a) the March 19, 2012 information report providing additional details with respect to those properties located on Fanshawe Park Road BE RECEIVED for information; and
- b) the recommendations in the Tax Division Agenda dated February 27, 2012 BE APPROVED; it being noted that at the public hearing on February 27, 2012 associated with the Agenda, no members of the public came forward to speak to the items contained therein.

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, J.P. Bryant, S.E. White (15)

10th Report of the Finance and Administrative Services Committee Councillor Hubert presents.

Motion made by Councillor P. Hubert to Note that the Finance and Administrative Services Committee convened in camera from 9:10 AM to 12:04 PM after having passed a motion to do so, with respect to the following matter:

A matter pertaining to personal matters, including information regarding identifiable individual(s), 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.

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, J.P. Bryant, S.E. White (15)

5th Report of the Investment and Economic Prosperity Committee Councillor J.B. Swan presents.

1. Disclosures of Pecuniary Interest

Motion made by Councillor J.B. Swan 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, J.P. Bryant, S.E. White (15)

2. London Public Library Internet Service Policy, Including Filtering

Motion made by Councillor J.B. Swan to Approve that the communication from J. Morgan, Chair, London Public Library Board, dated January 23, 2012, with respect to the London Public Library internet service policy, including filtering, 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, J.P. Bryant, S.E. White (15)

3. Workforce Development Initiatives

Motion made by Councillor J.B. Swan to Approve that the following actions be taken with respect to the ~~attached~~ "Moving Londoners Forward: A Call to Active Opportunity" document, dated March 5, 2012:

- a) the ~~attached~~ presentation from Councillor P. Hubert BE RECEIVED; and,
- b) the Civic Administration BE REQUESTED to review the recommendations, speak with the proposed partners and report back to the Investment and Economic Prosperity Committee as to how this initiative can be aligned with other initiatives currently being undertaken with respect to job creation.

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, J.P. Bryant, S.E. White (15)

4. London Convention Centre Board Request for By-Law Amendments

Motion made by Councillor J.B. Swan to Approve that the Civic Administration BE DIRECTED to review the request for amendments to the London Convention Centre By-law and report back with a draft by-law for consideration at a Public Participation Meeting before the Investment and Economic Prosperity Committee.

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, J.P. Bryant, S.E. White (15)

5. Creation of a Separate Eldon House Board

Motion made by Councillor J.B. Swan to Approve that, on the recommendation of the City Treasurer, Chief Financial Officer, the following actions be taken with respect to the creation of a separate Eldon House Municipal Service Board:

- a) the draft Eldon House Municipal Service Board By-law BE RECEIVED and BE REFERRED to a public participation meeting of the Investment and Economic Prosperity Committee on April 17, 2012;
- b) the Transition Plan to put the proposed Eldon House Municipal Service Board in place by December 31, 2012, BE RECEIVED; and
- c) the financing for the proposed Transition Plan BE APPROVED as set out in the Sources of Financing appended to the staff report dated March 5, 2012, SUBJECT TO the approval of the Eldon House Municipal Service Board By-Law.

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, J.P. Bryant, S.E. White (15)

6. Meeting Schedule

Motion made by Councillor J.B. Swan to Approve that the City Clerk BE DIRECTED to take the necessary actions to amend the Annual Schedule of Meetings and the Council Procedure By-law to provide for meetings of the Investment and Economic Prosperity Committee to be held every two weeks, on Tuesdays, commencing at 1:30 PM.

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, J.P. Bryant, S.E. White (15)

2nd Report of the Public Safety Committee

Councillor D. Brown presents.

1. Disclosures of Pecuniary Interest

Motion made by Councillor D. Brown to Note that Councillor Hubert disclosed a pecuniary interest in clause 11 of this report, relating to the Clearing of Land By-law Amendments and clause 14 of this report, relating to the Downtown Mural Pilot Program to Prevent Graffiti, by indicating that he is the Executive Director of a social services agency which has a contract with Ontario Works.

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, J.P. Bryant, S.E. White (15)

2. Committee Orientation

Motion made by Councillor D. Brown to Approve that the ~~attached~~ presentations, with respect to committee orientation, BE RECEIVED:

- a) Deputy Chief;
- b) Fire Chief;
- c) Director, Environmental Programs and Solid Waste;
- d) Director, Building Controls, Chief Building Official; and,
- e) Division Manager, Corporate Security and Emergency Management;

it being noted that the delegation from the City Clerk was withdrawn.

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, J.P. Bryant, S.E. White (15)

3. 2011 Emergency Management Program Update

Motion made by Councillor D. Brown Approve that, on the recommendation of the Interim City Manager, the following actions be taken with respect to the 2011 Emergency Management Program:

- a) the ~~attached~~ by-law (Appendix "A") BE INTRODUCED at the Municipal Council meeting to be held on March 20, 2012 to:
 - i) adopt the Emergency Management Program including the London Emergency Response Plan as set out in Schedule "A" of the by-law; and,
 - ii) repeal Bylaw A.-6661-135;
- b) the ~~attached~~ by-law (Appendix "B") BE INTRODUCED at the Municipal Council meeting to be held on March 20, 2012 to:
 - i) approve the agreement to be entered into between The Corporation of the City

of London and the Governing Council of the Salvation Army in Canada, for the provision of Emergency/Disaster Relief Services, ~~attached~~ as Schedule "A" to the By-law;

- ii) authorize the Mayor and the City Clerk to execute the above-noted 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, J.P. Bryant, S.E. White (15)

4. Security Services

Motion made by Councillor D. Brown to Approve that, on the recommendation of the Interim City Manager, the following actions be taken with respect to security services:

- (a) the ~~attached~~ proposed by-law (Appendix "A") BE INTRODUCED at the Municipal Council, meeting on March 20, 2012 to approve the amending agreement (Schedule "A" to the by-law) between The Corporation of the City of London and the Commissionaires Great Lakes, to extend the term to March 31, 2014 and to alter the rates;
- (b) the Mayor and the City Clerk BE AUTHORIZED to execute the above-noted amending agreement; and,
- (c) all related administrative acts BE AUTHORIZED.

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, J.P. Bryant, S.E. White (15)

5. Report on London Fire Department Aerial and Tanker Fleet

Motion made by Councillor D. Brown to Approve that, on the recommendation of the Fire Chief, the report dated March 6, 2012 with respect to the London Fire Department aerial and tanker fleet 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, J.P. Bryant, S.E. White (15)

6. Motorcycle Noise

Motion made by Councillor D. Brown to Approve that, on the recommendation of the Director of Building Controls and Chief Building Official, the report dated March 6, 2012 with respect to excessive motorcycle noise BE RECEIVED; it being noted that this issue would be better addressed through enforcement of the Ontario *Highway Traffic 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, J.P. Bryant, S.E. White (15)

7. Licensing and Municipal By-law Enforcement Services - Monthly Statistics

Motion made by Councillor D. Brown to Approve that, on the recommendation of the Director of Building Controls and Chief Building Official, the report dated March 6, 2012 with respect to the Licensing and Municipal Law Enforcement Services, January 2012 monthly statistics, 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, J.P. Bryant, S.E. White (15)

8. 2nd Report of the Animal Welfare Advisory Committee

Motion made by Councillor D. Brown to Approve that the 2nd Report of the Animal Welfare Advisory Committee from its meeting held on February 2, 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, J.P. Bryant, S.E. White (15)

9. 1st Report of the Community Safety & Crime Prevention Advisory Committee

Motion made by Councillor D. Brown to Approve that the following actions be taken with respect to the 1st Report of the CSCP from its meeting held on February 23, 2012:

- a) clause 1, related to a request for the London Police Services Board to speak to the CSCP with respect to the London Block Parent Program flagging system, BE NOTED with no additional action; it being noted that additional information has already been exchanged at City Council related to this matter; and,
- b) clauses 2 through 12 BE RECEIVED;

it being noted that the Public Safety Committee heard a verbal delegation from L. Norman, Vice Chair, CSCP and B. Shea, Deputy Chief, with respect to this report.

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, J.P. Bryant, S.E. White (15)

10. Fence By-law Amendments

Motion made by Councillor D. Brown to Approve that, on the recommendation of the Director of Building Controls and Chief Building Official the ~~attached~~ revised by-law BE INTRODUCED at the Municipal Council meeting, to be held on March 20th, 2012 to amend the Fence By-law for the purposes of addressing privacy screening and private recreation related fences; it being pointed out that no submissions were received at the Public Participation Meeting held 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, J.P. Bryant, S.E. White (15)

11. Clearing of Land By-law Amendments

Motion made by Councillor D. Brown to Approve that the following actions be taken with respect to the by-law to amend the Clearing of Land By-law:

- a) sections 2.11 and 2.12, relating to composting, of the revised proposed by-law BE REFERRED to Civic Administration for further review; and,
- b) the ~~attached~~ revised by-law, reflecting the removal of the above-noted sections, BE INTRODUCED at the Municipal Council meeting of, March 20th, 2012 to amend the Clearing of Land By-law;

it being noted that the Public Safety Committee heard the ~~attached~~ presentation from the Manager, Bylaw Enforcement, and received written submissions, with respect to this matter;

- R. Robertson, dated February 24, 2012
- M. Temme, dated February 26, 2012
- T. Rutten

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

- Maureen Temme, 66 Palmer Street, London - noting the points addressed in her above-noted submissions and the ~~attached~~ communication.
- Robin Harvey - indicating that the bylaw is outdated; we should be educating and encouraging individual and community compost; prebuilt composters are not large enough but instead are built to accommodate the store shelves; proper composting does emit a necessary musty scent; the environmental and sustainability committee should be requested to address the issues, provide and enforce mandatory educational courses for infractions to address complaints.
- Emma Simms, representing London Property Management Association – indicating that the resident, not the owner, should be accountable for compost and graffiti infractions.

Motion made by Councillor D. Brown and seconded by Councillor H.L. Usher to Amend clause 11 in part b) by replacing the by-law appended thereto with the ~~attached~~ new revised by-law which changes the effective date from March 20, 2012 to May 1, 2012 and removes references to section 2.12 and 2.13 in part 7 to reflect the changes contained in the recommendation clauses.

Motion Passed

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

RECUSED: P. Hubert (1)

The motion to adopt clause 11, as amended is put.

Motion Passed

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

RECUSED: P. Hubert (1)

Clause 11, as amended, reads as follows:

That the following actions be taken with respect to the by-law to amend the Clearing of Land By-law:

- a) sections 2.11 and 2.12, relating to composting, of the revised proposed by-law BE REFERRED to Civic Administration for further review; and,
- b) the revised by-law appended hereto with the ~~attached~~ new revised by-law which changes the effective date from March 20, 2012 to May 1, 2012 and removes references to section 2.12 and 2.13 in part 7 to reflect the changes contained in the recommendation clauses, BE INTRODUCED at the Municipal Council meeting of, March 20th, 2012 to amend the Clearing of Land By-law;

it being noted that the Public Safety Committee heard the ~~attached~~ presentation from the Manager, Bylaw Enforcement, and received written submissions, with respect to this matter;

- R. Robertson, dated February 24, 2012
- M. Temme, dated February 26, 2012
- T. Rutten

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

- Maureen Temme, 66 Palmer Street, London - noting the points addressed in her above-noted submissions and the ~~attached~~ communication.
- Robin Harvey - indicating that the bylaw is outdated; we should be educating and encouraging individual and community compost; prebuilt composters are not large enough but instead are built to accommodate the store shelves; proper composting does emit a necessary musty scent; the environmental and sustainability committee should be requested to address the issues, provide and enforce mandatory educational courses for infractions to address complaints.
- Emma Simms, representing London Property Management Association – indicating that the resident, not the owner, should be accountable for compost and graffiti infractions.

12. Licensing of Methadone Pharmacies and Clinics

Motion made by Councillor D. Brown to Approve that the proposed by-law, to provide for the licensing and regulation of methadone clinics and methadone pharmacies BE REFERRED back to Civic Administration for further consideration and refinement;

it being noted that the Public Safety Committee heard the ~~attached~~ presentation from the Manager, Bylaw Enforcement, and received a written submission from W. Dickson, on behalf of the Woodfield Community Association, dated March 5, 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;

- Barnet H. Kussner, WeirFoulds LLP, representing Shoppers Drug Mart Inc. - providing comments as outlined in the ~~attached~~ communication.
- Carol Irwin, 1314 Basswood - indicating concerns with by-law enforcement. Ann Dier-Witherford, on behalf of the Woodfield Community Association, noting the points in the above-noted Woodfield Community Association submission and adding personal comments related to problems with existing clinic locations in the City, including police, storefronts, public drug use etc.
- Alan Patton, Patton Cormier & Associates, representing Ontario Addiction Treatment Centres – indicating the following concerns with the legality of the by-law:
 - i) conflicts within the by-law, with respect to a daily log; it being noted that on page 96 of the report it does not state the log cannot have names and on page 102, section 6.1 it states that the log cannot have names;
 - ii) clarity of the by-law, section 6.1 (a) and 6.1 (b) with respect to references to client and patient; it being noted the wording is vague.
 - iii) the by-laws reliance on external documentation.

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, J.P. Bryant, S.E. White (15)

13. Encroachments Onto City Property - Project "Return to Nature"

Motion made by Councillor D. Brown to Approve that, on the recommendation of the Director of Building Controls and Chief Building Official, the report dated March 6, 2012, with respect to compliance and enforcement protocol to address encroachments onto City property BE RECEIVED; it being noted that the Public Safety Committee heard the ~~attached~~ presentation from the Manager, Bylaw Enforcement, 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, J.P. Bryant, S.E. White (15)

14. Downtown Mural Pilot Program to Prevent Graffiti

Motion made by Councillor D. Brown to Approve that, on the recommendation of the City Treasurer and Chief Financial Officer, in consultation with Downtown London, the report dated March 6, 2012, with respect to the development of a Downtown Mural Pilot Program to prevent

graffiti BE RECEIVED; it being noted that the Public Safety Committee heard a verbal presentation from K. Ward, Downtown London, 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, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (14)

RECUSED: P. Hubert (1)

15. Request by Info-Tech Research Group for Banner Signs to be Installed on Utility Poles at 602 Queens Avenue

Motion made by Councillor D. Brown to Approve that, on the recommendation of the Director of Building Controls the report dated March 6, 2012, with respect to the request by Info-Tech Research Group for Banner Signs to be Installed on Utility Poles at 602 Queens Avenue BE RECEIVED; it being noted that the Public Safety Committee heard the ~~attached~~ presentation from the Deputy Chief Building Official, Manager, Building Permits, 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, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (14)

RECUSED: P. Hubert (1)

3rd Report of the Public Safety Committee

Councillor P. Hubert presents.

1. Disclosure of Pecuniary Interests

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, J.P. Bryant, S.E. White (15)

2. Court Security Prisoner Transportation Program – Funding Agreement

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 the Ontario Funding Agreement for the Court Security Prisoner Transportation Program:

- a) the proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on March 20, 2012 to approve the Ontario Funding Agreement for the Court Security Prisoner Transportation Program between The Corporation of the City of London and Her Majesty the Queen in Right of Ontario; and,
- b) the Mayor and City Clerk BE AUTHORIZED to execute the Agreement approved under Section a), above.

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, J.P. Bryant, S.E. White (15)

7th Report of the Strategic Priorities and Policy Committee

Councillor N. Branscombe presents.

1. Disclosure of pecuniary interests

Motion made by Councillor N. Branscombe to Approve Note that Councillor M. Brown

disclosed a pecuniary interest in Item # 6 of this Report having to do with appointments to Thames Valley District School Board (TVDSB) Accommodation Review Committees by indicating that the TVDSB is his employer.

Motion Passed

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

RECUSED: M. Brown (1)

2. Green Municipal Incentives Project

Motion made by Councillor N. Branscombe to Approve that, on the recommendation of the Director, Land Use Planning and City Planner, the following actions be taken with respect to the City of London's Green Municipal Incentives Project:

- a) the Director of Land Use Planning, City Planner's report dated March 19, 2012 entitled "Green Municipal Incentives Project" BE RECEIVED for information; and
- b) the Civic Administration BE REQUESTED to report back within the coming months with respect to the City of London's broader "green vision" for the municipality, including what has been done and what can be done, together with a financing, communication and education strategy.

Motion Passed

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

RECUSED: M. Brown (1)

3. Status of 2011 Industrial Land Development Strategy

Motion made by Councillor N. Branscombe to Approve that, on the recommendation of the Director, Land Use Planning and City Planner with the concurrence of the Acting Executive Director, Planning, Environmental and Engineering Services, the report dated March 19, 2012 regarding the status of recommendations arising from the 2011 Industrial Lands Development Strategy Update BE RECEIVED for information; it being noted that all associated costs will be considered through the Investment and Economic Prosperity Committee, for recommendation to the Municipal Council.

Motion Passed

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

RECUSED: M. Brown (1)

4. Assessment of the Board of Health for the Middlesex-London Health Unit

Motion made by Councillor N. Branscombe to Approve that the following actions be taken with respect to the Middlesex-London Health Unit (MLHU):

- a) the communication dated March 8, 2012 from D. Matthews, Minister of Health and Long-Term Care, related to an assessment of the MLHU BE RECEIVED for information; and
- b) the City Solicitor BE REQUESTED to report back at a future meeting of the Strategic Priorities and Policy Committee with respect to next steps available to the Municipal Council as it relates to achieving a 75/25 funding ratio for the MLHU; it being noted that every effort will be made to work together with the MLHU to achieve a mutually satisfactory outcome.

Motion Passed

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

RECUSED: M. Brown (1)

5. Resignation - Services Review Committee

Motion made by Councillor N. Branscombe to Approve that the resignation of Councillor B. Polhill from the Services Review Committee BE ACCEPTED.

Motion Passed

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

RECUSED: M. Brown (1)

6. Consideration of Councillor Appointments to the Accommodation Review Committees (ARC)

Motion made by Councillor N. Branscombe to Approve that the following actions be taken with respect to Council appointments to Accommodation Review Committees for the Thames Valley District School Board (TVDSB):

- a) Councillor J.P. Bryant BE APPOINTED to the Central London Elementary Accommodation Review Committee for Bishop Townshend PS, St. George's PS, Lorne Avenue PS and Lord Roberts PS; it being noted that no appointments were made to the London Secondary Vocational & Technology Program Accommodation Review Committee; and
- b) the City Clerk BE REQUESTED to communicate with the TVDSB to enquire why the City was not notified that the Central London Elementary Accommodation Review Committee would also include Lord Roberts PS.

Motion Passed

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

RECUSED: M. Brown (1)

IX DEFERRED MATTERS

None.

X ENQUIRIES

None.

XI EMERGENT MOTIONS

Motion made by Councillor N. Branscombe and seconded by Councillor J.B. Swan to Approve that, pursuant to section 18.2 of the Council Procedure By-law leave BE GIVEN for the introduction of an emergent motion with respect to the scheduling of a Public Participation Meeting to receive citizen input with respect to the recent activities that occurred on Fleming Drive on Saturday, March 17, 2012 and Sunday, March 18, 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, J.P. Bryant, S.E. White (15)

Motion made by Councillor N. Branscombe and seconded by Councillor J.B. Swan to Approve that the Committee Secretary for the Public Safety Committee (PSC) BE DIRECTED to make contact with the Committee Members to determine the earliest possible date for holding a public participation meeting (potentially off site) of the PSC to hear stakeholder and public input with respect to recent activities on March 17 and 18, 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, J.P. Bryant, S.E. White (15)

Motion made by Councillor P. Hubert and seconded by Councillor S.E. White to Approve that, pursuant to section 18.2 of the Council Procedure By-law leave BE GIVEN for the introduction of an emergent motion with respect to cancelling the April 17, 2012 Strategic Priorities and Policy Committee as there are no matters that need to be dealt with prior to the April 30, 2012 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, J.P. Bryant, S.E. White (15)

Motion made by Councillor P. Hubert and seconded by Councillor S.E. White to Approve to cancel the April 17, 2012 Strategic Priorities and Policy Committee as there are no matters that need to be dealt with prior to the April 30, 2012 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, J.P. Bryant, S.E. White (15)

XII BY-LAWS

Motion made by Councillor D. Brown and seconded by Councillor P. Van Meerbergen to Approve first reading of Bill 119.

Motion Passed

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

RECUSED: P. Hubert (1)

Motion made by Councillor D. Brown and seconded by Councillor J.B. Swan to Approve second reading of Bill 119.

Motion Passed

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

RECUSED: P. Hubert (1)

Motion made by Councillor D. Brown and seconded by Councillor N. Branscombe to Approve third reading and enactment of Bill 119.

Motion Passed

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

RECUSED: P. Hubert (1)

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

Bill No. 119, By-law No. PW-9- A by-law to amend By-law No. PW-9 as amended entitled, "A by-law to provide for the filling up, cleaning and clearing of land, and clearing of refuse from land." (11/2/PSC)

Motion made by Councillor P. Van Meerbergen and seconded by Councillor S.E. White to Approve first reading of Bill No.'s 103 – 118, 120 - 133, inclusive.

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, J.P. Bryant, S.E. White (15)

Motion made by Councillor B. Polhill and seconded by Councillor S.E. White to Approve second reading of Bill No.'s 103 – 118, 120 - 133, inclusive.

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, J.P. Bryant, S.E. White (15)

Motion made by Councillor H.L. Usher and seconded by Councillor N. Branscombe to Approve third reading and enactment of Bill No.'s 103 – 118, 120 - 133, inclusive.

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, J.P. Bryant, S.E. White (15)

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

Bill No. 103, By-law No. A.- A by-law to confirm the proceedings of the Council Meeting held on the 20th day of March, 2012.(City Clerk)

Bill No. 104, By-law No. A.- A by-law to repeal Council Policy 1(7) entitled, "Recognition of Advisory Committee Members"; to repeal and replace Council Policy 5(16) entitled, "Terms of Reference for Advisory Committees" and to rename the new Policy 5(16) "General Policy for Advisory Committees"; to repeal Council Policy 5(21) entitled, "Reporting Time Frames for Matters Referred to Advisory Committees"; to repeal Council Policy 5(33) entitled, "Process for Appointment of Advisory Committee Members" so that all policies pertaining to advisory committees are updated and amalgamated into one comprehensive policy pertaining to advisory committees." (5/7/FASC)

Bill No. 105, By-law No. A.- A by-law to amend Council Policy 5(9) entitled, "Process for Seeking Applications for Committee Appointments and the Handling of Those Applications to reflect current practices." (5/7/FASC)

Bill No. 106, By-law No. A.- A by-law to repeal By-law No. A.-6661-135 and to adopt an emergency management program and plan. (3/2/PSC)

Bill No. 107, By-law No. A.- A by-law to approve an agreement to provide Emergency/Disaster Relief Services with The Governing Council of the Salvation Army in Canada and to authorize the Mayor and the City Clerk to execute the Agreement. (3/2/PSC)

Bill No. 108, By-law No. A.-	A by-law to approve an amendment to the agreement with the Commissionaires (Great Lakes) for the provision of Security Services and to authorize the Mayor and the City Clerk to execute the Agreement. (4/2/PSC)
Bill No. 109, By-law No. A.-	A by-law to approve the Ontario Funding Agreement for the enhancement of the marketing of the London and Middlesex Immigration Portal with Her Majesty the Queen in Right of Ontario as represented by the Minister of Citizenship and Immigration; and to authorize the Mayor and the City Clerk to execute the Agreement. (11/7/FASC)
Bill No. 110, By-law No. A.-	A by-law to approve and adopt the standard form Purchase of Services Agreement for Community Services; and to authorize the Executive Director of Community Services to insert information and execute agreements which employ this form. (5/4/CSC)
Bill No. 111, By-law No. A.-	A by-law to approve an agreement between The Corporation of the City of London (the City) and Vernon Martin and Adam Woodhouse (the Proponent) for the purpose of establishing the Proponent's obligations under the Convert-to-Rent/Rehabilitation Program and the City's obligation to provide funding to the Proponent; and to authorize the Mayor and the City Clerk to execute the agreement. (7/4/CSC)
Bill No. 112, By-law No. A.-5895(e)-	A by-law to amend By-law No. A.-5895-232 entitled, "A by-law to appoint Property Standards Officers." (Manager of By-law Enforcement)
Bill No. 113, By-law No. A.-5896(n)-	A by-law to amend By-law No. A.-5896-233 entitled, "A by-law to appoint Municipal Law Enforcement Officers for the purpose of enforcing the by-laws of The Corporation of the City of London." (Manager of By-law Enforcement)
Bill No. 114, By-law No. C.P.-1284(rx)-	A by-law to amend the Official Plan for the City of London, 1989 relating to 1280 Fanshawe Park Road West and 1875, 1965 Hyde Park Road. (5/6/PEC)
Bill No. 115, By-law No. C.P.-1284(ry)-	A by-law to amend the Official Plan for the City of London, 1989 relating to the North Talbot Community special policies. (18/6/PEC)
Bill No. 116, By-law No. C.P.-1284(rz)-	A by-law to amend the Official Plan for the City of London, 1989 relating to 1103 Adelaide Street North. (20/6/PEC)
Bill No. 117, By-law No. C.P.-1284(sa)-	A by-law to amend the Official Plan for the City of London, 1989 relating to methadone clinics and methadone pharmacies. (22/6/PEC)
Bill No. 118, By-law No. PS-6-	A by-law to amend By-law No. PS-6, as amended, entitled, "A by-law to provide for regulating and governing fences in the City of London." (10/2/PSC)
Bill No. 120, By-law No. PS-111-	A by-law to amend By-law PS-111 entitled, "A by-law to regulate traffic and the parking of motor vehicles in the City of London." (6/5/CWC)
Bill No. 121, 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 Pond Mills Road, north of Centre Street; and As widening to Pond Mills Road, south of Centre Street) (Chief Surveyor)
Bill No. 122, 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 widening to Blythwood Road, north of Beaverbrook Avenue) (Chief Surveyor)

Bill No. 123, By-law No. W.-	A by-law to authorize the Dingman Erosion Control and Wetland Remediation Works Project. (Project No. ES2682) (10/1/CWC)
Bill No. 124, By-law No. W.-	A by-law to authorize the 2011 SWM Ponds & Outlet Structures for Linked Systems Project. (Project No. ES3019-11) (9/1/CWC)
Bill No. 125, By-law No. W.M.-	A by-law to impose special charges for the construction of a watermain on a portion of Blakie Road and Breck Avenue, pursuant to section 30 of Ontario Regulation 586/06 made under the Municipal Act, 2001, S.O. 2001, c.25. (14/1/BNEC – 2011)
Bill No. 126, By-law No. W.M.-	A by-law to impose special charges for the construction of water services from the watermain to the property line on a portion of Blakie Road and Breck Avenue pursuant to section 30 of Ontario Regulation 586/06 made under the Municipal Act, 2001, S.O. 3002, c.25. (14/1/BNEC – 2011)
Bill No. 127, By-law No. Z.-1-122085	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 1280 Fanshawe Park Road West and 1875, 1965 Hyde Park Road. (5/6/PEC)
Bill No. 128, By-law No. Z.-1-122086	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 2020 Hyde Park Road. (15/6/PEC)
Bill No. 129, By-law No. Z.-1-122087	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 503 York Street. (17/6/PEC)
Bill No. 130, By-law No. Z.-1-122088	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 909 Southdale Road West and 3045 Pomeroy Lane. (18/6/PEC)
Bill No. 131, By-law No. Z.-1-122089	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 1103 Adelaide Street North. (20/6/PEC)
Bill No. 132, By-law No. Z.-1-122090	A by-law to amend By-law No. Z.-1 to apply to all lands within the City of London for the purpose of regulating methadone clinics and methadone pharmacies. (22/6/PEC)
Bill No. 133 By-law No. A.-6792-95	A by-law to approve the Ontario Funding Agreement for the Court Security Prisoner Transportation Program with Her Majesty the Queen in Right of Ontario as represented by the Minister of Community Safety and Correctional Services; and to authorize the Mayor and the City Clerk to execute the Agreement. (2/3/PSC)

Motion made by Councillor H. Usher and seconded by Councillor S. Orser to Approve the Council convene as Committee of the Whole.

Motion Passed

XIII COMMITTEE OF THE WHOLE, IN CAMERA

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

- a) A matter pertaining to personal matters, including information regarding identifiable individual(s), 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)
- b) Two matters to be considered for the purpose of instructions and

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

- c) A matter pertaining to the purpose of instructions and directions to officers and employees of the Corporation pertaining to a proposed disposition of land; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; reports or advice or recommendations of officers and employees of the Corporation pertaining to a proposed disposition of land; commercial and financial information supplied in confidence pertaining to the proposed disposition the disclosure of which could reasonably be expected to, prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of the Corporation, result in similar information no longer being supplied to the Corporation where it is in the public interest that similar information continue to be so supplied, and result in undue loss or gain to any person, group, committee or financial institution or agency; commercial, information relating to the proposed disposition that belongs to the Corporation that has monetary value or potential monetary value; information concerning the proposed disposition whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or its competitive position; information concerning the proposed disposition whose disclosure could reasonably be expected to be injurious to the financial interests of the Corporation; and instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the Corporation concerning the proposed disposition. (March 19 Special FASC)
- d) A matter pertaining to personal matters, including information regarding identifiable individual(s), 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. (March 20 Special FASC)

The Council rises and goes into Committee of the Whole, in camera, closed session at 12:05 AM, with all Members present.

At 12:10 AM all staff leaves the meeting except T. Dobbie, J.P. Barber, Veronica McAlea Major, L.M. Rowe, C. Saunders and B. Westlake-Power.

At 12:19 AM J. Braam, R.L. Fair, M. Hayward, J.M. Fleming, G. Hopcroft, T.A. Johnson and B. Warner return to the meeting.

At 12:30 AM Councillor P. Hubert leaves the meeting.

The Committee rises and reconvenes in Council regular session at 1:15 AM.

5th Report of the Committee of the Whole

Councillor D. Brown presents.

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

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

1. Offer from 2122260 Ontario Inc. to Purchase a Portion of Block 3, Plan 33M-544 – Innovation Park, Phase 1

Motion made by Councillor D. Brown 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 of Realty Services, with respect to the lands located on the west side of Innovation Drive, Innovation Industrial Park, described as a portion of Block 3 of Plan 33M-544, as outlined on the sketch attached as Schedule "C-1", the offer submitted by 2122260 Ontario Inc. (the "Purchaser") to purchase from the City the lands noted above, being approximately 3.5 acres, subject to a survey, at a purchase price of \$217,500.00 (reflecting a price of \$62,000 per acre), BE ACCEPTED, subject to the following conditions:

- a) the Purchaser being granted a three (3) year option to purchase approximately 4.0 acres, located directly south of the 3.5 acre parcel being purchased, described as a portion of Block 1, Plan 33M-544, at a price of \$62,000 per acre; and
- b) the Purchaser successfully satisfying itself that it can obtain site plan approval for the proposed development.

Motion Passed

Motion made by Councillor D. Brown and seconded by Councillor J.B. Swan to Approve first reading of Bill 134.

Motion Passed

Motion made by Councillor J.B. Swan and seconded by Councillor P. Van Meerbergen to Approve second reading of Bill 134.

Motion Passed

Motion made by Councillor H.L. Usher and seconded by Councillor D. Brown to Approve third reading and enactment of Bill 134.

Motion Passed

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

Bill No. 134	A by-law to authorize an Agreement of Purchas and Sale between
By-law No. A.-	The Corporation of the City of London and 2122260 Ontario Inc.,
6793-96	and to authorize the Mayor and City Clerk to execute the
	Agreement. (1/5/CW)

XIV ADJOURNMENT

Motion made by Councillor H.L. Usher and seconded by Councillor P. Van Meerbergen that the meeting adjourn at 1:19 AM, on March 21, 2012.

Motion Passed

Joe Fontana, Mayor

Catharine Saunders, City Clerk