



London
CANADA

COUNCIL MINUTES FOURTEENTH MEETING

August 29, 2011

The Council meets in Regular Session in the Council Chambers this day at 5:00 p.m.

PRESENT: Acting Mayor B. Polhill, Councillors 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, C. Saunders (City Clerk)

ALSO PRESENT: J.A. Fielding, R.L. Fair, G.T. Hopcroft, E. Gamble, L.M. Rowe, B. Westlake-Power, V. McAlea Major, J. Braam, J. Stanford, M. Turner, D. Ailles, J.P. Barber, K. Graham, R. Armistead, D. Munteer, J. Fleming, B. Campbell, J. Edward, J. Stanford.

ABSENT WITH REGRETS: Mayor J.F. Fontana

I RECOGNITIONS

1. Acting Mayor Polhill acknowledges the 2011 Queen Elizabeth Scholarships recipients: Amalia Cong, Central Secondary School (average 99.83%) and Ryan Gauld, Saunders Secondary School (average 98.00%).
2. Ross Fair, Executive Director, Community Services Department, makes a presentation to Acting Mayor Polhill regarding the Urban League Green Brick Award to the Stoney Creek Community Centre-YMCA-Library.

II DISCLOSURES OF PECUNIARY INTEREST

247. Councillor D. Brown discloses a pecuniary interest in clause 47 of the 19th Report of the Built and Natural Environment Committee having to do with amendments to the Traffic and Parking By-law by indicating that her employer has a contract with the London Transit Commission. Councillor D. Brown further discloses a pecuniary interest in clause 22 of the 14th Report of the Community and Neighbourhoods Committee having to do with the Taxi/Limousine By-law Review by indicating that her employer operates taxis and limousines. Councillor D. Brown also discloses a pecuniary interest in clause 11 of the 19th Report of the Built and Natural Environment Committee having to do with amendments to the Traffic and Parking By-law related to bus stop locations utilized by the University of Western Ontario (UWO), by indicating that her employer has a transportation contract with UWO.
248. Councillor White discloses a pecuniary interest in clause 30 of the 19th Report of the Built and Natural and Environment Committee having to do with the development on Beaufort Street, Irwin Street, Gunn Street and Saunby Street by indicating that her employer has property on Gunn Street.
249. Acting Mayor Polhill discloses a pecuniary interest in clause 2 of the 20th Report of the Built and Natural Environment Committee having to do with property located at 1025-1037 Wellington Road by indicating that his son sits on the Committee of Adjustment.
250. Councillor Branscombe discloses a pecuniary interest in clauses 15 and 17 of the 19th Report of the Built and Natural Environment Committee, having to do with the application of the Montessori House of Children relating to the property at 719 Waterloo Street and the soil remediation of the Wellington Street road allowance adjacent to Piccadilly Park respectively, by indicating that her children are students of the Montessori school, and the school makes use of the Piccadilly Park. Councillor Branscombe further discloses a pecuniary interest in clause 3 of the 20th Report of the Built and Natural Environment Committee, having to do with soil remediation of the Wellington Street road allowance adjacent to Piccadilly Park, by indicating that the Montessori school which her children attend, makes use of the Park.

251. **III CONFIRMATION AND SIGNING OF THE MINUTES OF THE THIRTEENTH MEETING HELD ON JULY 25, 2011**

Motion made to Approve the Minutes of the Thirteenth Meeting of London Council made by Councillor J.L. Baechler and seconded by Councillor P. Hubert

Motion Passed

YEAS: 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 (14)

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

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

253. **V COMMUNICATIONS AND PETITIONS**

1. Request for City of London Policy with Respect to Prohibition of the Leasing or Renting of City Owned Space to Pornography Industry - Sponsored Events and a Request Related to the London Public Library Board's Internet Policy. (Referred to the Community and Neighbourhoods Committee Stage for Consideration with Clause 6 of the 14th Report of the Community and Neighbourhoods Committee.)
 - a) J. Morgan, Chair, London Public Library Board
 - b) M. Walker, Executive Director, London Abused Women's Centre
2. Updates on Green Bin Program and Zero Waste Strategies. (Referred to the Community and Neighborhoods Committee Stage for Consideration with Clause 14 of the 14th Report of the Community and Neighbourhoods Committee.)
 - a) A. Culver, By E-mail
 - b) C. McInnis, 299 Cheapside Street
 - c) B. Jones, By E-mail
3. C. Cleaver, Siskinds Law Firm - Winter Maintenance Equipment with Operators - Trucks with Sander/Salter Bodies with Plow - Tender 11-56. (Referred to the Built and Natural Environment Committee Stage for Consideration with Clause 4 of the 19th Report of the Built and Natural Environment Committee.)
4. C. Bray, 1310 Basswood Road - Hasham Adbelsayed - 1472 Huron Street (Z-7887). (Referred to the Built and Natural Environment Committee Stage for Consideration with Clause 30 of the 19th Report of the Built and Natural Environment Committee.)
5. City Clerk advised that the following zoning by-laws have come into force and effect, namely:
 - a) By-law No. Z.-1-112004 to amend By-law No. Z.-1 to rezone an area of land located at 725 Fanshawe Park Road West;
 - b) By-law No. Z.-1-112006 to amend By-law No. Z.-1 to rezone an area of land located at 3718 Dingman Drive, 3766 Dingman Drive, 3812 Dingman Drive and 437 Exeter Road;
 - c) By-law No. Z.-1-112007 to amend By-law No. Z.-1 to rezone an area of land located at 3854 Dingman Drive, 4112 White Oak Road and 4132 White Oak Road;
 - d) By-law No. Z.-1-112010 to amend By-law No. Z.-1 to rezone an area of land located at 1422 Fanshawe Park Road West, located at the southeast corner of Fanshawe Park Road West and Hyde Park Road;

- e) By-law No. Z.-1-112011 to amend By-law No. Z.-1 to rezone an area of land located at 1960, 1970 and 1980 Hyde Park Road;
 - f) By-law No. Z.-1-112012 to amend By-law No. Z.-1 to rezone an area of land located at 1878 Highbury Avenue North and 1411 Fanshawe Park Road East;
 - g) By-law No. Z.-1-112016 to amend By-law No. Z.-1 to rezone an area of land located at 513 Queens Avenue and 520 Dundas Street;
 - h) By-law No. Z.-1-112017 to amend By-law No. Z.-1 to rezone an area of land located at 1925 Dundas Street;
 - i) By-law No. Z.-1-112018 to amend By-law No. Z.-1 to rezone an area of land located at 785 Wonderland Road South;
 - j) By-law No. Z.-1-112019 to amend By-law No. Z.-1 to rezone an area of land located at 211, 215, 219 and 227 Fanshawe Park Road West;
 - k) By-law No. Z.-1-112020 to amend By-law No. Z.-1 to rezone an area of land located at 1603 Hamilton Road and 1844 Commissioners Road East;
 - l) By-law No. Z.-1-112021 to amend By-law No. Z.-1 to rezone an area of land located at 1769 Dundas Street and 400 Edmonton Street;
 - m) By-law No. Z.-1-112022 to amend By-law No. Z.-1 to rezone and area of land located at 244 Adelaide Street South;
 - n) By-law No. Z.-1-112023 to amend By-law No. Z.-1 to rezone an area of land located at 6534 and 6570 Old Garrison Boulevard and 3296 Crane Avenue;
 - o) By-law No. Z.-1-112024 to amend By-law No. Z.-1 to rezone an area of land located at 1311 and 1451 Wharnccliffe Road South and 149, 153 and 187 Southdale Road West;
 - p) By-law No. Z.-1-112031 to amend By-law No. Z.-1, Section 4.20.3, Municipal Drains and Natural Watercourses to apply the requirement for zoning setback regulations from municipal drains and watercourses at it applies only to lands designated Agricultural and Urban Reserve;
 - q) By-law No. Z.-1-112030 to amend By-law No. Z.-1 to rezone the northern portion of 1270 Sunningdale Road East and Part of the South 1/2 Lot 11, Con 16 (Forest Hill Subdivision);
 - r) By-law No. Z.-1-112032 to amend By-law No. Z.-1 to rezone an area of land located at 1-34 Barberry Court, 35-48 Ivy Court, 49-81 Vinewood Court and 82-100 Primrose Court; and
 - s) By-law No. Z.-1-112033 to amend By-law No. Z.-1 to rezone an area of land located at 551-605 Millbank Drive and 931-1127 Southdale Road East.
6. J. Bishop, E-mail - Updates on Green Bin Program and Zero Waste Strategies. (Referred to CNC for consideration with Clause 14 of the 14th Report of the Community and Neighbourhoods Committee.)
7. Raising Chickens in Poultry Pens within Residential Zones (Referred to the Community and Neighbourhoods Committee Stage for Consideration with Clause 16 of the 14th Report of the Community and Neighbourhoods Committee.)
8. J. Kennedy, London Development Institute - City of London - Proposed Amendment to Section 4.14 Lots Reduced by Public Acquisition (Z-7891). (Referred to the Built and Natural Environment Committee Stage for Consideration with Clause 23 of the 19th Report of the Built and Natural Environment Committee.)

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

Pursuant to section 7.3 of the Council Procedure By-law, a motion made to change the order of business to permit the consideration of the Motion of which notice is given (Glanworth Library), at 7:30 pm is made by Councillor S. Orser and seconded by Councillor D. Brown.

Motion Passed

YEAS: 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 (14)

Pursuant to section 7.3 of the Council Procedure By-law, a motion to change the order of business to permit the consideration of clause 30 of the 19th Report of the Built and Natural Environment Committee, having to do with the application of H. Adbelsayed relating to the property located at 1472 Huron Street, following the consideration of Glanworth Library is made by Councillor J.B. Swan and seconded by Councillor S. Orser.

Motion Passed

YEAS: 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 (14)

A motion to temporarily suspend section 9.15 of the Council Procedure By-law, to allow members to sit while speaking and/or voting is made by Councillor J.L. Baechler and seconded by Councillor J.B. Swan.

Motion Passed

255. **VII ADDED REPORTS**

1. 20th Report of the Built and Natural Environment Committee
2. 20th Report of the Finance and Administration Committee

VIII REPORTS

256. **Community and Neighbourhoods Committee**
Councillor Usher presents the 14th Report

1. The 1,000 Acts of Kindness Challenge London Urban Services Organization

Motion made by Councillor Usher to Approve that, on the recommendation of the City Clerk, the Mayor BE AUTHORIZED to write a letter of support to the London Urban Services Organization (LUSO), for their 1,000 Acts of Kindness Challenge event, to encourage community members to take part in the challenge and help spread kindness throughout the City of London.

Motion Passed

YEAS: 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 (14)

2. Introduction of Ontario211 Service to London-Implications for the City of London

Pursuant to section 17.2 of the Council Procedure By-law, Councillor Van Meerbergen calls for a separate vote on part (b) of clause 2.

The motion to adopt part (b) of clause 2 is put and passed:

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

Part (b) of clause 2 reads as follows:

- (b) the Civic **Administration BE DIRECTED** to consider including a provision for a City of London share of funding of the 211 Service in the 2012 budget; and,

Motion made by Councillor Usher to Approve that, on the recommendation of the Executive Director of Community Services, the following actions be taken with respect to the introduction of Ontario211 Service to the City of London:

- (a) the introduction of a 211 Service in the City of London, BE ENDORSED;
- (c) the Civic Administration BE DIRECTED to monitor the implementation and success of the 211 Service in London, with an annual report back to the Municipal Council through the appropriate Standing Committee.

Motion Passed

YEAS: 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 (14)

3. Stewardship Ontario Funding of the City's Household Special Waste Program

Motion made by Councillor Usher to Approve that, on the recommendation of the Director of Environmental Programs and Solid Waste, the ~~attached~~ proposed By-law (Appendix A) BE INTRODUCED at the Municipal Council meeting to be held on August 29, 2011, to approve a new agreement with Stewardship Ontario for funding of the City's Household Special Waste Program.

Motion Passed

YEAS: 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 (14)

4. Child and Youth Network's Policy Position Brief: A Housing Benefit for Families with Low Income

Motion made by Councillor Usher to Approve that, on the recommendation of the Director of Neighbourhood and Children's Services, with the concurrence of the Executive Director of Community Services, the following actions be taken with respect to the Child and Youth Network's Policy Position Brief: "A Housing Benefit for Families with Low Income":

- (a) the above-noted policy position brief, ~~attached~~ hereto as Appendix A, BE ENDORSED by Municipal Council, it being noted that this would be a new, provincially-funded benefit, program; and,
- (b) the position paper BE SUBMITTED to the Honourable Frances Lankin, P.C. and Dr. Munir Sheikh, Commissioners for the Review of Social Assistance Review in Ontario and to the Ministry of Municipal Affairs and Housing for consideration in the implementation and roll out of Ontario's Long Term Affordable Housing Strategy; and,

it being noted that the Community and Neighbourhoods Committee received a communication, dated August 9, 2011, from J. Stickling, Chair, London Homeless Coalition, indicating support for the above-noted initiative.

Motion Passed

YEAS: 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 (14)

5. Convert-to-Rent/Rehabilitation Agreement 262 Clarence Street

Motion made by Councillor Usher to Approve that, on the recommendation of the Director of Municipal Housing, with the concurrence of the Executive Director of Community Services, the following actions be taken with respect to the Convert-to-Rent/Rehabilitation project at 262 Clarence Street in London, which was approved by Municipal Council on March 8, 2010:

- (a) in accordance with the Municipal Housing Facilities By-Law No A-5814-11, the

~~attached~~ proposed by-law BE INTRODUCED at the Municipal Council to be held on August 29, 2011, to authorize a Municipal Contribution Agreement substantially in the form of the agreement appended to the by-law and to the satisfaction of the City Solicitor; and,

- (b) the Mayor and the City Clerk BE AUTHORIZED to execute the above-noted Agreement.

Motion Passed

YEAS: 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 (14)

6. Request for the City of London Policy with Respect to Prohibition the Leasing or Renting of City Owned Space to Pornography Industry – Sponsored Events and a Request Related to the London Public Board's Internet Policy

Motion made by Councillor Usher to Approve that the following actions be taken with respect to the request dated August 4, 2011, from the London Abused Women's Centre, Men Against Sexual Trafficking (MAST) and Stop Porn Culture, with respect to the leasing or renting of city-funded space and the current internet service policy of the London Public Library:

- (a) the request to establish a policy to prohibit any directly or indirectly City-funded boards, commissions and/or departments from leasing or renting space to any pornography industry-sponsored events BE REFERRED to the Civic Administration to report back to the Community and Neighbourhoods Committee (CNC) with a proposed policy, including information pertaining to the implications of implementing that policy;
- (b) the following recommendation BE REFERRED to the London Public Library Board:
- The City of London Municipal Council recommends that the London Public Library Board undertake an immediate review of its Internet Service Policy and consider the following amendments:
- (i) security filters on public computers to prohibit access to pornography;
- (ii) implement a policy related to the use of wireless internet so that users cannot be anonymous; and,
- (c) the Mayor BE ASKED to write a letter to the Province of Ontario encouraging the enactment of Bill 66, *Education Statute Law Amendment Act* (Electronic Sexual Material), 2010, an Act to protect our children from pornography, immediately following the fall provincial election;

it being noted that the Community and Neighbourhoods Committee heard a presentation from M. Walker, London Abused Women's Centre, and also received communications from the following individuals, with respect to this matter:

- J. Levitt, President, SX Marketing Inc., 2700 Steeles Avenue, Concord, ON, dated August 15, 2011;
- L. Patterson, Service Consultant, Bell Business Markets, 100 Dundas Street;
- P. Grant, 46 Meadowridge Crescent;
- K. McComb, 49 Hughes Street, dated August 11, 2011
- A. Burditt, Chair, London Anti Human Trafficking Committee, 281 Wellington Street, dated August 9, 2011; and,
- S. J. Burditt, Founder, Men Against Sexual Trafficking, dated August 9, 2011.

Motion Passed

YEAS: 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 (14)

7. Museum London By-law

Motion made by Councillor Usher to Approve that the proposed by-law to continue the London Regional Art and Historical Museums as Museum London, BE REFERRED back to Museum

London to:

- (a) undertake additional consultation with the public and affected stakeholders; and,
- (b) consider the following direction based on the public submissions to the Community and Neighbourhoods Committee:
 - (i) the continued representation on the Museum Board and Nominating Committee from the Museum London volunteers and Canadian Artists' representation; and,
 - (ii) the terms under which appointed Members may be removed from the Board by Municipal Council, if required;

it being noted that the Community and Neighbourhoods Committee (CNC) heard verbal delegations from the following individuals with respect to this matter:

- M. Lake Collins, President, the Volunteer Committee to Museum London, and received a communication, dated August 8, 2011, as included as item 23(f) on the CNC added communications agenda;
- J. Hubbard, London Artist, 565 Leyton Crescent, and received the ~~attached~~ communication dated August 16, 2011, the ~~attached~~ petition signed by approximately 104 individuals, supporting the representation of artists on the Museum London's Board of Directors, (the entire petition is on file in the City Clerk's Office), as well as the points addressed in his submission as included as item #23(e) on the CNC added communications agenda; and,
- B. Meehan, Executive Director, Museum London;

it being further noted that the CNC received written communications from the following individuals with respect to this matter:

- S. Martin, 260 Sydenham Street;
- L. Brown, London Museum Volunteer;
- W. Thomas, Creative Art & Frame, 109 Fanshawe Park Road East;
- C. A. Leith, President of the Volunteer Committee; and,
- S. Hubbard Krimmer, CEO and Chief Librarian, London, Public Library

Motion Passed

YEAS: 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 (14)

8. 8th Report of the London Diversity and Race Relations Advisory Committee - Education Sub Committee

Motion made by Councillor Usher to Approve that the following actions be taken with respect to the Education Sub-committee report of the London Diversity and Race Relations Advisory Committee (LDRACC) related to the proposed "Breakfast with the LDRRAC":

- (a) on the recommendation of the LDRRAC:
 - (i) the Mayor's Office BE CONSULTED to determine the Mayor's availability and to establish a potential date, in October or November, for the above-noted event;
 - (ii) Human Resources, BE REQUESTED to provide assistance with event planning; and,
 - (iii) the 7th Report of the LDRRAC, from its meeting held on June 16, 2011, BE AMENDED in clause 4, by adding at the end "the LDRRAC approved the proposed budget of \$1,200.00 and the proposed program format for the event"; and,
- (b) notwithstanding the recommendation of the LDRRAC, the request for assistance from Corporate Communication BE REFERRED back to the LDRRAC for additional consideration; it being noted that Corporate Communications has indicated it does not have the capacity to undertake in-house design;

it being further noted that the LDRRAC received a verbal presentation and the ~~attached~~ report from R. Howse, Chair, Education Sub-Committee.

Motion Passed

YEAS: 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 (14)

9. Amendment to the Dog Licensing & Control By-law

Motion made by Councillor Usher to Approve that, on the recommendation of the Director, Environmental Programs and Solid Waste, the ~~attached~~ proposed By-law (Appendix A) BE INTRODUCED at the Municipal Council Meeting to be held on August 29, 2011, to amend the Dog Licensing and Control By-law PH-4, with respect to clarifying the offence of failing to have a current valid licence for a dog; it being pointed out that at the public participation meeting associated with this matter, no individuals made an oral submission in connection therewith.

Motion Passed

YEAS: 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 (14)

10. Amendment to the Municipal Waste and Resource Materials Collection By-law

Motion made by Councillor Usher to Approve that, on the recommendation of the Director, Environmental Programs and Solid Waste, the draft amending By-law, ~~attached~~ as Appendix A, BE INTRODUCED at the Municipal Council meeting to be held on August 29, 2011, to amend By-law WM-12, the Municipal Waste & Resource Materials Collection By-law, to increase the size of allowable blue box receptacles.

Motion Passed

YEAS: 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 (14)

11. Amendment to the Waste Management System Fees and Charges By-law

Motion made by Councillor Usher to Approve that, on the recommendation of the Director, Environmental Programs and Solid Waste, the draft amending By-law, ~~attached~~ as Appendix A, BE INTRODUCED at the Municipal Council meeting to be held on August 29, 2011, to amend By-law WM-27, the Waste Management Fees and Charges By-law, to eliminate fees for appliances with freon at City drop-off depots; it being pointed out that at the public participation meeting associated with this matter, no individuals made an oral submission in connection therewith.

Motion Passed

YEAS: 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 (14)

12. Rocks within the Public Boulevard at 965 Westdel Bourne

Motion made by Councillor Usher to Approve that, on the recommendation of the Director, Environmental Programs and Solid Waste, the following actions be taken with respect to rocks within the public boulevard at 965 Westdel Bourne:

- (a) the Municipal Council BE ADVISED that the property owner at 965 Westdel Bourne has placed large rocks within the public boulevard in contravention to the City's Streets By-law and has requested an exemption to the By-law to allow the rocks to remain;
- (b) the Civic Administration BE DIRECTED to grant an exemption to the S-1 Streets By-law at 965 Westdel Bourne by entering into a Licensing Agreement with the property owner to allow the rocks to remain as they currently exist, for a two-year period; it being noted that the License Agreement shall clearly contain clauses relating to indemnification of the City and proof of insurance that transfer the liability, risk and all expenses related to the rock feature to the property owner at 965 Westdel Bourne; and,
- (c) the Civic Administration BE DIRECTED to enforce the removal of the rocks within the

public boulevard in the event that the property owner at 965 Westdel Bourne does not enter into the Licensing Agreement noted in (b) above, within 30 days of the Municipal Council meeting on August 29, 2011, to the satisfaction of the City Clerk and City Solicitor.

it being noted that the Community and Neighbourhoods Committee heard a verbal delegation from Mr. S. Cambria, 965 Westdel Bourne, with respect to this matter.

Motion Passed

YEAS: 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 (14)

13. Municipal Partner Agreements for Blue Box Processing Services

Motion made by Councillor Usher to Approve that, on the recommendation of the Director, Environmental Programs and Solid Waste, the following actions be taken with respect to municipal partner agreements for Blue Box processing services:

- (a) the ~~attached~~ proposed By-Law (Appendix A) BE INTRODUCED at the Municipal Council meeting to be held on August 29, 2011, for the purpose of approving the standard Municipal Partner Blue Box Recyclables Processing Agreement between the City and Municipalities wanting to process recyclables at the City's new regional material recovery facility;
- (b) the Executive Director of Planning, Environmental and Engineering Services BE DELEGATED the authority to establish the pricing in Schedule C of the standard *Municipal Partner Blue Box Recyclables Processing Agreement* for each agreement with a partner municipality;
- (c) the Mayor and Clerk BE AUTHORIZED to execute all agreements on behalf of the Corporation of the City of London, substantially in the form as approved by the City Solicitor employing the standard form, with no further approval required from Council;
- (d) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this matter;
- (e) the Civic Administration BE DIRECTED to report back to the Community and Neighbourhoods Committee on any agreements signed; and
- (f) the Civic Administration BE DIRECTED to develop principles that would be used to establish pricing when responding to Request for Proposals or Tenders from municipalities seeking Blue Box processing services and report back at a future meeting of the Community and Neighbourhoods Committee.

Motion Passed

YEAS: 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 (14)

14. Updates on Green Bin Program and Zero Waste Strategies (City Clerk's Note: In accordance with section 13.7 of the Council Procedure By-law, the reconsideration of this matter requires the approval of at least two-thirds of the whole Council.)

Pursuant to Part 13 of the Council Procedure By-law, a motion for Reconsideration is made by Councillor H.L. Usher and seconded by Councillor S. Orser, with respect to the Green Bin Program, as it relates to clause 14 of the Community and Neighbourhoods Committee Report.

Pursuant to section 9.6 of the Council Procedure By-law, Councillor Orser moves, seconded by Councillor D. Brown, that Councillor Van Meerbergen be permitted to speak longer than 5 minutes with respect to the Green Bin Program and Zero Waste Strategies. Motion Passed

At 6:12 p.m. Acting Mayor Polhill places Councillor M. Brown in the Chair and takes a seat at the Council Board.

At 6:17 p.m., Acting Mayor Polhill returns to Chair and Councillor M. Brown takes his seat at the Council Board.

The Motion for Reconsideration is put and Fails, the Members voting as follows:

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

NAYS: W.J. Armstrong, J.B. Swan, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, H.L. Usher, J.P. Bryant, S.E. White (9)

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

Motion made by Councillor Usher to Approve that the report dated August 16, 2011, from the Director of Parks and Recreation, with the concurrence of the Executive Director of Community Services, with respect to the Parks and Recreation Strategic Master Plan and 2009-2010 accomplishments, BE DEFERRED to the September 13, 2011 meeting of the Community and Neighbourhoods Committee.

Motion Passed

YEAS: 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 (14)

16. Raising Chickens In Poultry Pens within Residential Zones

Motion made by Councillor Usher to Approve that the following details of the public participation meeting held on August 16, 2011 relating to raising chickens in poultry pens within residential zones, BE RECEIVED and that NO FURTHER ACTION BE TAKEN with respect to this matter:

- L. Adams, 740 Valetta Street and G. Abayan-Dabuet, 172 West Rivertrace – providing comments as outlined in the attached presentation, as well as noting the points addressed in the submission as included as item #22(n) on the CNC added communications agenda.
- B. Warshawsky, Associate Medical Officer of Health, Middlesex-London Health Unit – providing comments as outlined in the attached communication.
- R. Morley, Advisory Committee on the Environment (ACE) – providing comments as outlined in the attached communication.
- M. Shepherd, Animal Welfare Advisory Committee (AWAC) – noting the points addressed in the AWAC submission, as included as item 22(o) on the CNC added communications agenda.
- L. Gerow, 172 West Rivertrace Walk – providing comments as outlined in the attached communication and as included as item 20(b) on the CNC agenda.
- W. O. Rosas, 1647 Kathryn Drive – indicating that he is against a by-law prohibiting backyard chickens; asking why there are only the privileged few that are allowed chickens, the by-law is void if it favors a certain class of persons, some people were allowed just because they have had chickens before; expressing that this is discriminatory because it prohibits some and allows others to have chickens; noting that a by-law to prohibit chickens is unjust.
- M. Temme, 66 Palmer Street - noting the points addressed in her submission, dated August 7, 2011, as included as item 20(c) on the CNC agenda.
- S. O'Neil, 534 Princess Avenue - providing comments as outlined in the attached communication.
- Z. O'Neil, 534 Princess Avenue - providing comments as outlined in the attached communication.
- D. Fortney, 28 Argyle Street – indicating that she has concerns with having backyard chickens; noting that everything you read online contradicts the idea that chickens do not attract predators, we already have problems with coyotes; expressing a concern that people will not get chickens from a responsible breeder but go to places where hundreds of animals are in wire cages, it is not ethical; also indicating that Council is fully aware of the London Animal Care Centre contract so why should we introduce another animal into the City when we can't take care of the ones we have; and lastly, just go vegan.
- V. Van Linden, 431 Ridgewood Crescent – expressing that a handful of eggs is not enough to keep a family going, lentils and beans are a much better source of protein; indicating that there are a lot of blog stories on how to kill a chicken, the Council of Canadians blog is linked to the Operation Chicken facebook page; this shouldn't be happening.
- L. Matthews, 935 Princess Avenue – expressing that by being able to have backyard

chickens means that you are able to grow your own food, and children are more connected to their food system; indicating that it may not be economical but it connects her children to their food source and allows them to be more self-sufficient.

- O. Hobson, 45 Evergreen Avenue – noting the points addressed in his submission, dated August 5, 2011, as included as item 20(g) on the CNC agenda.
- S. King, London, ON – indicating that he recently moved to the London area; noting that he has visited chicken quota farms and the feces pile up all year and the chickens are pumped with antibiotics; expressing that if backyard chickens get to run around and eat bugs, they are healthy and provide healthy food.
- J. Dixon, 185 Marconi Boulevard – expressing support for having backyard chickens to provide the communities in London with a sustainable food source; indicating that she has visited a chicken quota business as well; expressing her willingness to step forward as a backup for training, education and support for those that have chickens.
- R. Corrie, 193 Duchess Street – noting that as an urban farmer there are raccoons and skunks coming through the yard all the time and has to farm under bird netting; indicating support for backyard chickens for those that want them; expressing willingness to help with backyard chicken training or as a babysitter for those that go out of town.
- J. LaMantia, 1663 Jubilee Drive – noting the points addressed in his submission, as included as item 22(h) on the CNC added communications agenda.
- C. Lightale, 500 Exmouth Circle – expressing that we are so disconnected from where our food comes from, wanting to be able to show my children where food comes from; noting that the benefits far outweigh the problems associated with backyard chickens – it is important to know where our food comes from.
- J. Fradette, 25 Susan Avenue – indicating that she would like five roosters, noting that hens attract a lot of rodents.
- G. Lewis – indicating that he has several years experience with chickens and that he is representing an animal rights group.
- S. Lemire, 406B Grey Street – noting that if the City of London is looking at composting, the chickens love compost and would help the City in reducing its landfill intake; indicating that she had three chickens in Nova Scotia and those chickens would eat small snakes and mice if they came into their pen, so the City doesn't need to worry about small rodents.
- M. Rogers, 638 Platt's Lane – expressing that it has been an amazing experience for his children to see where food comes from; noting that if the coops are designed properly the pests will not increase in the City; further expressing that chickens are not pets, they are for food.
- K. Lomack, 25 Beattie Street - providing comments as outlined in the attached communication and as included as item 22(f) on the CNC added communications agenda.
- Resident, 500 Sarnia Road – expressing that all she is hearing is eggs, eggs, eggs, but it is also a source of meat; indicating that poultry is not considered an animal; noting that people may be well intentioned but animals rarely win; further indicating that those with their manicured lawns should turn them into vegetable gardens.
- F. Morrison, 803 Waterloo Street - providing comments as outlined in the attached communication and as included as item 22(b) on the CNC added communications agenda.
- M. Kuijper, Kings College - providing comments as outlined in the attached communication.
- C. Kuijpers-Hannink, 333 Tecumseh Avenue – indicating that she heard that it would cost \$35 to put down a chicken in a humane manner by a vet; noting that most people she knows would not pay that kind of money, they would just use an axe; asking how will the City reinforce humane killing of chickens when they cannot reinforce the spaying and neutering of cats and dogs; expressing that if we allow backyard chickens we are welcoming backyard slaughterhouses.
- J. Collins, 763 Second Street – noting that chickens give us eggs and substance, the comments she has heard tonight seem to be fear based; indicating that the City has no belief in its people to handle this and keep it balanced.
- G. Sanio-O'Neill, 534 Princess Avenue – providing comments as outlined in the attached communication.
- M. Pearson, 1106 Gatewood Road – indicating that there are three types of chickens, egg layers, meat chicken, and the multi-purpose chicken; noting that the City of London wants the egg layer as an egg from an egg laying chicken doesn't become a chicken unless the egg is fertilized.

it being noted that the CNC heard a verbal delegation from the Director, Environmental Programs and Solid Waste and received the following communications with respect to this

matter:

- Councillor S. Orser, dated May 29, 2011 – Kingston City Council decision regarding hens;
- P. Reid, 1639 Scott Street, dated June 30, 2011 – in support of backyard chickens;
- A. Berchtold, 652 Elias Street, dated May 27, 2011 – in support of backyard chickens;
- A. Redmond (e-mail) – in support of backyard chickens;
- Rare Breeds Canada, 2495 boul'. Perrot. N. D. de L'Île Perrot, Quebec City - in support of backyard chickens;
- S. Price, 50 Forward Avenue - in support of backyard chickens;
- J. Dunn, 1420 Westdel Bourne – opposed to having backyard chickens within residential zones;
- C. Murphy, 269 Taylor Street – in support of backyard chickens;
- Dr. R. Harmsen, Queens University at Kingston – in support of backyard chickens;
- F. Gross, 7 Caldwell Place – opposed to having backyard chickens in residential areas in London;
- R. Blissett, 27 Laurel Street – opposed to having backyard chickens;
- D. Gailbraith, 2425 Main Street – opposed to having backyard chickens;
- D. Bridger, 590 Steeplechase Drive – opposed to having backyard chickens;
- R. Scherle, 65 Archer Crescent – opposed to having backyard chickens;
- P. Larsen, 539 Ontario Street – opposed to having backyard chickens;
- K. Lomack, 25 Beattie Avenue – opposed to having backyard chickens;
- G. Sass, 101 Forward Avenue;
- D. Roberts, 35-375 Thistledown Way – opposed to having backyard chickens; and,
- B. Wells, 408-190 Cherryhill Circle – in support of a backyard chicken pilot project.

Motion Passed

YEAS: B. Polhill, W.J. Armstrong, J.B. Swan, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher (10)

NAYS: S. Orser, J.L. Baechler, J.P. Bryant, S.E. White (4)

17. M&M National Family Dinner Night

Motion made by Councillor Usher to Approve that the Mayor BE ASKED to write a letter of support related to the ~~attached~~ letter from K. Bejczak, Crohn's and Colitis Foundation of Canada with respect to the M & M National Family Dinner Night.

Motion Passed

YEAS: 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 (14)

18. Towards a Community Addiction and Mental Health Strategy for the City of London

Motion made by Councillor Usher to Approve that, on the recommendation of the Executive Director of Community Services, the policy paper entitled "Towards a Community Addiction and Mental Health Strategy for the City of London", ~~attached~~ hereto as Appendix A, BE ENDORSED; it being pointed out that at the public participation meeting associated with this matter, no individuals made an oral submission in connection therewith.

Motion Passed

YEAS: 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 (14)

Chair directs that the following report clauses be noted.

19. Dearness Home Community Newsletter – August 2011

That the Community and Neighbourhoods Committee reviewed and received the Dearness Home Community Newsletter for August 2011.

20. 5th Report of the LHAC

That the Community and Neighbourhoods Committee reviewed and received the 5th Report of the London Housing Advisory Committee (LHAC) from its meeting held on July 13, 2011.

21. 7th Report of the AWAC

That the Community and Neighbourhoods Committee reviewed and received the 7th Report of the Animal Welfare Advisory Committee from its meeting held on July 26, 2011.

22. Taxi/Limousine By-law Review Extension of Limousine Vehicle Age

That the Community and Neighbourhoods Committee (CNC) reviewed and received an information report, dated August 16, 2011, from the Director of Building Controls and Chief Building Official, with respect to the Taxi/Limousine By-law review and the vehicle age of limousines;

it being noted that the CNC received a communication, dated August 12, 2011, from B. Rice, General Manager, Checker Limousine, and heard verbal delegations from the following individuals with respect to this matter:

- Q. Abdi, London Checker Limousine Brokers and Drivers Association, and received a communication dated August 9, 2011;
- J. Donnelly, President, Aboutown Group of Companies, and received a communication dated August 12, 2011;
- H. Savehilaghi, President, Yellow London Taxi Inc.; and,
- R. Amini, President, London Taxi Association.

23. 8th Report of the LDRRAC

That the Community and Neighbourhoods Committee reviewed and received clauses 2 to 12, inclusive, of the 8th Report of the London Diversity and Race Relations Advisory Committee from its meeting held on July 21, 2011.

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

The Council recesses at 6:56 pm and reconvenes at 7:42 pm, with Acting Mayor Polhill in the Chair and all Members present except Mayor Fontana.

Motion of Which Notice is Given

Councillor Orser moves, seconded by Councillor Usher, that pursuant to section 18.2 of the Council Procedure By-law, leave be given for the introduction of a motion with respect to the Glanworth Library.

Motion Passed

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

NAYS: W.J. Armstrong (1)

Councillor White moves, seconded by Councillor Usher, that the following motion be adopted:

That the London Public Library Board BE REQUESTED to report back to the Community and Neighbourhoods Committee, by September 30, 2011, with details as to the decision making process the London Public Library Board has followed in deciding to close the Glanworth Library, with those details to include the following information:

- (a) the public consultation process that was followed;
- (b) the level of awareness the local community had that such a decision was imminent;
- (c) what solutions were explored with the local community to try and keep the Glanworth Library open;
- (d) what funding solutions were explored with the City of London in order to address the maintenance issues, emergency and ongoing, so that the Glanworth Library could remain open and continues to serve the local community; and,
- (e) what is the procedure the London Public Library Board follows in determining if a library branch should be closed and how such a closure will be implemented.

Councillor Orser moves, seconded by Councillor M. Brown, that pursuant to section 9.6 of the Council Procedure By-law, Councillor Usher be permitted to speak longer than 5 minutes with respect to the motion related to the Glanworth Library. Motion Passed

Councillor Orser moves, seconded by Councillor White, that the Glanworth Library motion be amended by adding a new part (f), as follows:

“(f) that City of London staff investigate possible future investments regarding the Library and other issues, with input from the Glanworth residents.”

Pursuant to section 11.6 of the Council Procedure By-law, the motion, as amended, moved by Councillor White and seconded by Councillor Usher is, at the joint request of the mover and seconder and with the consent of the Council, withdrawn.

Councillor White moves, seconded by Councillor Usher, that the London Public Library Board BE REQUESTED to take following actions with respect to the proposed closure of the Glanworth Library, scheduled for December 31, 2011:

- (a) until such time as further public consultation with the community can be undertaken, no further action related to the proposed closure be taken; it being noted that this consultation will include the Ward Councillors;
- (b) the Chief Librarian discuss the matter with the Services Review Committee; and,
- (c) the Council be provided with an update on the above-noted actions prior to December 31, 2011.

Motion Passed

YEAS: B. Polhill, J.B. Swan, S. Orser, J.L. Baechler, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (10)

NAYS: W.J. Armstrong, N. Branscombe, M. Brown, P. Hubert (4)

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

The Council recesses at 9:22 pm and reconvenes at 9:29 pm, with Acting Mayor Polhill in the Chair and all Members present except Mayor Fontana, and Councillors Orser and White.

257.

Built and Natural Environment Committee

Councillor Swan presents the 19th Report

30. Hasham Adbelsayed – 1472 Huron Street (Z-7887)

Motion made by Councillor Swan to Approve that the following actions be taken with respect to the application of Hasham Abdelsayed relating to the property located at 1472 Huron Street:

- (a) the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject lands from a Convenience Commercial (CC2) Zone which permits convenience stores, restaurants, financial institutions without a drive through and medical/dental offices to a Convenience Commercial Special Provision (CC2 ()) Zone which allows for the above uses and a pharmacy use without a drive through, a minimum rear yard setback of 1.7m, a minimum west interior side yard setback of 1.7m, a minimum east side yard setback of 0.0m, a minimum front yard setback to a parking area of 2.1m, a minimum east side yard setback to a parking area of 0.0m, a maximum lot coverage of 35%, a minimum of 39 parking spaces including 1 handicapped parking space based on a gross floor area of 730m², and which prohibits a methadone clinic and methadone dispensary use BE REFUSED for the following reason:
 - (i) concerns with respect to the possibility of the dispensing of methadone from the proposed pharmacy and the lack of enforcement of methadone dispensing; and,
- (b) the request to amend Zoning By-law No. Z.-1 to change the zoning of the lands located 1472 Huron Street from a Convenience Commercial (CC2) Zone which permits convenience stores, restaurants, financial institutions without a drive through and medical/dental offices to a Convenience Commercial Special Provision (CC6 ()) Zone which permits for the above uses with a lot coverage of 35% and 40 parking space minimum BE REFUSED for the following reason:
 - (i) the full range of uses in the Convenience Commercial (CC6) Zone variation uses may not be appropriate on this site;

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

- L. Kirkness, Kirkness Consulting Inc., on behalf of the applicant – correcting the Staff report by indicating that the applicant's last name is spelled "Abdelsayed" and by indicating that the consultant should be "Kirkness Consulting Inc."; expressing concern with the lack of clarity of enforcement; indicating that there is no need for enforcement on this property; advising that this business would operate on a smaller scale than what he already operates in other areas of the City; and indicating that the applicant is involved in the methadone clinic on Dundas Street.
- C. Irwin, 1347 Basswood Place – advising that she has lived at this address for 22 years; indicating that her property abuts the plaza; expressing objection to the proposed pharmacy; advising that there are currently two part-time doctors in this location and that it won't address London's doctor shortage; advising that there are three pharmacies within 1,000 feet of the plaza; advising that the City has no way of policing what is dispensed at the pharmacy; asking that greater caution be exercised before opening the pharmacy; indicating that there is no way to track the amount of methadone being dispensed; recommending that the plaza be brought up to community standards as the plaza is covered in graffiti and doesn't comply with existing rules; requesting that the zoning not be amended to allow the pharmacy use; advising that there is a huge loop hole that must be closed; requesting that the neighbourhood be supported by turning down the application.
- R. Moss, 1 Redwood Lane – advising that there are three schools in the area and five pharmacies within two kilometres of the plaza; advising that it is understood that methadone is not allowed, but also realize that the dispensing of methadone can't be enforced.
- B. Mann, 26 Redwood Lane – indicating that he lives 115 metres west of the plaza; indicating that the convenience/commercial property is separated by residences and has not been a problem in the past; advising that with the proposed revised drawings suggested that it should be the new owner is going to make improvements to the plaza, but the owner may not make if he doesn't get his amendment; advising that there is an abundance of pharmacies within one kilometre of the plaza; indicating that he is not here to regulate the business or stop the business but the plaza doesn't need a pharmacy; indicating that a medical clinic is already permitted; indicating that the only reason for rezoning is for the inclusion of a pharmacy as the medical/dental use is already permitted; advising that City Staff have indicated that the issue of regulating methadone clinics has not been resolved; indicating that methadone clinics would be detrimental to the neighbourhood; requesting that the Committee consider carefully if they would like to support the rezoning for this use.
- S. Irwin, 1347 Basswood Place – expressing opposition to the application; suggesting that the issues should be separated, that the applicant is saying that "if I get this, I will do that", you have a person who wants to open a pharmacy and be a landlord; indicating that no effort has been made to clean up the graffiti or garbage at the plaza, which has been a long-standing complaint; suggesting that the owner should be doing improvements to the plaza to fit in with the community; advising that he is aware that the applicant is the owner of 528 Dundas Street and the issues that are going on at that address; suggesting that the owner should make changes voluntarily.
- Resident, 1458 Huron Street – advising that her property is an acre; indicating that she is still in contact with the original owners; advising that this is an old community, with people living in their homes for a long time; suggesting that homes have been put up for sale because of this application and the potential for a methadone clinic; advising that she doesn't want kids jumping her fence or kids getting attacked going to the convenience store; advising that there are several public schools and churches in the area; and requesting that the Committee reject the application.
- L. Smith, 7 Bellrock Crescent – expressing opposition to the application; indicating that the plaza is near schools, day cares, community centres, and churches.
- A. Carter, 1252 Sorrell Road – advising that she lives approximately 2 to 2 ½ kilometres from the plaza; indicating that she can see her neighbourhood being affected if the application is approved; and advising that if a person brings in a prescription, the pharmacist cannot legally refuse to fill it; indicating that the proposed pharmacy will devalue the properties in the neighbourhood and requesting that people boycott the pharmacy.
- P. Sobko, 1400 Basswood Road – advising that he has lived at his place of residence for 32 years; indicating that he heard a rumour about a road going through Stronach Park and was advised by the City that a road wouldn't go through the Park and now there is a road going through the Park and advising that his wife has lost day care

- clients due to this application.
- S. Butler, 46 Christians Drive – advising that there are 10 schools in the area, two high schools, Stronach Arena, ball parks, playgrounds, a pool; and enquiring as to the need for a pharmacy in this location.
 - G. Schneider, 978 Apache Road – enquiring as to the rationale for the proposed zoning.
 - Resident, Address Unknown - enquiring as to whether or not the applicant owns or has interests in any other methadone clinics.
 - B. MacDonald, 1204 Lancaster Street – advising that he was the Councillor for this ward for 28 years and worked hard to remove the “east of Adelaide” stigma; expressing opposition to the application; indicating that once the pharmacy is installed, it is up to the doctor or pharmacist to control what drugs they dispense; advising that this community is a jewel in the east end of the city and that this application is like a slap in the face to the community.
 - M. Turner, 1217 Farnborough Crescent – indicating that a certain number of spots need to be set aside for parking in the parking lot for medical appointments; noting that cars are not allowed to park along the boulevard; and that there is a fast response to calls to the Police Department.
 - M. Prudhomme, 42 Redwood Lane – advising that he has worked in the mental health field and that there are going to be problems with drugs if the pharmacy is permitted.
 - C. Turner, 1327 Basswood Place – hoping that Council will look after them when casting their votes.
 - D. Allerston, 102 Christian’s Court – expressing concern with the convenience store currently located in the plaza; advising that adding the pharmacy is going to increase the problems; advising that East of Adelaide should look better and indicating that plaza should already have been cleaned up.
 - Resident, 30 Silverbrook Drive – advising that he is the co-ordinator for the condominium complex and that values of the community and ambiance for the children growing up in the area will be affected; and asking the Committee to ensure the needs of the entire community are met, especially little kids.
 - B. Yates, 14 Kaladar Place – advising that he received a letter from the city to clean up his property because he had two unlicensed cars on his property; indicating that he has a handicapped child and he opposes drug paraphernalia.
 - G. Eggle, 1447 Huron Street – advising that he is the property manager for the condominium complex; advising that it is easy to remove graffiti and that the artists get tired and stop when you remove their graffiti and advising that there is a wide demographic that rents in this area.
 - L. Ackford, 1453 Huron Street – advising that the co-operative housing unit is only one year old; questioning the loop holes in the by-law; advising that another pharmacy is not necessary; and indicating that she would hate to see her new home tainted or ruined.
 - B. Vijay, 1 Christian’s Drive – indicating that he is originally from North Bay and that, in his mind, if the application is approved, it raises red flags.
 - M. Irwin, 1347 Basswood Place – advising that opening this door is a big risk for a small reward and doesn’t benefit anyone.

Motion Passed

YEAS: 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 (12)

NAYS: S.E. White (1)

Councillor Orser returns to the meeting.

Councillor White returns to the meeting.

258.

Finance and Administration Committee

Councillor Bryant presents the 19th Report

1. External Consulting Supports

Motion made by Councillor Bryant to Approve that, on the recommendation of the Executive Director - Planning, Environmental and Engineering Services, the engagement of John Fitzgerald up to a maximum of \$8,500 BE ENDORSED with respect to providing external consulting support in relation to the matters outlined in this report, generally relating to the background work on the Greenway Pollution Control Centre Expansion and Upgrade.

Motion Passed

YEAS: 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 (12)
NAYS: S.E. White (1)

2. Request for Proposal 11-29 – Provide Fiscal Agent Services

Motion made by Councillor Bryant to Approve that, on the recommendation of the City Treasurer, Chief Financial Officer the following actions be taken with respect to the Request for Proposal 11-29, Provide Fiscal Agent Services:

(a) the proposals submitted by the following proponents BE ACCEPTED:

RBC Dominion Securities Inc., operating as RBC Capital Markets
Royal Bank Plaza, 200 Bay Street, 2nd Floor, North Tower
Toronto, ON M5J 2W7

CIBC World Markets Inc.
Brookfield Place, 161 Bay Street, 5th Floor
Toronto, ON M5J 2S8

TD Securities Inc.
222 Bay Street, 7th Floor
Toronto, ON M5K 1A2

- (b) the Civic Administration BE AUTHORIZED to undertake all administrative acts that are necessary in connection with securing this service; and
- (c) the approval, hereby given, BE CONDITIONAL on the Corporation entering into a formal contract with the successful proponents.

Motion Passed

YEAS: 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 (12)
NAYS: S.E. White (1)

3. Amendment to Infrastructure Ontario Financing Application

Motion made by Councillor Bryant to Approve that, on the recommendation of the City Treasurer, Chief Financial Officer, the ~~attached~~ proposed by-law (Appendix A) BE INTRODUCED at the Municipal Council meeting of August, 29, 2011 to amend By-law No. A.-6680-171, to reflect the name change of the Ontario Infrastructure Projects Corporation (OIPC) to the Ontario Infrastructure and Lands Corporation (OILC).

Motion Passed

YEAS: 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 (12)
NAYS: S.E. White (1)

4. 2010 Annual Report – Development Charges Reserve Funds

Motion made by Councillor Bryant to Approve that, on the recommendation of the City Treasurer, Chief Financial Officer:

- (a) the annual statement of the City Treasurer (Appendix A and Appendix B ~~attached~~) with respect to the operation of the City Services Reserve Funds and Urban Works Reserve Funds for the year ended December 31, 2010 BE RECEIVED for information; and
- (b) a copy of the annual statement BE FORWARDED to the Minister of Municipal Affairs and Housing in compliance with Section 43(3) of the *Development Charges Act, 1997*.

Motion Passed

YEAS: 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 (12)
NAYS: S.E. White (1)

5. One-Time Allocation of Local Government Funding

Motion made by Councillor Bryant to Approve that the following actions be taken with respect to residual local government funding arising from the recent governance restructuring:

- (a) the actions of the Municipal Council taken at its meeting held on June 20, 2011, in having adopted clause 3(a) of the 16th Report of the Finance and Administration Committee concerning the allocation of residual local government funding arising from the recent governance restructuring BE RECONSIDERED;
- (b) the said clause 3(a) of the 16th Report of the Finance and Administration Committee from its meeting held on June 15, 2011 BE RESCINDED; and
- (c) the following actions be taken with respect to the residual local government funding arising from the recent governance restructuring:
 - (i) \$50,000 of the residual local government funding arising from the recent governance restructuring BE ALLOCATED, on a one-time basis for 2011, to the Mayor's Office for the purpose of improving constituency liaison initiatives; and,
 - (ii) a small sub-working group comprised of members of the Governance Working Group BE ESTABLISHED to review options for allocating the unallocated balance of the residual local government funding arising from the recent governance restructuring.

Motion made by Councillor D. Brown and seconded by Councillor J.P. Bryant to Refer clause 5 of FAC report back to the September 28th meeting of the Finance and Administration Committee for consideration, following consultation with the Chair of the Governance Working Group and selected Members of Council and in conjunction with the presentation of the Dobbie Report,.

Motion to Refer Passed

YEAS: 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 (14)

6. Declare Surplus and Sale of Part of the Unopened Original Baseline Road Allowance East of Jarvis Street

Motion made by Councillor Bryant to Approve that, on the recommendation of the Managing Director - Corporate Assets, on the advice of the Manager Realty Services, the unopened original Baseline Road road allowance east of Jarvis Street, identified as parts 1,2,3,4,5,6,7,8 9, & 10 of a draft Reference Plan, containing an area of approximately 0.453 acres and shown as Area "A" on the ~~attached~~ sketch, BE DECLARED SURPLUS, and following actions be taken with respect to the offers submitted for the purchase of the surplus land:

- (a) the offer from 1767127 ONTARIO INC. for Parts 9 & 10 of a draft Reference Plan, to purchase the subject lands from the City for the sum of \$24,000, BE ACCEPTED subject to the following conditions:
 - (i) Part 9 being subject to a right-of way in favour of others;
 - (ii) the completion of this transaction being conditional upon the completion of two other transactions disposing of Parts 1, 2, 3, 4, 5, 6, 7, & 8 to the abutting land owners;
 - (iii) the Purchaser agreeing to prepare and deposit on title, on or before closing and at their expense, a Reference Plan as shown on Schedule A;
- (b) the offer from VIVIAN AND MARK WELLS (55 Rose Hip Place) for Parts 1, 2, 4, 5, 6, & 7 of a draft Reference Plan, to purchase the subject lands from the City for the sum of \$4,000, BE ACCEPTED subject to the following conditions:
 - (i) easements in favour of the City of London, London Hydro and Bell Canada;
 - (ii) Parts 4 & 6 being subject to a right-of-way in favour of others;
 - (iii) the completion of two other transactions disposing of parts 3, 8, 9, & 10 to the abutting land owners;
- (c) the offer from THADATHIL AND CACHIKUTTY PHILIP (51 Rose Hip Place) for Parts 3 & 8 of a draft Reference Plan, to purchase the subject lands from the City for the sum of \$4,000, BE ACCEPTED subject to the following conditions:
 - (i) easements in favour of London Hydro and Bell Canada;

- (ii) completion of two other transactions disposing of parts 1, 2, 4, 5, 6, 7, 9, and 10 to the abutting land owners.

All parcels of land being disposed of will be consolidated with abutting land owners properties.

- (d) the ~~attached~~ proposed by-laws BE INTRODUCED at the Municipal Council Meeting on August 29, 2011, to approve the sale of lands to 1767127 Ontario Inc., Vivian and Mark Wells, and Thadathil and Cachikutty Philip, and TO AUTHORIZE the Mayor and City Clerk to execute the Agreements of Purchase and Sale.

Motion Passed

YEAS: 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 (14)

7. By-law Amendments to Provide for Appeals to a Hearings Officer

Motion made by Councillor Bryant to Approve that, on the recommendation of the City Clerk, the following actions be taken to amend certain municipal by-laws to provide for the delegation of powers of decision to City of London Hearings Officers:

- (a) the proposed revised by-law ~~attached~~ as Schedule 'A' BE INTRODUCED at the Municipal Council meeting on August 29, 2011 to amend By-law No. C.P.-19, entitled "A by-law to provide for the licensing and regulation of Residential Rental Units in the City of London";
- (b) the proposed revised by-law ~~attached~~ as Schedule 'D' BE INTRODUCED at the Municipal Council meeting on August 29, 2011 to amend By-Law No. S.-3775-94 entitled "A by-law prohibiting and regulating signs and other advertising devices, and regulating the placing of signs and canopies upon highways";
- (c) the proposed by-law ~~attached~~ as Schedule 'B' to amend By-law L-6 entitled, "A by-law to provide for the licensing and regulation of various businesses" BE REFERRED back to staff for further consideration and report back at a future date; and
- (d) the proposed by-law ~~attached~~ as Schedule 'C' to amend By-law L-7 entitled, "A by-law to provide for licensing the business of a pawnbroker" BE REFERRED back to staff for further consideration and report back at a future date;

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: 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 (14)

8. 2011 User Fees and Charges

Motion made by Councillor Bryant to Approve that, on the recommendation of the City Clerk, the ~~attached~~ proposed by-law (Appendix "A") to amend By-law No. A-40 entitled "A by-law to provide for Various Fees and Charges" BE INTRODUCED at the Municipal Council meeting to be held on August 29, 2011 to amend the fee related to Civil Marriage Ceremonies to increase the fee from \$150 to \$250, with an additional fee of \$25 per witness, if required;

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: 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 (14)

9. Council's Investment and Economic Prosperity Agenda (City Clerk's Note: In accordance with section 13.7 of the Council Procedure By-law, the reconsideration of this matter requires the approval of at least two-

thirds of the whole Council.)

Pursuant to Part 13 of the Council Procedure By-law, a motion for Reconsideration is made by Councillor J.P. Bryant and seconded by Councillor M. Brown, with respect to the implementation of the Council's Investment and Economic Prosperity Agenda, as it relates to clause 9 of the Finance and Administration Committee Report.

Motion Passed

YEAS: 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 (14)

Motion made by Councillor Bryant to Approve that the following actions be taken with respect to the Municipal Council's Investment and Economic Prosperity Committee:

- (a) the actions of the Municipal Council taken at its meeting held on July 25, 2011, in having adopted clause 15(d) of the 17th Report of the Finance and Administration Committee concerning the implementation of the proposed governance model on December 1, 2011 BE RECONSIDERED;
- (b) the said clause 15(d) of the 17th Report of the Finance and Administration Committee from its meeting held on July 20, 2011 BE RESCINDED; and
- (c) the Civic Administration BE DIRECTED to undertake the necessary measures to implement the Investment and Economic Prosperity Committee by October 3, 2011, with the balance of the new Committees to be implemented by December 1, 2011;
- (d) the membership of the Investment and Economic Prosperity Committee BE SET at 6, plus the Mayor (ex officio);
- (e) jurisdiction to consider and recommend strategies to Council for fulfilling the economic objectives/priorities set by the Municipal Council BE INCORPORATED into the mandate of the Investment and Economic Prosperity Committee, noting that approval of certain operational steps to implement the strategies recommended by the Investment and Economic Prosperity Committee will often fall to another Standing Committee (e.g. planning matters, etc.);
- (f) the City Clerk BE DIRECTED to canvass the Members of Council to determine which Members are interested in serving on the Investment and Economic Prosperity Committee and to place their names on the September 20, 2011 agenda of the Committee of the Whole for consideration and recommendation to the October 3, 2011 meeting of the Municipal Council; and
- (g) for the purposes of continuity, the City Clerk BE DIRECTED to take the necessary steps to provide for the initial appointments to the Investment and Economic Prosperity Committee to extend to November 30, 2012, rather than November 30, 2011.

Motion Passed

YEAS: 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 (14)

10. Childhood Cancer Awareness

Motion made by Councillor Bryant to Approve that the Mayor BE REQUESTED to write a letter to Childcan in support of Childhood Cancer Awareness Month.

Motion Passed

YEAS: 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 (14)

11. Upcoming Session - Council Values

Motion made by Councillor Bryant to Approve that the City Clerk BE REQUESTED to identify the legislated duties of the Mayor and Councillors for consideration as part of the Municipal Council's discussions at its future session with respect to setting expectations for Council Members as it relates to its values of open and accountable government, citizen engagement,

fiscal responsibility and respect and integrity.

Motion made by Councillor D.G. Henderson and seconded by Councillor P. Van Meerbergen to Refer clause 11 to a future meeting in 2012.

Motion to Refer Failed

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

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

The motion to adopt clause 11 is put.

Motion Passed

YEAS: 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 (14)

12. Provincial Legislation - Practices and Procedures - Meetings of Council

Motion made by Councillor Bryant to Approve that the City Clerk and the City Solicitor BE REQUESTED to report back to the Finance and Administration Committee with an information report containing possible amendments to the Municipal Act, 2001, for petitioning the Province, that would provide greater latitude for those situations where a quorum of Council Members is present but it is not the intent for the situation to be deemed a Council Meeting, while still recognizing the need for accountability and transparency by the Municipal Council.

Motion Passed

YEAS: 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 (13)
NAYS: J.P. Bryant (1)

Motion by Councillor N. Branscombe and seconded by Councillor J.L. Baechler 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 p.m.

Motion Passed

YEAS: B. Polhill, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, P. Van Meerbergen, H.L. Usher, J.P. Bryant, S.E. White (10)
NAYS: W.J. Armstrong, J.B. Swan, D.G. Henderson (3)

12A. Shut-Down of CBC Transmitter in London (Clause 16)

Motion made by Councillor M. Brown and seconded by Councillor Bryant to Approve leave pursuant to section 17.4 of the Council Procedure By-law to permit the discussion and debate and the making of a substantive motion with respect to clause 16 of the 19th Report of the Finance and Administration Committee, having to do with the shut-down of the CBC transmitter in London.

Motion Passed

YEAS: 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 (13)
NAYS: S. Orser (1)

Motion made by Councillor M. Brown and seconded by Councillor Bryant to Approve that the Director, Intergovernmental and Community Liaison be requested to investigate and report back at a future meeting of the Finance and Administration Committee regarding potential opportunities to continue to advocate the requirement for the CBC to continue to provide a television transmitter for the London area and to evaluate other opportunities to for potential invention to maintain a television transmitter for the London area.

Motion Passed

YEAS: B. Polhill, W.J. Armstrong, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, J.P. Bryant, S.E. White (11)
NAYS: J.B. Swan, S. Orser, H.L. Usher (3)

The Chair directs that the following report clauses be noted.

13. Integrated Accessibility Standard Under the Accessibility for Ontarians with Disabilities Act, 2005

That the Finance and Administration Committee received and noted an information report from the Chief Administrative Officer with respect to integrated Accessibility Standard under the *Accessibility for Ontarians with Disabilities Act, 2005* (AODA).

14. Update on Realty Services Agency of Record

That the Finance and Administration Committee received and noted an information report from the Managing Director – Corporate Assets with respect to an update on Realty Services' agency of record.

15. Failed Municipal Tax Sale Properties – 200-202 Adelaide Street North, 1851 Pension Lane

That the Finance and Administration Committee received and noted an information report from the Managing Director – Corporate Assets with respect to failed municipal tax sale properties at 200-202 Adelaide Street North and 1851 Pension Lane.

17. Reporting of Statements of Claim

That the Finance and Administration Committee received an information report from the City Solicitor with respect to reporting of Statements of Claims for the period of April 1, 2011 to July 15, 2011.

18. Canada Day 2011

That the Finance and Administration Committee received a communication from Randy P. Warden, Chairperson, London Celebrates Canada, Event Organizer with respect to Canada Day 2011.

19. Confidential Matters

That the Finance and Administration Committee (FAC) passed the following resolution prior to moving in camera from 10:56 a.m. to 11:39 a.m.:

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

- (a) A matter pertaining to litigation or potential litigation affecting the municipality, personal matters about an identifiable individual and information whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the Corporation as it relates to a property damage claim;
- (b) A matter pertaining to litigation or potential litigation affecting the municipality, personal matters about an identifiable individual and information whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the Corporation as it relates to a property damage claim;
- (c) A matter pertaining to reports, advice and recommendations of officers and employees of the Corporation concerning labour relations and employee negotiations in regard to one of the Corporation's associations or unions;
- (d) A matter pertaining to the purpose of instructions and directions to officers and employees of the Corporation pertaining to a proposed acquisition of land; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; reports or advice or recommendations of officers and employees of the Corporation pertaining to a proposed acquisition of land; commercial and financial information supplied in confidence pertaining to the proposed acquisition the disclosure of which could reasonably be expected to, prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of the Corporation, result in similar information no longer being supplied to the Corporation where it is in the public interest that similar information continue to be so supplied, and result in undue loss or gain to any person, group, committee or financial institution or agency; commercial,

information relating to the proposed acquisition that belongs to the Corporation that has monetary value or potential monetary value; information concerning the proposed acquisition whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or its competitive position; information concerning the proposed acquisition whose disclosure could reasonably be expected to be injurious to the financial interests of the Corporation; and instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the Corporation concerning the proposed acquisition; and

- (e) A matter pertaining to advice that is subject to solicitor-client privilege concerning potential litigation and litigation involving a request for indemnity from the Mayor and for the purpose of giving directions to the solicitors for the municipality.

Councillor Bryant moves, seconded by Councillor Swan that Council recess for 5 minutes. Motion Passed.

The Council recesses at 10:25 p.m. and reconvenes at 10:33 p.m., with all Members present except Mayor Fontana.

259. **Finance and Administration Committee**
Councillor Bryant presents the 20th Report.

The Chair directs that the report clauses be noted.

1. Confidential Matters

That the Finance and Administration Committee (FAC) passed the following resolution prior to moving in camera from 3:30 p.m. to 3:47 p.m.:

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

260. **Built and Natural Environment Committee**
Councillor Swan presents the 19th Report

1. Architect to Act as Prime Consultant for the New No. 7 Fire Station – Request for Proposal No. 11-002 – Project #PP1089

Motion made by Councillor Swan 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 appointment of an architect for the new No. 7 Fire Station (Project PP1089):

- (a) the proposal submitted by Cornerstone Architecture, 110-700 Richmond Street, London, Ontario N6A 5C7, in the amount of \$133,500.00, including a disbursements allowance of \$5,000, and excluding HST, BE ACCEPTED; it being pointed out that the proposal submitted by Cornerstone Architecture was deemed to provide the best technical and financial value to the Corporation, meets the City's requirements in all areas and its acceptance is in accordance with Section 15.2 of the Procurement of Goods and Services Policy;

- (b) the financing for this project BE APPROVED as set out in the Sources of Financing Report, ~~attached~~ as Appendix "A";
- (c) the Civic Administration BE AUTHORIZED to undertake all administrative acts which are necessary in connection with the project; and,
- (d) the approvals given herein BE CONDITIONAL upon the Corporation entering into a formal contract with the contractor for the work.

Motion Passed

YEAS: 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 (14)

2. Request from Municipality of Middlesex Centre – Sanitary Servicing for Arva

Motion made by Councillor Swan to Approve that the Civic Administration BE DIRECTED to:

- (a) draft an amendment to the servicing agreement between The Corporation of the City of London and the Municipality of Middlesex Centre which includes:
 - (i) additional sewer servicing capacity;
 - (ii) the use of development charges; and,
 - (iii) potential ongoing revenue mechanisms;
- (b) provide the appropriate Standing Committee with any potential subsequent agreement, for review and approval;

it being noted that the Civic Administration was asked to report back to a future meeting of the Built and Natural Environment Committee with respect to this matter;

it being further noted that the Built and Natural Environment Committee reviewed and received the ~~attached~~ communication dated August 15, 2011, from L. Langdon, Executive Director, London Home Builders' Association, with respect to this matter.

Motion Failed

YEAS: B. Polhill, J.B. Swan, S. Orser, P. Van Meerbergen, D. Brown, S.E. White (6)

NAYS: W.J. Armstrong, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, H.L. Usher, J.P. Bryant (8)

3. Water, Sanitary and Storm Rate Structure Review – Fixed Rate for Water and Sanitary Charges

Motion made by Councillor Swan to Approve that, on the recommendation of the Director of Water and City Engineer, the Civic Administration BE DIRECTED to take the following actions with respect to the proposed fixed rate structure for water and sanitary charges as part of the water, sanitary and storm rate structure review:

- (a) prepare a proposal for a fixed rate component to the charges for water and sanitary servicing which is consistent with fixed costs related to billing and capital renewal;
- (b) inform stakeholders of the need for the proposed change(s) to the rates, the rationale for any proposed change(s) and the potential impact of any changes to customers; and,
- (c) hold a public participation meeting at a Built and Natural Environment Committee meeting in the Fall of 2011, for the purpose of receiving public input; and, if appropriate;
- (d) report back with a by-law to authorize the implementation of a rate structure change related to a fixed component to the water and sanitary rates, with the 2012 Budget;

it being noted that the structural change will be revenue neutral and no additional revenues will be realized in the 2012 Budget year; and,

it being further noted that this is an interim measure and subsequent changes to the rate structures, as previously presented, will be brought before the appropriate Standing Committee in 2012.

Motion Passed

YEAS: 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 (14)

4. Winter Maintenance Equipment with Operators – Trucks with Sander/Salter Bodies with Plow – Tender 11-56

Motion made by Councillor Swan to Approve that, on the recommendation of the Director of Water and City Engineer, the following actions be taken with respect to the purchase of winter maintenance equipment with operators – trucks with sand/salter bodies:

- (a) the tender bids received for winter maintenance equipment with operators, trucks with sander/salter bodies BE ACCEPTED, as follows:
 - (i) B & A Davies Trucking Inc., 5279 Colonel Talbot Road, London, ON N6P 1H8 – 4 Units \$117.75/hr., \$118.75/hr., \$123.93/hr. and \$134.43/hr.;
 - (ii) Mobil Striping & Sweeping Ltd., 35 Bayview Court, London, ON N5W 5W4 – 2 Units \$124.50/hr. and \$124.50/hr.;
 - (iii) Edgar Diversified Inc., 28 Portal Crescent, London, ON N5X 2E4 – 1 Unit \$128.00/hr.;
 - (iii) BLR Contracting & Excavating, 250 West Street, Belmont, ON N0L 1B0 - 2 Units \$129.40/hr. and \$139.40/hr.;
 - (iv) Roy Wonnacott Trucking Ltd., 5309 Nine Mile Road, R.R. #3, Ilderton, ON N0M 2A0 – 2 Units \$134.00/hr. and \$138.00/hr.;
 - (v) 1841635 Ontario Inc., 15095 Eight Mile Road, Arva, ON N0M 1G0 – 2 Units \$138.00/hr. and \$138.00/hr.;
 - (vi) A.C. Hunter Trucking Ltd., 1781 Phillbrook Court, London, ON N5X 2Z3 – 1 Unit \$138.88/hr.;
 - (vii) S & B Construction Ltd., 36312 Talbot Line, Shedden, ON N0L 2E0 – 2 Units \$137.99/hr. and \$139.99/hr.; and,
 - (viii) Allan Cunningham, 35317 Coursey Line, R.R. #1, Lucan, ON N0M 2J0 – 2 Units \$134.75/hr. and \$134.75/hr.;
- (b) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with these contracts; and,
- (c) the approval hereby given BE CONDITIONAL upon the Corporation entering into a formal contract or having a purchase order, or contract record relating to the subject matter of this approval.

Motion Passed

YEAS: 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 (14)

5. Greenway Flotation Building Upgrades – Project No. ES5083 – Tender 11-71

Motion made by Councillor Swan to Approve that, on the recommendation of the Director Wastewater and Treatment and the Managing Director - Corporate Assets, the following actions be taken with respect to the Greenway Flotation building upgrades, (ES5083):

- (a) the bid submitted by Elgin Contracting and Restoration Ltd., 100 Ross Street, St. Thomas, Ontario N5R 3X8, in the amount of \$259,000.00, excluding HST, BE ACCEPTED; it being noted that the bid submitted was an irregular bid as only one (1) bid was received and the irregular bid process was followed for this project and the irregular bid meets all terms, conditions and specifications of the City;

- (b) the financing for this project BE APPROVED as set out in the Sources of Financing Report ~~attached~~ hereto as Appendix "A";
- (c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts 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: 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 (14)

6. Fox Hollow Development Area Stormwater Management Facility #2 –
Depressurization Wells and Groundwater Works

Motion made by Councillor Swan to Approve that, on the recommendation of the Director, Wastewater and Treatment, the unexpended funds and remaining contingency from the Stormwater Management Facility #2 site preparation contract (Tender T11-13) BE TRANSFERRED to the Construction Contract for the Fox Hollow Development Area SWM Facility #2 (Tender T11-40) for the construction of depressurization wells.

Motion Passed

YEAS: 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 (14)

7. Contract Award – Stoney Creek Erosion Control Wetland Stormwater
Management Facility Construction (ES2477) – Tender 11-12

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

- (a) the bid submitted by Bre-Ex Limited, 1069 Wellington Road, London, ON N6E 2H6, in the amount of \$1,726,679.88, excluding HST, BE ACCEPTED; it being noted that the bid submitted by Bre-Ex Limited was the lowest of seven (7) pre-qualified bids received and meets the City's specifications and requirements in all areas;
- (b) Delcan Consulting, 1069 Wellington Road, London, ON N6E 2H6, BE AUTHORIZED to carry out the Inspection and General Construction Administration, in accordance with the estimated amount of \$195,000, including contingency, excluding HST, based upon the Fee Guideline for Professional Engineering Services, 2006, recommended by the Ontario Society of Professional Engineers;
- (c) the financing for this work BE APPROVED as set out in the Sources of Financing Report ~~attached~~ hereto as Appendix "A";
- (d) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this work;
- (e) the approvals given herein BE CONDITIONAL upon the Corporation entering into a formal contract with the consultant for the work; and,
- (f) the Mayor and City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations.

Motion Passed

YEAS: 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 (14)

8. Contract Award – 2011 Sanitary Sewer Improvement Project –
Fitzwilliam Boulevard (ES2464, ES5424) – Tender 11-67

Motion made by Councillor Swan to Approve that, on the recommendation of the Director, Wastewater and Treatment, the following actions be taken with respect to the construction of Fitzwilliam Boulevard Sanitary Sewer Improvement (ES2464 and ES5424):

- (a) the bid submitted by TRI-CON Excavating Inc., 113-4023 Meadowbrook Drive, London ON, N6L 1E7, in the amount of \$309,686.70, excluding HST, BE ACCEPTED; it being noted that the bid submitted by TRI-CON Excavating Inc. was the lowest of 6 bids received and meets the City's specifications and requirements in all areas;
- (b) minor future additional annual operating costs of \$400.00 BE RECOGNIZED as a result of this project; it being noted that these costs are as a result of new infrastructure installation and will be considered and accommodated within future Wastewater & Treatment operating budgets;
- (c) the financing for this project BE APPROVED as set out in the Sources of Financing Report ~~attached~~ hereto as Appendix "A";
- (d) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project;
- (e) the approval given herein BE CONDITIONAL upon the Corporation entering into a formal contract for the material to be supplied and the work to be done; and,
- (f) the Mayor and City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations.

Motion Passed

YEAS: 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 (14)

- 9. Infrastructure Stimulus Fund – Contract Award – innovation Park
Industrial Subdivision Phases 1 and 2 – Site Grading and Surface Works
– Tender 11-78

Motion made by Councillor Swan to Approve that, on the recommendation of the Director, Wastewater and Treatment, the following actions be taken with respect to Phases 1 and 2, Site Grading and Surface Works Project, for the Innovation Park Industrial Subdivision, (ID1168-1239 and ID1168):

- (a) the bid submitted by L82 Construction Ltd., 2070 Huron Street, London, Ontario, N5V 5A7, in the amount of \$2,777,750.00, excluding HST, BE ACCEPTED; it being noted that the bid submitted by L82 Construction Ltd. was the lowest of 3 bids received and meets the City's specifications and requirements in all areas;
- (b) the financing for the project BE APPROVED in accordance with the Sources of Financing Report ~~attached~~ hereto as Appendix 'A';
- (c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project;
- (d) the approval given herein BE CONDITIONAL upon the Corporation entering into a formal contract or issuing a purchase order for the material to be supplied and the work to be done relating to this project (Tender 11-78); and,
- (e) the Mayor and City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations;

it being recognized that this project is being made possible through the Infrastructure Stimulus Fund Program, funded jointly by the federal and provincial governments and by the City. These investments in jobs total almost \$100 million for London and will provide an immediate and positive impact on our community and our economy; it being noted that the award of this contract is in compliance with the Corporation's Purchasing By-law and Policy; it being further noted that this project reflects a successful Project Scope Change Application in an effort to fully utilize available stimulus funding.

Motion Passed

YEAS: 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 (14)

- 10. Greenway PCP Incinerator No. 1 – Decommissioning (Multi-Hearth) –
Project No. ES2095 – Tender 11-72

Motion made by Councillor Swan to Approve that, on the recommendation of the Director of Wastewater and Treatment, the following actions be taken with respect to the decommissioning of the Greenway Pollution Control Center Incinerator No. 1:

- (a) the proposal submitted by Quantum Murray BP Inc., 345 Horner Avenue, Suite 300, Toronto Ontario, M8W 1Z6, in the amount of \$937,000.00, excluding HST, BE ACCEPTED; it being noted that the tender submitted by Quantum Murray BP Inc. was deemed to provide the best value of the two submitted bids;
- (b) the financing for this project BE APPROVED as set out in the Sources of Financing Report ~~attached~~ hereto as Appendix 'A';
- (c) AECOM Canada Ltd., 250 York Street, Suite 410, London, Ontario K6A 6K2, BE AUTHORIZED to carry out the resident inspection and contract administration in accordance with the estimate, on file, to an upset limit of \$240,660.00 excluding H.S.T., noting that this firm completed the demolition design, based upon the Fee Guideline for Professional Engineering Services 2006. The award is in accordance with Section 15, Clause 15.2 (g) of the Procurement of Goods and Services Policy;
- (d) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with these projects; and,
- (e) the approvals given herein BE CONDITIONAL upon the Corporation entering into a formal contract or issuing a purchase order for the work to be done.

Motion Passed

YEAS: 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 (14)

11. Amendments to the Traffic and Parking By-law

Motion made by Councillor Swan to Approve that, notwithstanding the recommendation of the Acting Director, Roads & Transportation, the proposed by-law to amend the Traffic and Parking By-law (P.S. 111), BE REFERRED to the Civic Administration for further consideration related to the bus stop locations that the University of Western Ontario would be utilizing.

Motion Passed

YEAS: 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 (13)

RECUSE: D. Brown

12. Amendments to the Traffic and Parking By-law for the Western Fair Association

Motion made by Councillor Swan to Approve that, on the recommendation of the Acting Director, Roads & Transportation, the ~~attached~~ proposed by-laws (Appendices "A" and "B") BE INTRODUCED at the Municipal Council meeting to be held on August 29, 2011 for the purpose of amending the Traffic and Parking By-law (P.S. 111) to allow enact parking changes during the dates of the Western Fair.

Motion Passed

YEAS: 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 (14)

13. Veterans Memorial Parkway South Extension Class Environmental Assessment – Appointment of Consulting Engineer – Project No. TS1037

Motion made by Councillor Swan to Approve that, on the recommendation of the Acting Director, Roads and Transportation, the following actions be taken with respect to the Veterans Memorial Parkway South Extension Planning, Preliminary Design and Class Environmental Assessment Study:

- (a) McCormick Rankin Corporation, 300-2655 North Sheridan Way, Mississauga, ON, L5K 2P8, BE APPOINTED Consulting Engineers for the above-noted project, in the amount

of \$289,850, excluding HST, in accordance with Section 15(g) of the Procurement of Goods and Services Policy;

- (b) \$12,000 required for internal (City-related) expenses BE APPROVED within the project budget;
- (c) the financing for this project BE APPROVED as set out in the Source of Financing Report ~~attached~~ hereto as Appendix 'A';
- (d) the consulting fees for this project BE IN ACCORDANCE with the estimate, on file, which is based upon the Fee Guideline for Professional Engineering Services 2006, recommended by the Ontario Society of Professional Engineers;
- (e) the approval given herein BE CONDITIONAL upon the Corporation entering into a formal contract with the consultant for the work; and,
- (f) the Mayor and City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations.

Motion Passed

YEAS: 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 (14)

14. Land Valuation for Storm Water Management Facilities Located Outside the Urban Growth Boundary – Wickerson Stormwater Management Pond Lands

Motion made by Councillor Swan to Approve that, the following actions be taken with respect to the reimbursement of the land costs for the Wickerson Stormwater Management Pond to Sifton Properties Limited:

- (a) based on fair market value, \$100,000.00 per hectare BE APPROVED for reimbursement to Sifton Properties Limited; and,
- (b) in accordance with the policies of the Urban Works Reserve Fund, the City of London BE REIMBURSED for its legal costs;

it being noted that the Built and Natural Environment Committee received the ~~attached~~ communication, dated August 15, 2011, from P. Masschelein, Vice-President, Neighbourhood Developments, Sifton Properties Limited and reviewed and received an information report from the Managing Director, Development Approvals Business Unit and a communication dated August 12, 2011, from METRIX Realty Group, with respect to this matter.

Motion Passed

YEAS: 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 (14)

15. Montessori House of Children – 719 Waterloo Street and Related Lands (Z-7686)

Motion made by Councillor Swan to Approve that, notwithstanding the recommendation of the Director of Land Use Planning and City Planner, the Civic Administration BE DIRECTED to meet with Montessori House of Children and the neighbourhood community association to discuss limiting the scope of the proposed Official Plan Amendment; it being noted that the Built and Natural Environment Committee received the ~~attached~~ communication dated August 15, 2011 from R. Zelinka, Zelinka Priamo Ltd., with respect to this matter.

Motion Passed

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

16. Residential Intensification Policies

Motion made by Councillor Swan to Approve that, on the recommendation of the Director of Land Use Planning and City Planner, the following actions be taken with respect to Residential

Intensification Policies:

- (a) the ~~attached~~ proposed Official Plan Amendment to clarify the intent of the Official Plan intensification policies related to when public site plan will be required BE CIRCULATED for public review and comment; and,
- (b) based on the proposed Official Plan amendment, the Site Plan Control By-law BE AMENDED to clarify the site plan matters to be considered in the review of intensification proposals, including the requirement for Public Site Plan review when intensification may occur, even though no planning application or process other than site plan review is required.

Motion Passed

YEAS: 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 (14)

- 17. Soil Remediation in Wellington Street Road Allowance Adjacent to Piccadilly Park

Motion made by Councillor Swan and seconded by Councillor D. Brown to Refer clause 17 of the 19th Report of the Built and Natural Environment Committee (BNEC), having to do with soil remediation in Wellington Street road allowance, adjacent to Piccadilly Park, for consideration with 20th Report of BNEC.

Motion Passed

YEAS: 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 (14)

- 18. Comprehensive Official Plan Review and Komoka-Kilworth Secondary Plan – Municipality of Middlesex Centre

Motion made by Councillor Swan 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 proposed amendment to Middlesex Centre's Official Plan:

- (a) the following comments BE FORWARDED to Middlesex Centre:
 - (i) the City of London supports the redistribution and reallocation of vacant lands from the hamlet areas to Urban Settlement Areas, where full municipal services will be available to support future growth;
 - (ii) the City of London supports the redesignation of the Hamlet land use and Settlement Area boundary changes as proposed for Hamlet Areas of Birr, Denfield, Melrose and Poplar Hill/Coldstream, and the redesignation of 12.2 ha of Residential Lands to Agriculture and the Settlement Area boundary change proposed for the Arva Community Settlement Area;
 - (iii) the City of London has significant concerns regarding the extent of new developable lands being added to the Komoka-Kilworth Urban Settlement Area. The Official Plan Amendment proposes to add and convert the following lands to the Komoka-Kilworth Urban Settlement Area:
 - 42 ha of Residential land;
 - 67 ha of Settlement Employment land;
 - Convert 51 ha of Settlement Employment land to 35 ha of Residential land, 5 ha Natural Environment land and 11 ha Village Centre land;
 - Convert 10 ha of Settlement Commercial land to Residential land; and,
 - Convert 25 ha of Residential land to 11 ha of Settlement Employment land and 14 ha of Parks and Recreation land;

it being noted that this would result in 67 ha of urban land use designations being added to the Komoka-Kilworth Urban Settlement Area;

- (iv) the City of London has concerns regarding the extent of new developable lands being added to the Ilderton Urban Settlement Area. The Official Plan Amendment proposes to add or convert the following lands to the Ilderton

Urban Settlement Area:

- 34.2 ha of Residential land;
- Convert 4.2 ha of Rural Commercial to Residential;
- Convert 15 ha of Rural Industrial to Residential; and,
- Convert 21.6 ha of Rural Industrial to Agriculture;

it being noted that this would result in a total of 53.4 ha of additional land for Residential development being added to the Ilderton Urban Settlement Area;

- (b) the Civic Administration BE DIRECTED to meet with Planning Staff from Middlesex Centre to discuss these concerns regarding the Municipality's draft Official Plan Amendment and the Komoka-Kilworth Secondary Plan; and,
- (c) the Ministry of Municipal Affairs and Housing BE ADVISED that the City of London has concerns with respect to the number of urban services vs. rural services growth centres.

Motion Passed

YEAS: 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, J.P. Bryant, S.E. White (13)

NAYS: H.L. Usher (1)

19. Special Provisions – Westbury International (1991) Corporation – Westbury Subdivision – 39T-05509

Motion made by Councillor Swan to Approve that, on the recommendation of the Director of Development Planning and the Managing Director, Development Approvals Business Unit, the following actions be taken with respect to entering into a subdivision agreement between The Corporation of the City of London and Westbury International (1991) Corporation for the subdivisions of land in the City of London, situated on the North side of Wharnccliffe Road South, municipally referred to as 1311 Wharnccliffe Road South:

- (a) the ~~attached~~ Special Provisions to be included in the above-noted Subdivision Agreement BE APPROVED;
- (b) the Mayor and the City Clerk BE AUTHORIZED to execute the Agreement, any amending agreements and all documents required to fulfill its conditions; and
- (c) the applicant BE ADVISED that the Director of Development Finance has estimated the following Revenues and Claims:

Related Estimated Costs and Revenues – Phase 1

Estimated Costs – This Agreement – Developer Built	
Urban Works Reserve Fund – General	Nil
Urban Works Reserve Fund – Stormwater Management	Nil
Capital Expense – Parks Planning	\$88,400
Other	Nil
Total	\$88,400
Estimated Revenues This Agreement	
CSRF	\$2,148,184
UWRF	\$880,868
Total	\$3,029,051

NOTE:

1. Estimated revenues are calculated using current rates for engineering services and the information is reported all in accordance with the Development Charges By-law (ie C.P.-1473-212), and any amendments thereto.
2. Estimated claims are based on information provided by the applicant. Actual claims will be determined in conjunction with the subdivision agreement and the applicable by-law.
3. The Owner should take note that there are currently significant delays in payment of claims from the Urban Works Reserve Fund.

it being noted that Parks Planning expenditures will require commitment through future capital budget projects.

Motion Passed

YEAS: 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 (14)

20. Development on Irwin, Gunn, Saunby and Beaufort Streets

Motion made by Councillor Swan to Approve that, that the Civic Administration BE DIRECTED to report back at the September 12, 2011 Built and Natural Environment Committee (BNEC) meeting with respect to the potential actions that can be taken to stop in-fill intensification in the Irwin Street, Gunn Street, Saunby Street and Beaufort Street area; it being noted that the BNEC heard the ~~attached~~ presentation and reviewed and received a communication dated September 8, 2011, from J. Corcoran, BIGS Community Association, with respect to this matter.

Motion Passed

YEAS: 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 (13)

RECUSE: S.E. White (1)

21. Proposed Amendments to the Site Plan Approval Process and the Site Plan Control Area By-law

Motion made by Councillor Swan to Approve that, on the recommendation of the Managing Director of the Development Approvals Business Unit, the following actions be taken with respect to revisions to the site plan approval process, the Site Plan Control Area By-law and the Municipal Council Policy as it pertains to Site Plan Approvals:

- (a) the ~~attached~~ by-law, (Appendix 'B') to amend the Site Plan Control Area By-law, BE INTRODUCED at the Municipal Council meeting to be held on August 29, 2011; and,
- (b) the ~~attached~~ proposed by-law to amend Council Policy 19 (25A) BE REFERRED to the Civic Administration for a legal review of Appendix 'C' and the associated Appendix 19(25A) entitled "Appendix to Site Plan Approval and Enforcement Policy";

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

- J. Kennedy, London Development Institute – indicating that Official Plan Amendment 438 defined the uses of intensification and affects the entire City; expressing concern with the recommendation and recommending that the matter be referred to the Civic Administration for further consideration; indicating that when builders have to hold a public participation meeting, it slows down the process and costs more money; and advising that there is already a proposed amendment to the Official Plan.
- L. Langdon, London Home Builders Association – indicating that she did not receive a copy of the Staff Report; and enquiring as to the impact on new home builders and renovations to existing homes.

Motion Passed

YEAS: 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 (14)

22. City of London – Proposed Amendment to Section 5.2.4 Scale of Office Development (O-7935)

Motion made by Councillor Swan to Approve that, on the recommendation of the Director of Land Use Planning and City Planner, the ~~attached~~ proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on August 29, 2011 to amend Section 5.2.4 of the Official Plan by adding a policy to define the scale of office development to clarify the intent of the designation;

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: 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 (14)

23. City of London – Proposed Amendment to Section 4>14 Lots Reduced by Public Acquisition (Z-7891)

Motion made by Councillor Swan to refer consideration of clause 23 of the 19th Report of the Built and Natural Environment Committee (BNEC), in order to obtain additional information.

Motion Passed

YEAS: 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 (14)

Clause 23, as referred, reads as follows:

“That, on the recommendation of the Director of Land Use Planning and City Planner, the ~~attached~~ proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on August 29, 2011 to amend Section 4.14 of the Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the Zoning By-law Z.-1 by:

- (a) removing the words “has been”, and “the location of any permitted building or structure relative to the required side or rear yards”; and,
- (b) to include the word “density” in the last paragraph by:
 - (i) deleting the last paragraph of Section 4.14; and,
 - (ii) by inserting in its place “In the case of a road widening dedication, the land that will be dedicated shall be included in any calculation for the purpose of determining lot area, coverage, height, parking, landscaped open space, floor area, floor area ratio and density provided any building or structure is located wholly within the boundary of the land remaining after the dedication”;

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

24. 1383266 Ontario Limited – Variance from Sign and Canopy By-law – 715-725 Wellington Road South

Motion made by Councillor Swan to Approve that, notwithstanding the recommendation of the Director of Building Controls, Ms. Phuong BE GRANTED a temporary exemption from the Sign and Canopy By-law relating to the property located at 715-725 Wellington Road South for one year, pending the outcome of the Civic Administration’s review of the Sign and Canopy By-law; it being noted that the Built and Natural Environment Committee heard verbal presentations from S. Rae representing Ms. Phuong and from Ms. Phuong.

Motion Passed

YEAS: 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 (13)
NAYS: J.P. Bryant (1)

25. City of London – 310, 318, 322 and 330 Wellington Road (O-7900)

Motion made by Councillor Swan to Approve that, on the recommendation of the Director of Land Use Planning and City Planner, based on the application of City of London relating to the property located at 310, 318, 322 and 330 Wellington Road, the ~~attached~~ proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on August 29, 2011 to amend the Official Plan to change the designation of the subject lands FROM a Low Density Residential designation which allows single detached, semi-detached, duplex and converted dwellings TO a Community Commercial Node to allow all types of retail outlets including department stores, home improvement and furnishings stores, supermarkets, food stores and pharmacies; convenience commercial uses; personal services; restaurants; commercial recreation establishments; financial institutions and services; a limited range of automotive services; 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; and

commercial and private schools; it being noted that within Community Commercial Nodes, office uses and places of entertainment will be permitted in limited amounts;

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: 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 (14)

26. CN Rail and RCC Media – Minor Variance to the Sign and Canopy By-law to Permit Third Party Advertising on Railway Overpasses

Motion made by Councillor Swan to Approve that, on the recommendation of the Director of Building Controls, the following actions be taken with respect to the request by CN Rail and RCC Media for a variance to the Sign & Canopy By-law to permit non-accessory banner signs on railway overpasses:

- (a) a variance to the Sign and Canopy By-law BE APPROVED at the Municipal Council meeting to be held on August 29, 2011;
- (b) CN Rail and RCC Media BE REQUESTED to enter into a Licensing Agreement with the City of London before any permits are issued for the placement of banner signs on two CN railway overpasses; and,
- (c) the Mayor and the City Clerk BE AUTHORIZED to execute the above-noted Licensing Agreement and any other documents necessary to facilitate such an agreement;

it being noted that the Built and Natural Environment Committee received the attached presentation from J. Matsui, Makin Headlines Ltd., with respect to this matter.

Motion made by Councillor Swan and seconded by Councillor D. Brown to Amend clause 26 by including the following working at the end of part (b): “for a pilot project, with a maximum period of two years”.

Motion to amend is passed

YEAS: B. Polhill, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, S.E. White (12)
NAYS: W.J. Armstrong, J.P. Bryant (2)

Motion, as amended, passed

YEAS: B. Polhill, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, S.E. White (12)
NAYS: W.J. Armstrong, J.P. Bryant (2)

Clause 26, as amended, reads as follows:

That on the recommendation of the Director of Building Controls, the following actions be taken with respect to the request by CN Rail and RCC Media for a variance to the Sign & Canopy By-law to permit non-accessory banner signs on railway overpasses:

- (a) a variance to the Sign and Canopy By-law BE APPROVED at the Municipal Council meeting to be held on August 29, 2011;
- (b) CN Rail and RCC Media BE REQUESTED to enter into a Licensing Agreement with the City of London before any permits are issued for the placement of banner signs on two CN railway overpasses for a pilot project, with a maximum period of two years; and,
- (c) the Mayor and the City Clerk BE AUTHORIZED to execute the above-noted Licensing Agreement and any other documents necessary to facilitate such an agreement;

it being noted that the Built and Natural Environment Committee received the attached presentation from J. Matsui, Makin Headlines Ltd., with respect to this matter.

27. Old North Traffic Calming Plan – Results of Opinion Poll

Motion made by Councillor Swan to Approve that, on the recommendation of the Acting Director, Roads and Transportation and notwithstanding the January 18, 2010 Municipal Council resolution relating to the implementation plan for the Old North Neighbourhood Traffic Calming Study, the Old North Neighbourhood Traffic Calming Study and its recommendations BE IMPLEMENTED on an individual project basis with traffic calming measures, if any, being reflective of residents' input and needs as identified during the project design phase; it being noted that this approach varies from the original study implementation plan.

Motion Passed

YEAS: 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 (14)

28. Zelinka Priamo Limited – 2310, 2330, 2350 and 2362 Dundas Street (OZ-7919)

Motion made by Councillor Swan 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 Zelinka Priamo Limited relating to the properties located at 2310, 2330, 2350 and 2362 Dundas Street:

- (a) the ~~attached~~ proposed by-law (Appendix "A") BE INTRODUCED at the Municipal Council meeting to be held on August 29, 2011 to amend the Official Plan FROM General Industrial and Light Industrial TO Auto Oriented Commercial Corridor;
- (b) the ~~attached~~, revised, proposed by-law (Appendix "B") BE INTRODUCED at the Municipal Council meeting to be held on August 29, 2011 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan, as amended in part (a) above), to change the zoning as follows:
 - (i) the north portion of 2310 Dundas Street FROM a Light Industrial (LI2) Zone and a Holding General Industrial (h*GI1) Zone TO a Holding Restricted Service Commercial Special Provision (h*h-11*RSC1()) Zone to allow for restricted service commercial (RSC1) uses as well as "Automotive Use";
 - (ii) the north portion of 2330 and 2350 Dundas Street FROM a Holding General Industrial (h*GI1) Zone TO a Holding Restricted Service Commercial Special Provision (h*h-11*RSC1()) Zone to allow for restricted service commercial (RSC1) uses as well as "Automotive Use";
 - (iii) the south portion of 2310 Dundas Street FROM a Light Industrial (LI2) Zone and a Restricted Service Commercial (RSC1/RSC5) Zone TO a Holding Restricted Service Commercial (h*h-11*RSC2/RSC3/RSC4/RSC5)) Zone to allow for automotive repair garages, automotive sales and service establishments, automotive supply stores, automotive uses, restricted, dry cleaning and laundry depots, pharmacies, emergency care establishments, convenience service establishments, restaurants, financial institutions, building or contracting establishments, support offices and industrial mall;
 - (iv) the south portion of 2330 Dundas Street FROM a Holding General Industrial (h*GI1) Zone and a Restricted Service Commercial (RSC1/RSC5) Zone TO a Holding Restricted Service Commercial (h*h-11*RSC2/RSC3/RSC4/RSC5)) Zone; to allow for automotive repair garages, automotive sales and service establishments, automotive supply stores, automotive uses, restricted, dry cleaning and laundry depots, pharmacies, emergency care establishments, convenience service establishments, restaurants, financial institutions, building or contracting establishments, support offices and an industrial mall; and,
 - (v) the south portion of 2350 Dundas Street FROM a Holding Highway Service Commercial/Restricted Service Commercial (h*HS1/HS4/RSC2/RSC3/RSC4/RSC5) Zone TO a Holding Restricted Service Commercial/Highway Service Commercial (h*h-11*HS1/HS4/RSC2/RSC3/RSC4/RSC5)) Zone; to allow for automotive repair garages, automotive sales and service establishments, automotive supply stores, automotive uses, restricted, dry cleaning and laundry depots, pharmacies, emergency care establishments, convenience service establishments, restaurants, financial institutions, building or contracting establishments, support offices and an industrial mall;

- (c) pursuant to Section 34(17) of the *Planning Act*, it BE DETERMINED that no further notice related to the By-law is required;

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

- G. Priamo, Zelinka Priamo Limited - indicating that he has no concerns with the analysis for the recommendation; requesting that the requirement for a holding provision be removed; indicating that the by-law already has a holding provision on it; noting that at the bottom of page 14 of the Staff Report, the requirement for a holding provision is redundant as a development agreement has already been entered into; indicating that the holding provision was not put in the agreement, but that Staff put it in; advising that there may be modest arterial uses from Dundas Street frontage; and indicating that they are not asking for approval for access.

Motion Passed

YEAS: 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 (14)

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

Motion made by Councillor Swan to Approve that, on the recommendation of the Executive Director of Planning, Environmental and Engineering Services, the following actions be taken with respect to the creation of a community-led initiative to complete the planned enhancements to Veterans Memorial Parkway:

- (a) the ~~attached~~ proposed by-law (Appendix 'A') BE INTRODUCED at a future meeting of the Municipal Council to authorize an agreement between The Corporation of the City of London and the Horticultural Trades Association Incorporated, operating as Landscape Ontario, to lead the Veterans Memorial Parkway Community Programme and to authorize the Mayor and the City Clerk to execute the Agreement;
- (b) the approval given herein BE CONDITIONAL upon the Corporation entering into a formal Agreement with the Horticultural Trades Association Incorporated;
- (c) the Source of Financing for the City of London's 2011 financial obligations, as detailed in Section 31 of the Agreement BE APPROVED as set out in the ~~attached~~ Source of Financing Report (Appendix 'B');
- (d) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this Agreement; and,
- (e) Landscape Ontario BE THANKED for taking a leadership role for this community-led venture;

it being noted that municipal financing to support the Agreement has been included in the proposed 2012 Capital Budget (Enhanced Veterans Memorial Parkway – PD1142) over a five-year period and is subject to annual budget approval by the Municipal Council.

Motion Passed

YEAS: 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 (13)

NAYS: S. Orser (1)

31. Parking Regulations – Corinth Court

Motion made by Councillor Swan to Approve that no action BE TAKEN with respect to parking regulations on Corinth Court; it being noted that the Built and Natural Environment Committee reviewed and received a communication dated August 3, 2011, from Councillor S. Orser, with respect to this matter.

Motion Passed

YEAS: 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 (13)

NAYS: S. Orser (1)

The Chair directs that the following Report Clauses be noted.

32. 8th EEPAC

That the Built and Natural Environment Committee reviewed and received the 8th Report of the Environmental and Ecological Planning Advisory Committee, from its meeting held on July 21, 2011.

33. Bierens Draft Plan of Subdivision 39T-08502

That the Built and Natural Environment Committee reviewed and received a Municipal Council resolution adopted at its meeting held on July 25, 2011 with respect to the Bierens Draft Plan of Subdivision 39T-08502.

34. Update on Initiatives within the Development Approvals Business Unit

That the Built and Natural Environment Committee reviewed and received an information report, dated August 15, 2011, from the Chief Administrative Officer with respect to an update on initiatives within the Development Approvals Business Unit.

35. Water Technology Centre Initiative - Update

That the Built and Natural Environment Committee reviewed and received an information report, dated August 17, 2011, from the Executive Director, Planning, Environmental and Engineering Services, with respect to an update on the Water Technology Centre initiative.

36. Update on Source Water Protection Process: Thames-Sydenham Source Water Protection Region

That the Built and Natural Environment Committee reviewed and received an information report, dated August 15, 2011, from J. Braam, Director, Water and City Engineer, with respect to an update on the source water protection process for the Thames Sydenham Source Water Protection Region.

37. Oxford Park Community Area

That the Built and Natural Environment Committee reviewed and received an information report dated August 15, 2011, from the Acting Director, Roads and Transportation, with respect to Oxford Park Community Area.

38. Highbury Avenue North at Trafalgar Street – Advance Left-Turn Signal

That the Built and Natural Environment Committee reviewed and received an information report dated July 15, 2011, from the Acting Director, Roads and Transportation, with respect to the proposed advance left-turn signal at the intersection of Highbury Avenue North and Trafalgar Street.

39. Ontario Municipal Board Decision – Official Plan Amendment No. 438 (O-7585)

That the Built and Natural Environment Committee reviewed and received an information report dated August 2, 2011, from the Director, Land Use Planning and City Planner, with respect to the Ontario Municipal Board decision relating to Official Plan Amendment No. 438.

40. Methadone Clinic and Dispensary Interim Control By-law – Ontario Municipal Board Hearing Decision – The Corporation of the City of London (OZ-7873)

That the Built and Natural Environment Committee reviewed and received an information report dated August 4, 2011, from the Director, Land Use Planning and City Planner, with respect to the Ontario Municipal Board decision relating to the Methadone Clinic and Dispensary Interim Control By-law.

41. Building Division Monthly Report

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

42. Cul-De-Sac Parking During Summer

That the Built and Natural Environment Committee (BNEC) received a communication from Councillor W. J. Armstrong with respect to cul-de-sac parking during summer. The BNEC postponed consideration of this matter to its September meeting at the request of Councillor W. J. Armstrong.

43. Completion of the McCormick Area Plan

That the Built and Natural Environment Committee (BNEC) reviewed and received a communication, dated July 26, 2011, from G. Thompson, President, Old East Village Community Association, with respect to the completion of the McCormick Area Plan. The BNEC referred the communication to the Civic Administration for consideration with its review of the current workload.

44. Capital Works Projects

That the Built and Natural Environment Committee reviewed and received communications dated July 28, 2011 and August 15, 2011, from G. Thompson, President and S. Levin, Member, the Urban League of London and J. Kennedy, President, London Development Institute, respectively, with respect to Capital Works Projects. The BNEC referred the communications to the Civic Administration for consideration.

45. Sign and Canopy By-law

That the Built and Natural Environment Committee (BNEC) requested the Civic Administration to provide an information report at a future meeting of the BNEC with respect to the authority delegated to the Administration related to the Sign and Canopy By-law.

46. Disclosure of Pecuniary Interest - Mayor Fontana

That Mayor J. F. Fontana disclosed a pecuniary interest in clause 2 of this report having to do with the request for sanitary servicing for Arva from the Municipality of Middlesex-Centre, by indicating that he lives in Arva.

47. Disclosure of Pecuniary Interest - Councillor Brown

That Councillor D. Brown disclosed a pecuniary interest in clause 11 of this report having to do with amendments to the Traffic and Parking By-law by indicating that her employer has a contract with the London Transit Commission.

48. Disclosure of Pecuniary Interest - Councillor White

That Councillor S. White disclosed a pecuniary interest in clause 20 of this report having to do with the development on Beaufort Street, Irwin Street, Gunn Street and Saunby Street by indicating that her employer has property on Gunn Street.

49. Confidential Matters

261. **Built and Natural Environment Report**
Councillor Swan presents the 20th Report

1. City of London – 2430 Bradley Avenue

Motion made by Councillor Swan to Approve that, on the recommendation of the Director of Development Planning and the Managing Director – Development Approvals and Business Unit, based on the application of the City of London relating to the property located at 2430 Bradley Avenue, the attached proposed by-law BE INTRODUCED at the Municipal Council

meeting on August 29, 2011 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM an Urban Reserve (UR6) Zone which permits agricultural uses, conservation lands, passive recreation uses, kennels, and riding stables TO a holding Light Industrial Special Provision (h•h-11•h-18•LI2(9)) Zone to permit such uses as manufacturing and assembly industries, pharmaceutical and medical product industries, research and development establishments, warehouse establishments, food, tobacco and beverage processing industries, service trades, textile processing industries, electrical and electronic products industries, office, store and business electronics industries; it being noted that Holding (h, h-11, and h-18) Provisions will require that full municipal services are available and a subdivision agreement or development agreement is entered into, that the site plan and development agreement provides for appropriate access arrangements to the satisfaction of the City and that an archaeological resource assessment is carried out together with appropriate mitigation measures prior to development, to the satisfaction of the City and the Ministry of Tourism and Culture; and,

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

it being further noted that the Built and Natural Environment Committee reviewed and received a communication from S. P. Renaud, Vice-President, Operations, The Original Cakerie Ltd., with respect to this matter.

Motion Passed

YEAS: 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 (14)

2. Jennum Wellington Properties Inc. – 1025-1037 Wellington Road

Motion made by Councillor Swan 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 Jennum Wellington Properties Inc. relating to the properties located at 1025-1037 Wellington Road:

- (a) in response to the letter of appeal to the Ontario Municipal Board, dated June 17, 2011, submitted by Townsend and Associates, on behalf of Jennum Wellington Properties Inc., relating to the minor variance application A.034/11 concerning 1025 – 1037 Wellington Road, the Ontario Municipal Board BE ADVISED that the Municipal Council does not support the Committee of Adjustment decision to refuse the minor variance;
- (b) the City Solicitor and Director of Land Use Planning and City Planner BE DIRECTED to provide legal and planning representation at the Ontario Municipal Board Hearing to support Municipal Council's decision;
- (c) in response to the letter of appeal to the Ontario Municipal Board, dated July 29, 2011, submitted by Barry R. Card, on behalf of The Standard Life Assurance Company of Canada., relating to the minor variance application A.070/11 concerning 1025 – 1037 Wellington Road, the Ontario Municipal Board BE ADVISED that the Municipal Council supports the Committee of Adjustment decision to grant the minor variance; and,
- (d) the City Solicitor and Director of Land Use Planning and City Planner BE DIRECTED to provide legal and planning representation at the Ontario Municipal Board Hearing to support the Committee of Adjustment's and Municipal Council's decision.

Councillor Hubert calls the question.

Motion Passed

YEAS: 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 (13)

RECUSE: W.J. Polhill (1)

3. Soil Remediation – Piccadilly Park

Motion made to Approve made by J.B. Swan that the Civic Administration BE ASKED to undertake the following actions with respect to the soil remediation in the Wellington Street road allowance adjacent to Piccadilly Park:

- (a) explore options to enhance the existing parking lot (ie. installing a gazebo or covering

the parking lot with soil and planting vegetation);

- (b) with the use of consultants and a maximum budget of up to \$39,660, determine the extent of the contamination; and,
- (c) include community consultation;

it being noted that the Built and Natural Environment Committee received a report dated July 7, 2011, from the Director of Land Use Planning and City Planner, a communication dated July 6, 2011, from A. Woodson, Executive Director, Piccadilly Area Neighbourhood Association and a verbal presentation from the Manager III, Parks Planning and Design, with respect to this matter.

Motion Passed

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

RECUSE: N. Branscombe (1)

The Chair directs that report clauses be noted.

4. Disclosure of Pecuniary Interest – Councillor W. J. Polhill

That Councillor W. J. Polhill disclosed a pecuniary interest in clause 2 of this Report having to do with the application of Jennum Wellington Properties Inc. relating to the properties located at 1025-1037 Wellington Road by indicating that his son is on the Committee of Adjustment.

262.

Committee of the Whole

Councillor Hubert presents the 24th Report

1. 2012 Budget Timetable

Motion made by Councillor Hubert to Approve that, on the recommendation of the City Treasurer, Chief Financial Officer, the following timetable for the 2012 Budget BE APPROVED:

Timetable for 2012 Budget Political Review

Date	What	Who
Tuesday October 4, 2011	Water and Wastewater Budgets Tabled	Committee of the Whole
Tuesday November 8, 2011	Water and Wastewater Budgets Review (including Public Participation)	Committee of the Whole – Public Participation
Monday November 21, 2011	Water and Wastewater Budgets Approved	Council
Tuesday December 6, 2011	Property Tax Budget Tabled (Operating and Capital Budgets)	Committee of the Whole
Monday December 19, 2011	Budget Orientation and Strategic Planning	Committee of the Whole
Saturday January 14, 2012	Public Engagement – Shopping Malls	Council Members
Monday January 16, 2012	Public Participation (Property Tax - Operating and Capital Budgets)	Committee of the Whole
Thursday January 26, 2012	Property Tax - Capital Budget Review	Committee of the Whole
Thursday February 2, 2012	Property Tax - Operating Budget Review (complete Capital Budget Review (if needed))	Committee of the Whole

Thursday February 9, 2012	Property Tax - Operating Budget Review (if needed)	Committee of the Whole
Thursday February 16, 2012	Property Tax Budget Approved	Council

Notes:

1. 2011 dates correspond with currently scheduled Committee of the Whole and Council meetings.
2. Committee names and meeting dates may be affected by the ongoing governance review and may have to be amended in keeping with governance changes adopted by the Municipal Council.
3. The Shopping Mall public outreach initiative may be affected by the outcomes of the current review of citizen engagement strategies.

Motion made by Councillor Hubert and seconded by N. Branscombe to amend clause 1 by adding the following words, after the words "BE APPROVED", "subject to changes necessitated by the new Committee structure, including the potential for holding the meetings during the day to reduce the number of evening meetings subject to changes necessitated by the new Committee structure".

Motion to amend is Passed

YEAS: 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 (13)

NAYS: D. Brown (1)

Motion, as amended, Passed

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

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

Clause 1, as amended, reads as follows:

That, on the recommendation of the City Treasurer, Chief Financial Officer, the following timetable for the 2012 Budget BE APPROVED subject to changes necessitated by the new Committee structure, including the potential for holding the meetings during the day to reduce the number of evening meetings subject to changes necessitated by the new Committee structure:

Timetable for 2012 Budget Political Review

Date	What	Who
Tuesday October 4, 2011	Water and Wastewater Budgets Tabled	Committee of the Whole
Tuesday November 8, 2011	Water and Wastewater Budgets Review (including Public Participation)	Committee of the Whole – Public Participation
Monday November 21, 2011	Water and Wastewater Budgets Approved	Council
Tuesday December 6, 2011	Property Tax Budget Tabled (Operating and Capital Budgets)	Committee of the Whole
Monday December 19, 2011	Budget Orientation and Strategic Planning	Committee of the Whole
Saturday January 14, 2012	Public Engagement – Shopping Malls	Council Members
Monday January 16, 2012	Public Participation (Property Tax - Operating and Capital Budgets)	Committee of the Whole

Thursday January 26, 2012	Property Tax - Capital Budget Review	Committee of the Whole
Thursday February 2, 2012	Property Tax - Operating Budget Review (complete Capital Budget Review (if needed))	Committee of the Whole
Thursday February 9, 2012	Property Tax - Operating Budget Review (if needed)	Committee of the Whole
Thursday February 16, 2012	Property Tax Budget Approved	Council

Notes:

1. 2011 dates correspond with currently scheduled Committee of the Whole and Council meetings.
2. Committee names and meeting dates may be affected by the ongoing governance review and may have to be amended in keeping with governance changes adopted by the Municipal Council.
3. The Shopping Mall public outreach initiative may be affected by the outcomes of the current review of citizen engagement strategies.

The Chair directs that the following Report clauses be noted.

2. London Advisory Committee on Heritage Resignation

That the Committee of the Whole (CW) received a communication dated June 9, 2011, from Greg Thompson, resigning his appointment to the London Advisory Committee on Heritage. The CW accepted the resignation with regret and asked the Mayor to forward a letter of appreciation to Mr. Thompson.

3. London Advisory Committee on Heritage Resignation

That the Committee of the Whole (CW) received a communication dated June 15, 2011, from Jay McGuffin, resigning his appointment to the London Advisory Committee on Heritage. The CW accepted the resignation with regret and asked the Mayor to forward a letter of appreciation to Mr. McGuffin.

4. Environmental and Ecological Planning Advisory Committee Resignation

That the Committee of the Whole (CW) received a communication dated June 11, 2011, from Ryan Warren, resigning his appointment to the London Advisory Committee on Heritage. The CW accepted the resignation with regret and asked the Mayor to forward a letter of appreciation to Mr. Warren.

5. Accessibility Advisory Committee Resignation

That the Committee of the Whole (CW) received a communication dated June 22, 2011, from Brenda Ryan, resigning her appointment to the Accessibility Advisory Committee. The CW accepted the resignation with regret and asked the Mayor to forward a letter of appreciation to Ms. Ryan.

6. London Housing Advisory Committee Resignation

That the Committee of the Whole (CW) received a communication dated June 21, 2011, from Stephanie Joselyn-Fogarty, resigning her appointment to the London Housing Advisory Committee. The CW accepted the resignation with regret and asked the Mayor to forward a letter of appreciation to Ms. Joselyn-Fogarty.

7. London Housing Advisory Committee Resignation

That the Committee of the Whole (CW) received a communication dated June 18, 2011, from Scott Courtice, resigning his appointment to the London Housing Advisory Committee. The CW accepted the resignation with regret and asked the Mayor to forward a letter of appreciation to Mr. Courtice.

8. London Diversity and Race Relations Advisory Committee Resignation

That the Committee of the Whole (CW) received a communication dated July 21, 2011, from U. Shabazz, resigning his appointment to the London Diversity and Race Relations Advisory Committee. The CW accepted the resignation with regret and asked the Mayor to forward a letter of appreciation to Mr. Shabazz.

9. Confidential Matters

That the Committee of the Whole passed the following resolution prior to moving in camera from 4:14 p.m. to 8:15 p.m.:

That the Committee of the Whole move in camera to consider a matter pertaining to an educational or training session for Council Members in accordance with Section 239 (3.1) of the Municipal Act, 2011.

263. **Committee of the Whole**
Councillor Hubert presents the 20th Report

1. Vision Statement

Motion made by Councillor Hubert to Approve that the Chief Administrative Officer BE REQUESTED to report back with refinements to the City of London's current Vision Statement that would include:

- a) revised wording that speaks to where the City of London wants to be, rather than how the City of London sees itself today;
- b) more concise and more dynamic wording (e.g. creative, enthusiastic, compassionate);
- c) greater distinction between "growing" and "growth"; and
- d) emphasis on economic prosperity, quality of life, opportunity, inclusiveness (e.g. age, culture, etc.), sustainability/green, neighbourhoods, owning London's strengths.

Motion Passed

YEAS: 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 (13)
NAYS: J.P. Bryant (1)

2. City of London Civic Brand

Motion made by Councillor Hubert to Approve that the Chief Administrative Officer BE DIRECTED to undertake a civic engagement process to update the style of the City of London's logo; it being noted that the Chief Administrative Officer provided the attached handout with respect to the elements of London's civic brand; it being further noted that the Committee of the Whole identified the following additional elements that should be attributable to the City of London's civic brand: green/sustainability; opportunity, healthy/health, diversity, "growing".

Motion Passed

YEAS: 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 (13)
NAYS: J.P. Bryant (1)

3. Council Values

Motion made by Councillor Hubert to Approve that the Council values of open and accountable government, citizen engagement, fiscal responsibility and respect and integrity BE ADOPTED and additional work BE UNDERTAKEN with respect to setting expectations for Council Members as it relates to the aforementioned values.

Motion made by Councillor Swan and seconded by Councillor White to Amend clause 3, related to Council Values, by adding the following words at the end, "; it being noted that a meeting date and time will be determined by the City Clerk".

Motion to amend Passed

YEAS: 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 (13)
NAYS: J.P. Bryant (1)

Motion, as amended, Passed

YEAS: 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 (13)
NAYS: J.P. Bryant (1)

The motion, as amended, reads as follows:

That the Council values of open and accountable government, citizen engagement, fiscal responsibility and respect and integrity BE ADOPTED and additional work BE UNDERTAKEN with respect to setting expectations for Council Members as it relates to the aforementioned values; it being noted that a meeting date and time will be determined by the City Clerk.

4. Annual Report Card/Progress Report

Motion made by Councillor Hubert to Approve that the Chief Administrative Officer BE DIRECTED to incorporate target setting into the annual Report Card/Progress Report.

Motion Passed

YEAS: 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 (13)
NAYS: J.P. Bryant (1)

5. Strategic Priorities

Motion made by Councillor Hubert to Approve that the Chief Administrative Officer BE REQUESTED to consider the comments of the Council Members related to strategic priorities for the City of London, in consultation with local agencies, and report back with a suggested priority listing and a proposed budget for undertaking a public survey to further refine the City of London's strategic priorities.

Motion Passed

YEAS: 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 (13)
NAYS: J.P. Bryant (1)

6. Major Initiatives

Motion made by Councillor Hubert to Approve that the following actions be taken with respect to major initiatives for the 2011-2014 Municipal Council:

- (a) the following matters BE IDENTIFIED as the short list of major initiatives for the 2011-2014 Municipal Council:
 - (i) Downtown Investments: new City Hall, Performing Arts Centre, downtown presence for the University of Western Ontario);
 - (ii) London Gateways: bus rapid transit expansion/initiatives, Transportation Master Plan, Veterans Memorial Parkway lands with servicing, Veterans Memorial Parkway/Bradley Avenue interchange, Hwy #401/Colonel Talbot land; overpass;
 - (iii) Economic Initiatives: Southwest Area Plan, food innovation strategy and digital media; and
 - (iv) Community Program: SOHO Community Plan, Ontario Works in the community, green bin program and 311;
- (b) the Civic Administration BE DIRECTED to report back with a financing plan for the matters noted in (a), above.

Motion Passed

YEAS: 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 (13)

NAYS: J.P. Bryant (1)

The Chair directs that the report clauses be noted.

7. CAO Presentation – Strategic Planning

That the Chief Administrative Officer provided the ~~attached~~ presentation with respect to strategic planning for the City of London.

264.

Services Review Committee

Councillor Branscombe presents the 2nd Report

1. 2012 – 2016 Business Plan Summaries

Motion made by Councillor Branscombe to Approve that, on the recommendation of the City Treasurer, Chief Financial Officer, the following actions be taken with respect to the 2012-2016 Business Plan summaries:

- (a) the 2012 – 2016 Business Plan summaries BE RECEIVED for future review by the Services Review Committee;
- (b) the process for review of 2012 – 2106 Business Plan Summaries BE APPROVED as outlined in the City Treasurer, Chief Financial Officer's report dated July 26, 2011;
- (c) the process for community involvement BE ENDORSED as outlined in the City Treasurer, Chief Financial Officer's report dated July 26, 2011; and
- (d) all civic departments, boards and commissions BE REQUESTED to complete an annual update of their respective Business Plan Summaries for the applicable service(s), within the format and guidelines provided by the Finance Division.

Motion Passed

YEAS: 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 (14)

2. London Police Services Business Cases

Motion made by Councillor Branscombe to Approve that the City Solicitor, in consultation with the City Treasurer, Chief Financial Officer, BE REQUESTED to provide a report related to legislative restrictions with respect to the provision of information in support of the requests of the London Police Services Business Cases and budget submissions.

Motion Passed

YEAS: 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 (14)

The Chair directs that the following Report clauses be noted.

3. Delivery of Corporate Communications Services

That the Services Review Committee received a communication dated September 21, 2010, from the City Clerk, with respect to the delivery of corporate communications services.

4. Roadside Turf Maintenance and Weed Control

That the Services Review Committee received a communication dated November 2, 2010, from the Committee Secretary, with respect to roadside turf maintenance and weed control.

5. Next Meeting

That the next meeting of the Services Review Committee (SRC) is tentatively scheduled to be held on August 15, 2011.

IX DEFERRED MATTERS

X ENQUIRIES

No enquiries

At 12:28 a.m. W.J. Polhill puts Councillor Hubert in the Chair and takes a seat at the Council Board.

265. **XI EMERGENT MOTIONS**

1. Councillor B. Polhill and Councillor P. Van Meerbergen - Reconsideration of July 25, 2011 Emergent Motion - Zebro Holdings - 1010 and 1068 Fanshawe Park Road East.

Pursuant to Part 13 of the Council Procedure By-law, a motion for Reconsideration is made by Councillor Hubert and seconded by Councillor Swan, with respect to the Emergent Motion of the July 25, 2011 Council meeting, as it relates to Zebro Holdings.

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, S.E. White (10)

NAYS: J.L. Baechler, N. Branscombe, H.L. Usher, J.P. Bryant (4)

Councillor Polhill moves, seconded by Councillor Van Meerbergen seconds, 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 Reconsideration of July 25, 2011 Emergent Motion - Zebro Holdings - 1010 and 1068 Fanshawe Park Road East.

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, S.E. White (10)

NAYS: J.L. Baechler, N. Branscombe, H.L. Usher, J.P. Bryant (4)

Councillor Polhill moves, seconded by Councillor Van Meerbergen that an amount of \$32,000, in total, BE APPROVED to offset the costs of property taxes paid on claimable portions only, while negotiations continued in excess of two years with Zebro Holdings pertaining to land needs and in servicing in regard to Stormwater Management in Stoney Creek.

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, S.E. White (10)

NAYS: J.L. Baechler, N. Branscombe, H.L. Usher, J.P. Bryant (4)

2. A Contribution from London, "The Forest City" to Goderich - Reforestation of Court House Park

Councillor Orser moves, seconded by Councillor D. Brown, 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 a contribution from the City of London for assistance with the reforestation of the Court House Park in Goderich, Ontario.

Motion Passed

YEAS: 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 (14)

Motion made by Councillor Baechler and seconded by Councillor Swan to Approve that London Council commits a contribution of up to \$50,000 from the Contingency Reserve Fund to Goderich, Ontario, to participate in tree planting (large calliper trees) in Court House Park and Square.

Motion Passed

YEAS: 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 (14)

266. **XII BY-LAWS**

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

Motion made by Councillor Swan and seconded by Councillor D. Brown to Approve first reading of Bill No.'s 329 to 363, excluding 362, and Bill 365.

Motion Passed

YEAS: 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 (14)

Motion made by Councillor Swan and seconded by Councillor M. Brown to Approve second reading of Bill No.'s 329 to 363, excluding 362, and Bill 365.

Motion Passed

YEAS: B. Polhill, 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 (12)
NAYS: W.J. Armstrong, D. Brown (2)

Motion made by Councillor Van Meerbergen and seconded by Councillor Hubert to Approve third reading, and enactment as by-laws of Bill No.'s 329 to 363, excluding 362, and Bill 365.

Motion Passed

YEAS: 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 (14)

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

Bill No. 329, By-law No. A.-	A by-law to confirm the proceedings of the Council Meeting held on the 29th day of August, 2011. (City Clerk)
Bill No. 330, By-law No. A.-	A by-law to approve the standard form for Blue Box Recyclables Processing Agreements between The Corporation of the City of London and other municipalities to provide Blue Box recyclables processing capacity and to authorize the Mayor and Clerk to execute the Agreements which employ this form. (13/14/CNC)
Bill No. 331, By-law No. A.-	A by-law to approve a New Municipal Hazardous or Special Waste Service Agreement regarding funding for the City of London's Household Special Waste Program with Stewardship Ontario; and to authorize the Mayor and Clerk to execute the Agreement. (3/14/CNC)
Bill No. 332, By-law No. A.-	A by-law to amend Council Policy 19(25A) related to the Appendix to the Site Plan Approval and Enforcement Policy. (21/19/BNEC)
Bill No. 333, By-law No. A.-	A by-law to authorize an Agreement of Purchase and Sale between The Corporation of the City of London and 1767127 Ontario Inc., for the sale of property located at the original Baseline Road road allowance east of Jarvis Street, being Parts 9 & 10 of a draft Reference Plan for the consideration of \$24,000, and to authorize the Mayor and City Clerk to execute the Agreement. (6/19/FAC)
Bill No. 334, By-law No. A.-	A by-law to authorize an Agreement of Purchase and Sale between The Corporation of the City of London and Vivian and Mark Wells, for the sale of property located at the original Baseline Road road allowance east of Jarvis Street, being Parts 1,2,4,5,6, & 7 of a draft Reference Plan, for the consideration of \$4,000, and to authorize the Mayor and City Clerk to execute the Agreement. (6/19/FAC)

Bill No. 335, By-law No. A.-	A by-law to authorize an Agreement of Purchase and Sale between The Corporation of the City of London and Thadathil and Cachikutty Philip, for the sale of property located at the original Baseline Road road allowance east of Jarvis Street, being Parts 3 & 8 of a draft Reference Plan, for the consideration of \$4,000, and to authorize the Mayor and City Clerk to execute the Agreement. (6/19/FAC)
Bill No. 336, 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 George Martin (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. (5/14/CNC)
Bill No. 337, By-law No. A.-	A by-law to authorize an Agreement between The Corporation of the City of London and Trojan Technologies and to authorize the Mayor and City Clerk to execute the Agreement. (6/17/BNEC)
Bill No. 338, By-law No. A.-6680()	A by-law to amend By-law No. A.-6680-171 entitled, "A by-law to authorize the submission of an application to the Ontario Infrastructure Projects Corporation for financing certain ongoing capital works" to reflect the new legal name of the Ontario Infrastructure Projects Corporation (OIPC) to Ontario Infrastructure and Lands Corporation OILC. (3/19/FAC)
Bill No. 339, By-law No. A-40-	A by-law to amend By-law A-40 entitled, "A by-law to provide for Various Fees and Charges." (8/19/FAC)
Bill No. 340, By-law No. C.P.-	A by-law to exempt from Part Lot Control, lands located on the south side of Silverfox Crescent, at Denview Avenue, legally described as Block 284 in Registered Plan 33M-564, in the City of London and County of Middlesex. (8/8/BNEC)
Bill No. 341, By-law No. C.P.-1284(rl)-	A by-law to amend the Official Plan for the City of London, 1989 relating to Section 5.2.4. (22/19/BNEC)
Bill No. 342, By-law No. C.P.-1284(rn)-	A by-law to amend the Official Plan for the City of London, 1989 relating to 310, 318, 322 and 330 Wellington Road. (25/19/BNEC)
Bill No. 343, By-law No. C.P.-1284(rn)-	A by-law to amend the Official Plan for the City of London, 1989 relating to 2310, 2330, 2350 and 2362 Dundas Street. (28/19/BNEC)
Bill No. 344, By-law No. C.P.-1455()	A by-law to amend By-law C.P.-1455 entitled, "A by-law to designate a site plan control area and to delegate Council's power under Section 41 of the Planning Act, R.S.O. 1990, c.P.13." (21/19/BNEC)
Bill No. 345, By-law No. CP-19-	A by-law to amend By-law CP-19 entitled, "A by-law to amend By-law CP-19 entitled, "A by-law to provide for the licensing and regulation of Residential Rental Units in the City of London." (7/19/FAC)
Bill No. 346, By-law No. PH-4-11025	A by-law to amend By-law PH-4 as amended entitled, "A by-law to provide for the regulation, restriction and prohibition of Dogs in the City of London." (9/14/CNC)
Bill No. 347, 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." (12/19/BNEC)
Bill No. 348, 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." (12/19/BNEC)

Bill No. 349, 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 Coronation Drive, at Moy Crescent) (Chief Surveyor)
Bill No. 350, 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 Springbank Drive, west of Kernohan Parkway) (Chief Surveyor)
Bill No. 351, 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 Ridout Street, south of King Street; As widening to Ridout Street, north of York Street; and As widening to York Street, east of Ridout Street. (Chief Surveyor)
Bill No. 352, 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 Springbank Drive, east of Chessington Avenue) (Chief Surveyor)
Bill No. 353, 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 Commissioners Road East, east of Jackson Road) (Chief Surveyor)
Bill No. 354, By-law No. S.-	A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (As part of River Run Terrace, extending northerly to Classic Drive) (Chief Surveyor)
Bill No. 355, By-law No. S.-	A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (As part of Coronation Drive, north of South Carriage Road.) (Chief Surveyor)
Bill No. 356, By-law No. S.-3775()-	A by-law to amend By-law No. 3775-94 as amended, entitled, "A by-law prohibiting and regulating signs and other advertising devices, and regulating the placing of sign and canopies upon highways." (7/19/FAC)
Bill No. 357, By-law No. W.-	A by-law to authorize the 2010 Bus Purchase Replacement Project. (Project No. MU1044) (City Treasurer)
Bill No. 358, By-law No. W.-	A by-law to authorize the Fare Collection System Project. (Project No. MU1164) (City Treasurer)
Bill No. 359, By-law No. W.-1694()-	A by-law to amend By-law No. W.-1694-151 entitled, "A by-law to authorize the Operations Centres – Site Development Project (Project No. TS6210) (City Treasurer)
Bill No. 360, By-law No. WM-12-	A by-law to amend By-law WM-12 entitled, "A by-law to provide for the collection of municipal waste and resource materials in the City of London." (10/14/CNC)
Bill No. 361, By-law No. WM-27	A by-law to amend By-law No. WM-27 entitled, "A by-law to provide for imposing fees and charges for the services, activities and use of the waste management system." (11/14/CNC)
Bill No. 363, By-law No. Z.-1-112042	A by-law to amend By-law Z.-1 to rezone an area of land located at 2310, 2330, 2350 and 2362 Dundas Street. (28/19/BNEC)
Bill No. 365, By-law No. Z.-1-112043	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 2430 Bradley Avenue. (1/20/BNEC)

XIII COMMITTEE OF THE WHOLE, IN CAMERA

MOTION FOR IN CAMERA SESSION

Motion made by Councillor Van Meerbergen and seconded by Councillor D. Brown to Approve that Council rise and go into Committee of the Whole, in camera, for the purpose of

considering the following:

- a) a matter pertaining to litigation or potential litigation affecting the municipality, personal matters about an identifiable individual and information whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the Corporation as it relates to a property damage claim;
- b) a matter pertaining to litigation or potential litigation affecting the municipality, personal matters about an identifiable individual and information whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the Corporation as it relates to a property damage claim;
- c) a matter pertaining to reports, advice and recommendations of officers and employees of the Corporation concerning labour relations and employee negotiations in regard to one of the Corporation's associations or unions;
- d) a matter pertaining to the purpose of instructions and directions to officers and employees of the Corporation pertaining to a proposed acquisition of land; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; reports or advice or recommendations of officers and employees of the Corporation pertaining to a proposed acquisition of land; commercial and financial information supplied in confidence pertaining to the proposed acquisition the disclosure of which could reasonably be expected to, prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of the Corporation, result in similar information no longer being supplied to the Corporation where it is in the public interest that similar information continue to be so supplied, and result in undue loss or gain to any person, group, committee or financial institution or agency; commercial, information relating to the proposed acquisition that belongs to the Corporation that has monetary value or potential monetary value; information concerning the proposed acquisition whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or its competitive position; information concerning the proposed acquisition whose disclosure could reasonably be expected to be injurious to the financial interests of the Corporation; and instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the Corporation concerning the proposed acquisition;
- e) a matter pertaining to advice that is subject to solicitor-client privilege concerning potential litigation and litigation involving a request for indemnity from the Mayor and for the purpose of giving directions to the solicitors for the municipality;
- f) a matter pertaining to litigation or potential litigation and advice that is subject to solicitor-client privilege, including communications necessary for that purpose in connection with the appeals of Futurestreets Inc. to the Ontario Municipal Board, Case No. PL100332, from the decision of Municipal Council to approve Official Plan Amendment No. 475 and pass zoning by-law Z.-1-101908 in respect of 1510 Hamilton Road;
- g) a matter pertaining to advice that is subject to solicitor-client privilege, including communications necessary for that purpose, with respect to Tender 11-56 (Winter Maintenance Equipment with Operators); and the subject matter is potential litigation with respect to Tender 11-56; and
- h) a matter pertaining to an educational or training session for Council Members in accordance with Section 239 (3.1) of the Municipal Act, 2001.
- i) a matter pertaining to instructions and directions to officers and employees of the Corporation pertaining to a proposed disposition of land; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; reports or advice or recommendations of officers and employees of the Corporation pertaining to a proposed disposition of land; financial information supplied in confidence pertaining to the proposed disposition the disclosure of which could reasonably be expected to, prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of the Corporation, result in similar

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

- j) a matter pertaining to proposed or pending disposition of land by the municipality, litigation or potential litigation with respect to a proposed or pending disposition of land by the municipality, including matters before administrative tribunals, affecting the municipality or local board, and advice that is subject to solicitor-client privilege, including communications necessary for that purpose, with respect to a proposed or pending disposition of land by the municipality.

Motion Passed

The Council rises and goes into the Committee of the Whole, in camera, at 12:49 a.m., with all Members present except Mayor Fontana.

The Committee rises and Council resumes in regular session at 2:04 a.m., with Acting Mayor Polhill in the Chair and all Members present except Mayor Fontana and Councillors Henderson and Usher.

Committee of the Whole

Present: Acting Mayor W.J. Polhill, Councillors 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, C. Saunders (City Clerk)

ALSO PRESENT: J.A. Fielding, G.T. Hopcroft, L.M. Rowe, B. Westlake-Power, V. McAlea Major, M. Turner, J.P. Barber, C. Abromaitis, E. Mogck, J. Fleming, P. White, K. Lakhota

1. J. Figueiredo – Vehicle Damage

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

That, on the recommendation of the Manager, Risk Management, with the concurrence of the City Solicitor, the appeal by Jason Figueiredo for compensation for costs arising from damage to his vehicle caused by striking a pothole BE DENIED.

2. L. Arruda – Vehicle Damage

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

That, on the recommendation of the Manager, Risk Management, with the concurrence of the City Solicitor, the appeal by Lucy Arruda for compensation for costs arising from damage to her vehicle caused by striking a pothole BE DENIED.

3. Offer from Arvin Sango Canada Inc. to Purchase a Portion of Block 1, Plan 33M-627 – Innovation Park, Phase III

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

That, on the recommendation of the Managing Director - Corporate Assets, on the advice of the Manager of Realty Services, the offer submitted by Arvin Sango Canada

Inc., to purchase 12.506 acres, more or less subject to survey, on the north-west corner of Innovation Gate and Discovery Drive, and being comprised of a portion of Block 1, Plan 33M- 627, as outlined on the sketch attached hereto as Schedule "C-1", at a purchase price of \$656,565 (reflecting a price of \$52,500 per acre) BE ACCEPTED, subject to the following conditions:

- (a) the City shall provide a landscaping and geotechnical credit of \$150,000 to the Purchaser, which amount shall be credited to the Purchaser upon closing of this transaction;
- (b) this Offer is conditional on the Vendor obtaining approval of Purchaser's proposed use from the future owner of Block 3 & 4, Plan 33M-627 within 30 days of the acceptance of this Agreement (September 16th,2011); and
- (c) the Purchaser shall be granted a 5-year option to purchase approximately 10.29 acres (referred to in the offer as the northerly part of Block 1, Plan 33M-627), retained by the City, at the price of \$52,500 per acre.

Councillor Hubert presents the 26th Report of the Committee of the Whole.

Motion made by Councillor Hubert, seconded by Councillor Swan, that pursuant to Section 17.4 of the Council Procedure By-law, leave be given for discussion and debate and the making of a substantive motion with respect to clauses 1 to 3, inclusive, of the 26th Report of the Committee of the Whole. Motion Passed

Motion made by Councillor Hubert to Approve that the following recommendations:

- 1. That, on the recommendation of the Manager, Risk Management, with the concurrence of the City Solicitor, the appeal by Jason Figueiredo for compensation for costs arising from damage to his vehicle caused by striking a pothole BE DENIED.
- 2. That, on the recommendation of the Manager, Risk Management, with the concurrence of the City Solicitor, the appeal by Lucy Arruda for compensation for costs arising from damage to her vehicle caused by striking a pothole BE DENIED.
- 3. That, on the recommendation of the Managing Director - Corporate Assets, on the advice of the Manager of Realty Services, the offer submitted by Arvin Sango Canada Inc., to purchase 12.506 acres, more or less subject to survey, on the north-west corner of Innovation Gate and Discovery Drive, and being comprised of a portion of Block 1, Plan 33M- 627, as outlined on the sketch attached hereto as Schedule "C-1", at a purchase price of \$656,565 (reflecting a price of \$52,500 per acre) BE ACCEPTED, subject to the following conditions:
 - (a) the City shall provide a landscaping and geotechnical credit of \$150,000 to the Purchaser, which amount shall be credited to the Purchaser upon closing of this transaction;
 - (b) this Offer is conditional on the Vendor obtaining approval of Purchaser's proposed use from the future owner of Block 3 & 4, Plan 33M-627 within 30 days of the acceptance of this Agreement (September 16th,2011); and
 - (c) the Purchaser shall be granted a 5-year option to purchase approximately 10.29 acres (referred to in the offer as the northerly part of Block 1, Plan 33M-627), retained by the City, at the price of \$52,500 per acre

Motion Passed

Motion made by Councillor J.B. Swan and seconded by Councillor D. Brown to Approve First reading of Bill No. 364.

Motion made by Councillor J.B. Swan and seconded by Councillor D. Brown to Approve Second reading of Bill No. 364.

Motion made by Councillor P. Van Meerbergen and seconded by Councillor P. Hubert to Approve Third reading, and enactment as a by-law of Bill No. 364.

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

Bill No. 364	A By-law to authorize an Agreement between The Corporation of
By-law No. A.-6713-	the City of London and Arvin Sango Canada Inc., to authorize the
249	Mayor and City Clerk to execute the Agreement. (3/26/CW)

267. **XIV ADJOURNMENT**

Councillor M. Brown moves, seconded by Councillor Orser, that the Meeting adjourn.

Motion Passed

The meeting adjourned at 2:06 a.m.

Joe Fontana, Mayor

Catharine Saunders, City Clerk