



London
CANADA

COUNCIL MINUTES 10TH MEETING

May 14, 2013

The Council meets in Regular Session in the Council Chambers this day at 4:05 PM.

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

ALSO PRESENT: A. Zuidema, J.P. Barber, A.L. Barbon, G. Barrett, G. Belch, J. Braam, B. Coxhead, Sandra Datars Bere, J.M. Fleming, T. Grawey, M. Hayward, G.T. Hopcroft, J. Kobarda, G. Kotsifas, L. Livingstone, V. McAlea Major, D. Menard, D. O'Brien, J. Page, R. Paynter, L.M. Rowe, R. Sharpe, E. Soldo and B. Westlake-Power.

At the beginning of the Meeting all Members are present except Councillors W.J. Armstrong, D. Brown and J.B. Swan.

I DISCLOSURES OF PECUNIARY INTEREST

Councillor J.P. Bryant discloses a pecuniary interest in clause 2 of the 14th Report of the Corporate Services Committee having to do with Western University's Strategic Plan, by indicating that her spouse is on the faculty of Western University. Councillor J.P. Bryant further discloses a pecuniary interest in clause 5 of the 9th Report of the Community and Protective Services Committee having to do with the 5th Report of the London Housing Advisory Committee, as it relates to the recommendation related to the Residential Rental Unit Licensing By-law, by indicating that she owns a rental unit.

Councillor P. Hubert discloses a pecuniary interest in clause C-2 of the 14th Report of the Corporate Services Committee having to do with a matter pertaining to potential litigation and advice that is subject to solicitor-client privilege, including communications necessary for that purpose, and for the purpose of providing instructions and directions to officers and employees of the Corporation with respect to a potential arbitration concerning the apportionment of costs for social housing, Ontario Works, Child Care and Land Ambulance between Middlesex County and the City of London, by indicating that he is the Executive Director of a social services agency that has a purchase of service agreement with Ontario Works.

Councillor P. Van Meerbergen discloses a pecuniary interest in clause C-2 of the 14th Report of the Corporate Services Committee having to do with a matter pertaining to potential litigation and advice that is subject to solicitor-client privilege, including communications necessary for that purpose, and for the purpose of providing instructions and directions to officers and employees of the Corporation with respect to a potential arbitration concerning the apportionment of costs for social housing, Ontario Works, Child Care and Land Ambulance between Middlesex County and the City of London, by indicating that his spouse operates a day care.

Councillor J.B. Swan discloses a pecuniary interest in clause 2 of the 5th Report of the Investment and Economic Prosperity Committee having to do with the Orchestra London Business Plan, by indicating that he is the Executive Director of Orchestra London.

At 4:10 PM Councillor D. Brown enters the meeting.

II REVIEW OF CONFIDENTIAL MATTERS TO BE CONSIDERED IN PUBLIC

None.

III ADDED REPORTS

1. 12th Report of Planning and Environment Committee
2. 9th Report of Strategic Priorities and Policy Committee

IV COMMITTEE OF THE WHOLE, IN CAMERA

MOTION FOR IN CAMERA SESSION

Motion made by Councillor B. Polhill and seconded by Councillor P. Van Meerbergen 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 personal matters, including information regarding an identifiable individual, including a municipal employee, with respect to employment related matters, advice or recommendations of officers and employees of the Corporation including communications necessary for that purpose and for the purpose of providing instructions and directions to officers and employees of the Corporation. (C-1/13/CSC)
- b) A matter pertaining to litigation currently in the Ontario Court of Justice for the Province of Ontario affecting the municipality; and advice that is subject to solicitor-client privilege, including communications necessary for that purpose. (C-1/14/CSC)
- c) A matter pertaining to potential litigation and advice that is subject to solicitor-client privilege, including communications necessary for that purpose, and for the purpose of providing instructions and directions to officers and employees of the Corporation with respect to a potential arbitration concerning the apportionment of costs for social housing, Ontario Works, Child Care and Land Ambulance between Middlesex County and the City of London. (C-2/14/CSC)
- d) A matter pertaining to advice that is subject to solicitor-client privilege including communications necessary for that purpose and litigation currently before the Superior Court of Justice, affecting the Municipality. (C-1/10/CWC)
- e) A matter pertaining to labour relations or employee negotiations with respect to the School Crossing Guard Program. (Added)

Motion Passed

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

The Council rises and goes in camera at 4:16 PM with Mayor J.F. Fontana in the Chair and all Members present except Councillors W.J. Armstrong and J.B. Swan.

Councillor W.J. Armstrong enters the meeting at 4:25 PM.

The Committee of the Whole rises and Council resumes in regular session at 4:42 PM with Mayor J.F. Fontana in the Chair and all Members present, except Councillor J.B. Swan.

V RECOGNITIONS

1. His Worship the Mayor recognizes the London Nationals Junior B Sutherland Cup Champions.

At 4:57 PM Councillor J.B. Swan enters the meeting.

2. His Worship the Mayor presents a plaque for "London's Featured Company" to rtraction.
3. His Worship the Mayor presents a certificate for "London's Featured Community Organization" to St. Joseph's Health Care Foundation.
4. His Worship the Mayor and Members of Council are presented with a tulip tree from the Kettle Creek Conservation Authority, in recognition of one million trees being planted between 2001 and 2013.

VI CONFIRMATION AND SIGNING OF THE MINUTES OF THE NINTH MEETING HELD ON APRIL 30, 2013

Motion made by Councillor B. Polhill and seconded by Councillor S.E. White to Approve the Minutes of the 9th Meeting held on April 30, 2013.

Motion Passed

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

VII COMMUNICATIONS AND PETITIONS

Motion made by Councillor P. Van Meerbergen and seconded by Councillor S.E. White to Approve referral of the following communications for consideration with the noted clauses:

1. (ADDED) Properties located at 1057, 1059 and 1061 Richmond Street (Z-8106) (Refer to the Planning and Environment Committee Stage for Consideration with Clause 13 of the 11th Report of the Planning and Environment Committee.)
 - a) P. Adams, 191 Sherwood Avenue;
 - b) M.A. Colihan, 191 Sherwood Avenue; and
 - c) N. & M. Garber, 1071 Richmond Street

Motion Passed

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

VIII MOTIONS OF WHICH NOTICE IS GIVEN

None.

IX REPORTS

11th Report of the Planning and Environment Committee
Councillor B. Polhill presents.

Motion made by Councillor B. Polhill to Approve clauses 1 to 10.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Property located at 905 Pond Mills Road (H-8156)

That, on the recommendation of the Managing Director, Planning and City Planner, based on the application of the City of London, relating to the property located at 905 Pond Mills Road, the ~~attached~~, revised, proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on May 14, 2013, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a Holding Light Industrial (h-122*h-123*LI3) Zone TO a Holding Light Industrial (h-123*LI3) Zone to remove the holding provision that requires a parking study be completed and a development agreement be entered into for the subject property with the City of London; it being noted that urban design will be addressed though the site plan approval process for these lands. (2013-D14B)

3. Property located at 530 Sunningdale Road East - Uplands North Subdivision - Extension to Draft Plan of Subdivision Approval (39T-05510)

That, on the recommendation of the Senior Planner, Development Services, the Approval Authority BE ADVISED that the Municipal Council supports granting a three (3) year extension of the draft plan of subdivision, submitted by Z-Group Limited, relating to the property located

at 530 Sunningdale Road East, submitted by Z-Group Limited, prepared by Donald A Riley RPP (Z-Group), certified by Jeremy C. E. Matthews, Ontario Land Surveyor (Drawing No. CAD:POWELL_Redline, dated March 24, 2008) as red-line amended, which shows 12 single detached dwelling blocks, 1 medium density residential block, 1 possible school block, 1 open space block, 1 neighbourhood park block, 2 walkway blocks, and 2 road reserve blocks, served by the continuation of Canvas Way, 1 new secondary collector road (Superior Drive) and 2 new local streets SUBJECT TO the revised conditions contained in Appendix "A" as appended to the staff report dated May 7, 2013. (2013-D12)

4. Property located at 1602 Sunningdale Road West (39T-11503)

That, on the recommendation of the Manager, Development Planning, the following actions be taken with respect to the application of Foxwood Developments (London) Inc., relating to the property located at 1602 Sunningdale Road West:

- a) the Ontario Municipal Board decision contained in Appendix "A" as appended to the staff report dated May 7, 2013, relating to the Old Oak Properties appeal of the Official Plan and Zoning By-law BE RECEIVED;
- b) in response to the letter of appeal to the Ontario Municipal Board, dated February 15, 2013, as submitted by Alan Patton, on behalf of Old Oak Properties, relating to the Draft Plan of Subdivision application by Foxwood Developments (London) Inc., concerning the property located at 1602 Sunningdale Road West, the Ontario Municipal Board BE ADVISED that the Municipal Council has reviewed its recommendation to the Approval Authority and sees no reason to alter its previous recommendation; and,
- c) the Managing Director, Corporate Services and City Solicitor BE DIRECTED to provide legal representation at the Ontario Municipal Board hearing in support of the Municipal Council's decision and the position of the Approval Authority. (2013-D12)

5. Properties located at 1934-1984 Waterloo Drive and 1921-1931 Waterloo Drive (H-8153)

That, on the recommendation of the Manager, Development Planning, based on the application of Claybar Developments Inc., relating to the properties located at 1934-1984 Waterloo Drive and 1923-1931 Waterloo Drive, the following actions be taken:

- a) the proposed by-law, as appended to the staff report dated May 7, 2013, BE INTRODUCED at the Municipal Council meeting to be held on May 14, 2013, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of 1934-1984 Waterloo Drive and 1921-1931 Waterloo Drive FROM a Holding Residential R1 (h. h-100. R1-4) Zone and a Holding Residential R1 (h. h-100. R1-13) Zone TO a Residential R1 (R1-4) Zone; a Holding Residential R1 (h. R1-4) Zone and a Residential R1 (R1-13) Zone, to remove the h. and h-100 holding provisions from certain portions of these lands; and,
- b) the application to change the zoning of the properties located at 1968-1984 Waterloo Drive FROM a Holding Residential R1 (h. R1-4) Zone TO a Residential R1 (R1-4) Zone, to remove the h. holding provision BE DEFERRED until such time as the original Heard Drain, that is located within these parcels, is decommissioned. (2013-D14B)

6. Property located on a portion of 2350 Dundas Street (Block 5, 39T-12502) (H-8171)

That, on the recommendation of the Senior Planner, Development Planning, based on the application of Bremor Engineering Ltd., relating to a portion of the property located at 2350 Dundas Street, (also known as Block 5 of Draft Approved Plan 39T-12502), the proposed by-law, as appended to the staff report dated May 7, 2013, BE INTRODUCED at the Municipal Council meeting to be held on May 14, 2013, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a Holding Restricted Service Commercial Special Provision (h*h-11*RSC1(22)) Zone TO a Restricted Service Commercial Special Provision (RSC1(22)) Zone, to remove the "h" and "h-11" holding provision, subject to the registration of the subdivision plan prior to May 14, 2013. (2013-D14B)

7. Building Division Monthly Report for March 2013

That the Building Division Monthly Report for March 2013 BE RECEIVED. (2013-D00)

8. 5th Report of the Environmental and Ecological Planning Advisory Committee

That the 5th Report of the Environmental and Ecological Planning Advisory Committee from its meeting held on April 18, 2013 BE RECEIVED.

9. Properties located at 2800 Roxburgh Road and a portion of 635 Wilton Grove Road (Z-8164)

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the application of Miller Thomson, LLP, relating to the property located at 2800 Roxburgh Road and the easterly portion of the property located 635 Wilton Grove Road:

- a) the proposed by-law, as appended to the staff report dated May 7, 2013, BE INTRODUCED at the Municipal Council meeting to be held on May 14, 2013, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the property located at 2800 Roxburgh Road FROM a Light Industrial (LI1) Zone, which permits such uses as bakeries, business service establishments, manufacturing and assembly industries, pharmaceutical and medical products industries, printing, reproduction and data processing industries, research and development establishments, warehouse and wholesale establishments TO a Light Industrial (LI2) Zone, to permit any use permitted in the Light Industrial (LI1) Zone as well as such uses as dry cleaning and laundry plants, food, tobacco and beverage processing industries excluding meat packaging, leather and fur processing excluding tanning, repair and rental establishments, service and repair establishments and textile processing industries; and,
- b) the proposed by-law, as appended to the staff report dated May 7, 2013, BE INTRODUCED at the Municipal Council meeting to be held on May 14, 2013 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the easterly portion of the property located at 635 Wilton Grove Road FROM a Light Industrial (LI1) Zone, which permits such uses as bakeries, business service establishments, manufacturing and assembly industries, pharmaceutical and medical products industries, printing, reproduction and data processing industries, research and development establishments, warehouse and wholesale establishments TO a Light Industrial (LI2) Zone, to permit any use permitted in the Light Industrial (LI1) Zone as well as such uses as dry cleaning and laundry plants, food, tobacco and beverage processing industries, excluding meat packaging, leather and fur processing excluding tanning, repair and rental establishments, service and repair establishments and textile processing industries;

it being pointed out that there were no oral submissions made at the public participation meeting associated with this matter. (2013-D14A)

10. Property located at 433 Hyde Park Road

That, on the recommendation of the Manager, Development Services and Planning Liaison, the following actions be taken with respect to the Site Plan approval application by 1873739 Ontario Ltd. relating to the property located at 433 Hyde Park Road:

- a) the Approval Authority BE ADVISED that, at the public meeting of the Planning and Environment Committee held with respect to this matter, issues were raised with respect to the following:
 - i) landscaping;
 - ii) traffic and pedestrian safety;
 - iii) loss of privacy;
 - iv) loss of wildlife habitat;
 - v) insufficient parking; and,
 - vi) the height of the buildings;
- b) the Approval Authority BE ADVISED that the Municipal Council supports the granting of approval of the site plan application, as appended to the staff report dated May 7, 2013, for two (2) townhouse buildings containing nine (9) residential units in total, proposed at 433 Hyde Park Road; and,

- c) the financing for the project BE APPROVED in accordance with the “Estimated Claims and Revenues Report” provided as Appendix “A” to the associated staff report, dated May 7, 2013;

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

- Barry McCarthy, #21 – 455 Hyde Park Road – indicating that many of the concerns that were outlined in the staff presentation are concerns that he has; indicating that he has three main issues; advising that he is speaking on behalf of those that are not able to speak, that being the wildlife; noting that there is a wide variety of species living in the area, from the smallest animal to deer; advising that it bothers him that there is no consideration given to preserving the animals habitat; indicating that in 1997, a by-law was adopted relating to maintaining the heights of development within residential areas; expressing concern with the development of a two-storey development in a single storey area; noting that this area of Hyde Park Road is single storey buildings; advising that this is really poor aesthetically; advising that the area consists mostly of seniors; noting that a two-storey development is not compatible with seniors who have problems with stairs; indicating that the most important concern to him is the visual access of the proposed two-storey dwellings into his property; noting that there is not much distance between his property and the proposed properties; also noting that they will have access to his bedroom; further noting that when he is sitting on his deck, he will have the same visual access to their bedroom; advising that young trees are generally planted and that, by the time they are old enough to block visual access, he will not be around; indicating that canopy trees do not have leaves for a long time and that visual access will exist for 6 – 8 months; indicating that there is not enough parking on the west side of Hyde Park Road, as there are ball and soccer games held in the park; indicating that there is not enough parking in the park for parents and they park along Hyde Park Road; expressing concern that a child may dart between parked cars and into traffic; indicating that there is no additional parking proposed with this application; noting that he does not advocate that it be proposed; and advising that, if someone in the new development has more than a couple of guests, those cars will have to be parked on Hyde Park Road as well.
- Barbara Richardson, 1128 Mahogany Road - indicating that the development is literally in her backyard; reiterating the comments previously mentioned; indicating that it is a beautiful site with deer and a variety of animals; noting that it is a thoroughly forested area; advising that it is heartbreaking to see more development; indicating that she participated in the zoning debates that happened 10 years ago; advising that, at that time, the residents were assured that only one-floor residences would be built; advising that two-storey buildings are out of character with entire area on Hyde Park Road; expressing concern with the area in general and her privacy and safety; advising that the road into the site will be driving into her windows; noting that a fence has not been proposed; indicating that this will devalue her property, both financially and in her ability to enjoy her property; expressing concern about the swimming pool and the impact of noise potentially coming from the pool; indicating that she previously made a submission; and advising that she would like to reiterate the points made by the previous speaker as it is very risky to put such buildings in this area.
- Michelle Doornbosch, Zelinka Priamo Ltd., on behalf of the applicant – providing background on the zoning; noting that the site plan her firm has submitted complies with the current zoning regulations; advising that in 2004, site specific zoning was given to the proposed properties and the properties along Mahogany Road, to ensure that they are sympathetic to the existing residential properties to the west along Mahogany Road; advising that there is an increased rear yard setback and an increased landscaped open space; noting that they have met these requirements; advising that there is a maximum height of 7 metres for these properties and they comply with the maximum height restriction; indicating that there is a balance between the existing condominiums on Hyde Park Road and the existing two storey single family residences along Mahogany Road; and indicating that, along the easterly property line, the applicant will build a 1.8 m board fence as well as installing new landscaping that staff recommended. (2013-D11)

Motion Passed

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

Motion made by Councillor S.E. White to Approve clause 11.

11. Property located at 425 Wharncliffe Road South

That, on the recommendation of the Manager, Development Services and Planning Liaison, the following actions be taken with respect to the site plan approval application of Ontario Addiction Treatment Centres, relating to the property located at 425 Wharncliffe Road South:

- a) the Approval Authority BE ADVISED that, at the public meeting of the Planning and Environment Committee held with respect to this matter, issues were raised by the applicant's representatives with respect to their request to maintain the existing fence and the Civic Administration's request to remove the armour stone;
- b) the Approval Authority BE ADVISED that the north and south fences are to be constructed of wrought iron, the existing interior chain link fence be retained and the clear throat access be applied;
- c) the Approval Authority BE ADVISED that the Municipal Council supports the granting of approval of the ~~attached~~, revised, site plan and the site plan application to convert the existing used car dealership into a methadone clinic, dispensing methadone to a maximum of 200 clients per day; and,
- d) the financing for the project BE APPROVED in accordance with the "Estimated Claims and Revenues Report" contained in Appendix "A" as appended to the staff report dated May 7, 2013;

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

- Steven Cornwell, Zelinka Priamo Ltd, on behalf of the applicant – expressing concern with the staff recommendation to remove the existing four foot chain link fence across the south property line and replacing it with a six foot chain link fence; noting that a four foot fence is the standard that the City uses; advising that the applicant does not see the necessity of replacing an existing fence that is working fine; advising that a six foot chain link fence would look worse; indicating that the request for a higher fence does not address a specific issue and the applicant would like the Planning and Environment Committee to consider accepting the existing fence as appropriate for this site; advising that there have been a lot of comments about the large number of parking spaces on the site; pointing out that, contrary to what some believe, it is difficult for methadone service providers to find a suitable location consistent with their needs and that meet the City's policies for locating these facilities; indicating that the owners of the subject property had to make many sacrifices; indicating that there is no need to look at how much parking exists on this site and say that's an indication of the intensity of use that is going to go on here; advising that the Official Plan policies call for high quality and long-lasting materials to be used in fences, but what the policies do not specify, is the circumstances in which fencing is required; noting that it has not been the practice of the City to require fences between commercial properties in a corridor like Wharncliffe Road South; advising that, in fact the City's practice has been to encourage back and forth movements between commercial sites; noting that it is unclear what the purposes of the fences on the north and south sides of this property would actually serve because he does not believe that this City would require different treatment for people suffering from addictions than for any other of its citizens; advising that when you look at the requirement, you can say that the fences on the north and south side of this property meet with the provisions that the holding provision refers to in the Zoning By-law, neither of which are necessary from a planning perspective; and advising that there is no reason to suspect that a 6 foot fence would satisfy anything that a four foot fence would not.
- Alan R. Patton, Patton Cormier & Associates, on behalf of the applicant – see attached communication. (2013-D11)

At 5:50 PM, His Worship the Mayor places Councillor P. Hubert in the Chair, and takes a seat at the Council Board.

At 5:57 PM, His Worship the Mayor resumes the Chair, and Councillor P. Hubert takes his seat at the Council Board.

Motion made by Councillor D. Brown and seconded by Councillor N. Branscombe to Approve that part b) of clause 11 be amended to read as follows:

"b) the Approval Authority BE ADVISED that the north and south fences are to be constructed of wrought iron, at a height of 1.8m, the existing interior chain link fence is to be retained, the clear throat access is to be applied at a minimum of 6 metres, and decorative stones are to be permitted instead of armour stone;"

Motion Passed

YEAS: J.F. Fontana, W.J. Armstrong, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D. Brown, H.L. Usher, J.P. Bryant (9)

NAYS: B. Polhill, J.B. Swan, S. Orser, D.G. Henderson, P. Van Meerbergen, S.E. White (6)

Pursuant to section 12.3 of the Council Procedure By-law, Councillor P. Van Meerbergen calls for a separate vote on clause 11 b).

Motion made by Councillor D. Brown and seconded by Councillor N. Branscombe to Approve clause 11, as amended, excluding part b).

Motion Passed

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

Motion made by Councillor D. Brown and seconded by Councillor N. Branscombe to Approve clause 11 b), as amended.

Motion Passed

YEAS: J.F. Fontana, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D. Brown, H.L. Usher, J.P. Bryant (8)

NAYS: B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, D.G. Henderson, P. Van Meerbergen, S.E. White (7)

Motion made by Councillor B. Polhill to Approve clause 12.

12. Properties located at 3924 and 4128 Colonel Talbot Road (39T-12503/OZ-8052)

That, on the recommendation of the Manager of Development Services and Planning Liaison, the following actions be taken with respect to the appeals by Colonel Talbot Developments Inc., on the neglect by the Municipal Council to make a decision on the Official Plan and Zoning By-law amendment applications and the failure of the Approval Authority to make a decision on an application for subdivision approval concerning lands located at 3924 and 4138 Colonel Talbot Road:

- a) the Ontario Municipal Board BE ADVISED that the Municipal Council has reviewed the appeals and determined that a decision to approve the Official Plan amendment, Zoning By-law amendment and draft plan of subdivision applications, at this time, would be premature, and would not be in the public interest for the following reasons:
- i) the subject lands are located within the area affected by the Southwest Area Plan (OPA 541), which is currently under appeal. Land uses, road alignments and conditions of draft approval cannot be finalized for this plan of subdivision until such time as the land use policies and servicing requirements for the Southwest Area Plan are confirmed;
 - ii) conditions of draft approval cannot be formulated for sanitary servicing since there is no sanitary servicing available to service the proposed plan of subdivision. The Development Charge By-law (By-law C.P.-1473-212) and Growth Management Implementation Strategy, that are currently in effect, do not provide for financing to service the required sanitary works within the 20 year planning period;
 - iii) conditions of draft approval cannot be formulated for stormwater management because a storm/drainage and stormwater management (SWM) servicing Municipal Class Environmental Assessment (EA) is required prior to

consideration of this application, to confirm stormwater management requirements for this development and external lands. The Development Charge By-law (By-law C.P.-1473-212) and Growth Management Implementation Strategy, that are currently in effect, do not provide for financing to service the required storm/drainage and SWM works within the 20 year planning period;

- iv) collector road alignments and conditions of draft approval cannot be finalized for the proposed plan of subdivision until such time as the connecting alignments in the Southwest Area Plan have been confirmed. The collector road alignments in the proposed plan of subdivision are inconsistent with the collector road alignments in the Southwest Area Plan and the Traffic Impact Statement submitted with the revised plan of subdivision application, does not satisfy requirements in the Official Plan Traffic Assessment Guidelines;
 - v) the proposed plan of subdivision is not consistent with the Natural Heritage policies in Section 15 of the Official Plan or the Natural Heritage features delineated in the Southwest Area Plan. The Subject Lands Status Report/Scoped EIS, submitted with the revised application, has not been prepared in accordance with the requirements in Section 15.5 of the Official Plan. Also, the proposed plan of subdivision does not include the pathway corridor alignments as identified in the Bicycle Master Plan; and,
 - vi) based on the deficiencies identified with the proposed plan of subdivision, and the current status of the Southwest Area Plan, the proposed plan of subdivision is not consistent with the provisions in Section 1.6 and 2.1 of the Provincial Policy Statement, and Section 2 of the *Planning Act*;
- b) the City Solicitor and Managing Director of Development & Compliance Services and Chief Building Official BE DIRECTED to provide legal and planning representation at the Ontario Municipal Board hearing to support the position of Municipal Council; and,
 - c) the Civic Administration BE REQUESTED to continue discussions with the applicant relating to the application for draft plan of subdivision approval concerning lands located at 3924 and 4138 Colonel Talbot Road;

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

- Steve Stapleton, Auburn Developments, applicant – see attached presentation.
- Carol Wiebe, MHBC Planning Urban Design and Landscape Architecture, on behalf of York Developments – see attached presentation. (2013-L01)

Motion Passed

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

The Chair directs that clause 13 be considered in conjunction with clause 16.

Pursuant to section 18.6 of the Council Procedure By-law, clause 13 is submitted to the Municipal Council for its disposition.

Motion made by Councillor B. Polhill to Approve the following staff recommendation as it relates to clause 13 and to Approve clause 16:

13. Properties located at 1057, 1059 and 1061 Richmond Street (Z-8106)

That, on the recommendation of the Managing Director, Planning & City Planner, the following actions be taken with respect to the application of Romlex International Inc. relating to the properties located at 1057, 1059 and 1061 Richmond Street:

- a) the proposed by-law as appended to the staff report dated May 7, 2013 as Appendix "A", BE INTRODUCED at the Municipal Council meeting on May 14, 2013 to amend Zoning By-law No. Z.-1 in conformity with the Official Plan, to change the zoning of the subject lands FROM a Neighbourhood Facility (NF1) Zone and a Residential R2 Special Provision (R2-2(9)) Zone TO a Holding Neighbourhood Facility Special Provision Bonus

(h-5*h-*)NF1() Zone to continue to permit [Churches](#), [Elementary schools](#), [Community centres](#), [Day care centres](#), [Libraries](#), [Private schools](#), Fire stations, Private club and Police station subject to a Special Provision for a minimum parking area setback from a front/exterior lot line of 0.5m, a 0 meter parking area setback from the interior/rear property line, a minimum landscape open space of 10% and to add a Bonus Zone to permit a maximum of 14 residential units within the existing building located at 1061 Richmond Street as a permitted use and regulations that: limit the maximum number of bedrooms per unit to 4, permit a maximum of one (1) four bedroom unit, permit a minimum of nine (9) two bedroom units, with a maximum density of 76.6 units per hectare, including holding provisions to ensure that development takes a form compatible with adjacent land uses, agreements shall be entered into following public site plan review and for the protection of the public right-of-way corridor, which shall be implemented through a development agreement in return for the provision of the following services facilities and matters:

- the preservation of the heritage structure on the property located at 1061 Richmond Street through its designation under the Ontario Heritage Act
 - a 1.2 m (4 feet) in height, masonry wall matching the materials and architectural expression of the existing building located at 1061 Richmond Street, supplemented with high quality landscaping, to provide for screening of the parking area along the majority of the Richmond Street frontage;
- b) subject to policy 19.1.1 iii) of the Official Plan where *‘Minor variations from numerical requirements in the Plan may be permitted by Council without an Official Plan amendment, provided that the general intent and objectives of the Plan are maintained,* the requested density of 76.6 unit per hectare BE INTREPRETED to conform to the policies of the Official Plan; and
- c) the London Advisory Committee on Heritage BE REQUESTED to review the plans submitted as part of the Zoning By-law amendment application and consider the reasons for designation that have been prepared for the property to date, noting that future Richmond Street right-of-way requirements may necessitate the removal of the staircase which is located in the road allowance;

it being noted that the Planning and Environment Committee reviewed and received a communication, dated May 1, 2013, from W. Pol, Pol Associates Inc., with respect to this matter;

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

- Richard Zelinka, Zelinka Priamo Ltd., on behalf of the applicant – expressing general support for the staff recommendations; indicating that there is no need for the holding provision for the front staircase; advising that the front staircase is clearly on the municipal road allowance and the municipality can remove it any time it needs the right-of-way; reiterating that there is no need for the holding provision on the front staircase; advising that the design of the building is such that the staircase is not necessary for the function of the building as the ground units access the side entrance; advising that the second holding provision deals with the details of site plan; noting that the main portion of the site plan is known, being the church; noting that no other buildings are being proposed to be built on this site; advising that the other site plan details are parking, access and the laneway; asking the Planning and Environment Committee to support the other elements of the staff recommendation as this is an efficient and effective reuse of an important building in the streetscape; advising that the intensification is fully within the parameters of the City’s Official Plan, even without the bonusing; advising that the bonusing provides the Municipal Council with extra control to ensure that things are done in a particular way; advising that the intensity that is being sought is an intensity that is permissible under the Low Density Residential designation that applies to this property without bonusing; indicating that this approach is an acceptable one where there is a heritage building; noting that the approach that is being taken ties the use to the building in an appropriate matter; advising that the comment was made to refer the matter back to staff, noting that the Municipal Council has already referred this matter back to staff for specific matters to be dealt with; advising that the applicant has agreed to a number of improvements to the laneway; indicating that the matter of traffic in and out on Richmond Street was dealt with by the City’s Transportation staff and lead to the recommendation before Committee today; advising that people will not be crammed into the basement; noting that there will only be three units in the basement; advising that the demolition of 203 Sherwood Avenue is no longer part of the application; advising that the church is not to be considered as a single family residence; noting that churches are not

prezoned in all single family residential areas because they have locational criteria and they are intensive uses; indicating that what is being proposed is a residential use fully in keeping with Low Density Official Plan Policies, as well as in keeping with the Provincial Policy Statement; noting that the Policies promote the preservation of buildings of cultural heritage merit; indicating that this is not a blockbusting precedent; noting that this is a unique situation on Richmond Street indicating that Neighbourhood Character or Neighbourhood Compatibility statements were prepared at the outset of the application; advising that the neighbourhood plan has downsides, as it will be uneconomical and will not retain the church; indicating that preserving the church will provide a neighbourhood benefit; noting that the church is being preserved as it is with minor changes; further noting that it is too expensive to maintain a slate roof; indicating that the stained glass windows are still remaining; indicating that the neighbours and the applicant would like to see a high class upscale development, which cannot be achieved by reducing the number of units; advising that the application is for mostly two bedroom units; indicating that this is not student housing; advising that the costs to renovate the church are such that it is out of the students price range; advising that these units will command a high price as they are in a desirable location; reiterating that this proposal is within the Official Plan policies; indicating that this application fulfills the intent for the North London policies; and requesting that the staff recommendation be passed.

- William Pol, Pol Associates Inc., on behalf of the area residents – see attached presentation
- Paul Adams, 191 Sherwood Avenue – showing a video presentation prepared by M.A. Colihan, 191 Sherwood Avenue.
- Michael Backx, 192 Sherwood Avenue – advising that the residents did not oppose the residential use for this site, they oppose the application because it is too intense; indicating that the issue on this application is intensity and how many units should be permitted; advising that the issues relating to this application, such as parking and traffic, just to name two, are related to intensity; advising that, simply put, there are too many units proposed; indicating that, in the church the applicant proposes 14 units with 34 bedrooms; indicating that a number of the residents are proposing 6 units, with 3 bedrooms each, for a total of 18 bedrooms; advising that the issue is 14 units versus 6 units, in other words 34 bedrooms versus 18 bedrooms; advising that the residents proposal conforms to the Official Plan and represents good land use planning; requesting the Planning and Environment Committee to consider the residents proposal; advising that the application is contrary to everything that the City Council has done in North London; advising that the issue of intensity in this area has been on every Council's agenda for decades; indicating that Council and the City have undertaken numerous reports, attended countless Ontario Municipal Board hearings and spent thousands of dollars in staff time studying issues directly related to the intensity of this area; advising that there is the Richmond Street Corridor Plan, which studied Richmond Street from Grosvenor Street to Park Hill Avenue and the purpose of which was to preserve the Low Density Residential character despite pressures of multi-unit residential and office conversion uses; advising that there was also a North London Residential Study which dealt with addressing pressure relating to residential intensity and resulted in zoning amendments to address intensity, including the imposition of more area ratios and parking regulations; advising that, more recently, there was the Greater Near Campus Neighbourhood Strategy, which was done to address issues related to residential intensification in this area; advising that zoning amendments arising from this study include the three bedroom limit which the City will be defending to the Ontario Municipal Board in June; indicating that, despite all of these studies and years of problems and countless Ontario Municipal Board hearings in an area whose primary concern has always been intensity, the Planners are recommending a proposal that will exceed the maximum density permitted in the Official Plan; indicating that the neighbourhood is simply at a loss, hence why they looked for outside advice; indicating that they have 14 units and 13 bedrooms, with a maximum density of 75 units per hectare; reiterating that it is too much and is not of the scale which is compatible with the neighbourhood; advising that this is a blockbuster precedent; advising that there is nothing like this on Richmond Street; indicating that on Richmond Street, between Grosvenor Street and Huron Street, there is no other residential properties that, meet, exceed or come even close to the maximum density in the Official Plan of 75 units per hectare or that have 14 residential units; pointing out that there are none with more than four residential units; advising that the application has also included tearing down a heritage home on Richmond Street which will leave a large, gaping hole in the landscape; advising that in the Official Plan, it says that conversions done in this area are to be done through conservation and rehabilitation of existing housing stock; noting that he does not see how that fits with tearing down homes, especially heritage homes; indicating that there was a suggestion to install a brick wall in place of the demolished home; advising that this is not good urban design; indicating that there are no brick walls

on Richmond Street between Grosvenor Street and Huron Street; enquiring if this is to be the new standard, brick walls in front of parking lots all along Richmond Street; enquiring if this is the face of Avenue Road in Toronto to which the applicant alluded to in February; indicating that there is nothing in the Planning report to justify how the Planners arrived at the maximum density; indicating that the Planning report justifying 76.6 units per hectare to keep the church, is not a reasonable bonus or density; advising that they are at a loss as to how Planning staff can justify this amount; indicating that if the proposal is to be compatible, the starting point for the density would be the surrounding neighbourhood residential units, which he understands to be 35 units per hectare, not the maximum of 75 units per hectare; indicating that they met with city staff on this matter and the staff did not provide the residents with an answer; advising that they are not aware of any obligation in land use planning to suggest that the City must go to the maximum density; advising that there was no neighbourhood character statement and no compatibility report done by the applicant, as required under the Official Plan, for intensification; indicating that these reports are critical to good planning and that is why they are included in the Official Plan; indicating that these reports would have highlighted the incompatibility of this development on the neighbourhood; advising that the Official Plan is clear, for intensification, a proposal must be compatible with the surrounding neighbourhood; advising that there are 12 residential units, in total, on Sherwood Avenue; noting that this proposal is for 14 residential units, which more than doubles the existing intensity; indicating that concerns have been expressed by the neighbours and even the City, about traffic, access and parking; noting that all of these issues stem from intensity or the number of units; if the traffic is too much for ingress and egress on Richmond, then simply put, it is too intense; noting that if it is too much for Richmond Street, then it is too much for Sherwood Avenue, which is a one block, dead-end substandard street; advising that the impacts need to be contained on the site and if they cannot be, then the proposal is simply too intense; reiterating that the application is too intense, that it is contrary to everything that the City has done to protect this area; indicating that neighbourhoods are the fabric of our communities; requesting that neighbourhoods be protected, not destroyed; and asking that the Planning and Environment Committee refuse this application.

- Sid Noel, 196 Sherwood Avenue – indicating that the aspect of the planning proposal that most affects life on Sherwood Avenue is whether or not access to the laneway from the development is permitted, if it does, it will create serious deterioration in the quality of life on the street; noting that it is a narrow street, without a turning circle at the end; indicating that it is totally inappropriate to have traffic directed into Sherwood Avenue in connection with this proposal; requesting the Planning and Environment Committee turn to page 9 of the staff report, at the top, where it states “the parking access will be directed towards Richmond Street instead of Sherwood Avenue”; commending the planning staff for realizing the importance of this point and expressing support for this part of the staff report; indicating that the staff report opposes placing bollards at the rear of the property, by saying that the blockage would result in added vehicular impact on Sherwood Avenue from vehicles travelling north on Richmond Street and turning left onto Sherwood Avenue and using the street to u-turn, so that they could enter the parking lot with right-in, right-out access onto Richmond Street; advising that this entire passage is premised on the notion that only right-in, right-out access will be permitted with even a raised median to be placed on Richmond Street to prevent left turns; enquiring as to why should this relatively small parking lot for the Robinson Memorial Church proposal be treated differently than other lots on Richmond Street; indicating that the Planning and Environment Committee should be aware that there are numerous parking lots along Richmond Street that have unrestricted access and there is no special problem with any of them, to site a few examples, there is the CIBC parking lot just north of the Oxford Street/Richmond Street intersection; noting that this is a busy parking lot during business hours; the Chabbad House parking lot at 1114 Richmond Street, which is now a student centre, formerly a Greek Orthodox church, has a parking lot far larger than the one proposed for this redevelopment and it has unrestricted in and out access onto Richmond Street; noting that the high rise apartment blocks north of the University Gates, each with unrestricted entry and exit; notwithstanding the reservations of the Transportation staff, urging the Planning and Environment Committee to consider treating this access to the parking lot like all of the other access points along the street; advising that imposing a restriction on Robinson Memorial United Church redevelopment only is an unnecessary complication and completely at odds with the treatment of other parking lots that have exit/entry onto Richmond Street; reiterating that not directing traffic onto Sherwood Avenue is the key part of the planning staff’s report; and noting that, if this can be accomplished, it would be a major step towards preserving the quality of life on Sherwood Avenue.
- Steve Harris, 201 Sherwood Avenue – suggesting that the safety of children be the baseline issue and the top priority; advising that he is requesting, on behalf of the

families with children on the street, that common sense rule as someone could be injured or killed on this lane due to the increased traffic that would be part of the new development; advising that the solution is simple, please keep automobile access for this development along Richmond Street; and requesting to please close the west end of the parking lot so that traffic cannot enter or exit at the lane.

- Brian Luckman, 1069 Richmond Street – advising he is the former owner of 203 Sherwood Avenue and sold it to Jane Bigelow many years ago; indicating that he and his wife have raised two children on this street at a time when all the young children lived at the Richmond Street end and not the other end of the street; expressing support for the restriction of the ingress into Sherwood Avenue to allow any attempt at parking as it will make living in their place completely unsustainable; noting that they already have major problems with people turning around in their driveway at all hours of the day and night; and noting that this will only make it much worse.
- Pollyanna McClinton, 194 Sherwood Avenue – expressing concern for the safety of the children on Sherwood Avenue; noting that they play hockey and baseball on the street; advising that the lane is used daily by all the children going to school or to the park; and requesting that the Planning and Environment Committee consider the residents quality of life.
- Jim Waters - advising that he previously resided at 1059 Richmond Street, which has been demolished; reiterating that access to the lane and the street be denied; and advising that he spoke at the previous public participation meeting with respect to this matter. (2013-D14A)

16. Properties located at 1057, 1059 and 1061 Richmond Street

That the Approval Authority BE ADVISED that the Municipal Council supports the rights-in, rights-out access onto Richmond Street and the denial of access to the laneway, as it relates to the properties located at 1057, 1059 and 1061 Richmond Street.

Motion made by Councillor N. Branscombe and seconded by Councillor J.P. Bryant to Amend clause 13 to permit a maximum of 8 +1 residential units within the existing buildings located at 1057, 1059 and 1061 Richmond Street as a permitted use and regulations that: limit the maximum bedrooms per unit of 3, with a maximum density of 45 units per hectare.

Councillor S.E. White leaves the meeting at 6:11 PM.

Motion made by Councillor M. Brown and seconded by Councillor S. Orser to Approve that clauses 13 and 16 BE REFERRED back to staff to work with the applicant to address the following matters:

- a) prohibiting access to the site from the laneway;
- b) provision for all-way turns into and out of the site;
- c) removal of uses from the base Neighbourhood Facility Zone that are not desired by the applicant;
- d) exploration of opportunities to reduce density and bedrooms on the site, with consideration given to compatible density suggestions; and
- e) revision of the urban design brief to address the revised project proposal.

At 6:25 PM, His Worship the Mayor places Councillor P. Hubert in the Chair, and takes a seat at the Council board.

At 6:31 PM His Worship the Mayor resumes the Chair, and Councillor P. Hubert takes his seat at the Council board.

Motion made by Councillor N. Branscombe and seconded by Councillor J.B. Swan to Approve the motion to refer be Amended in part d) by deleting the words "compatible density suggestions" and by replacing them with the words "a maximum density of 45 units per hectare, that is compatible and reflective of the character of the existing neighbourhood".

The motion to Amend the motion to refer is put.

Motion Passed

YEAS: W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, P. Hubert, D. Brown, H.L. Usher, J.P. Bryant (9)

NAYS: J.F. Fontana, B. Polhill, M. Brown, D.G. Henderson, P. Van Meerbergen (5)

The motion to Refer, as amended, is put.

Motion Passed

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

NAYS: B. Polhill (1)

The motion to Refer, as amended, reads as follows:

Referred back to staff to work with the applicant to address the following matters:

- a) prohibiting access to the site from the laneway;
- b) provision for all-way turns into and out of the site;
- c) removal of uses from the base Neighbourhood Facility Zone that are not desired by the applicant;
- d) exploration of opportunities to reduce density and bedrooms on the site, with consideration given to a maximum density of 45 units per hectare, that is compatible and reflective of the character of the existing neighbourhood; and
- e) revision of the urban design brief to address the revised project proposal.

Motion made by Councillor B. Polhill to Approve clause 14.

14. Blackfriars/Petersville Neighbourhood Planning Options

That, the following actions be taken with respect to the Blackfriars/Petersville neighbourhood:

- a) the report, dated May 7, 2013, from the Managing Director, Corporate Services and City Solicitor, relating to the planning options for the Blackfriars/Petersville neighbourhood BE RECEIVED;
- b) the London Advisory Committee on Heritage BE REQUESTED to consider the Blackfriars/Petersville neighbourhood as the next potential Heritage Conservation District on the list of potential Heritage Conservation Districts as maintained by the London Advisory Committee on Heritage;
- c) the London Advisory Committee on Heritage BE REQUESTED to recommend the hiring of a Consultant to prepare a study for the Blackfriars/Petersville Neighbourhood, generally bounded by the Canadian Pacific Railway to the north, the Thames River to the east and south and the floodplain boundary to the west, and as shown on Schedule "A" as appended to the staff report dated May 7, 2013, to determine whether areas within the Blackfriars/Petersville area meet the Official Plan criteria and the Ontario Heritage Act criteria with respect to the creation of a heritage conservation district under Section 42 of the Ontario Heritage Act;
- d) the Civic Administration BE DIRECTED to undertake a concurrent study to consider a City initiated Zoning By-law Amendment to rezone the subject area from a Residential R2 zone to a Residential R1 Zone;

it being noted that staff will report back regarding possible changes to the staff workplan that may be required to undertake the zoning study identified above;
- e) that NO ACTION be taken with respect to an Interim Control By-law for the Blackfriars/Petersville area;
- f) the proposed draft by-law, as appended to the staff report dated May 7, 2013, BE INTRODUCED at the Municipal Council meeting to be held on May 14, 2013, for the purpose of revoking the delegated authority for site plan approval for the property located at 108 Wilson Avenue; and,
- g) a special meeting of the Planning and Environment Committee BE HELD on Tuesday, May 7, 2013 at 2:30 PM to receive advice from the London Advisory Committee on Heritage, the Managing Director of Planning and City Planner and the Managing Director of Corporate Services and City Solicitor, with respect to the potential designation of the Blackfriars/ Petersville area as a heritage conservation study area by by-law, pursuant to Section 40.1(1) of the Ontario Heritage Act;

it being pointed out that the Planning and Environment Committee heard verbal presentations from the Manager, Land Use Planning Policy, the Managing Director, Corporate Services and City Solicitor, the Manager, Development Services & Planning Liaison and the attached presentation from K. Bice, 2 Leslie Street, on behalf of the Blackfriars community, with respect to this matter. (2013-R01)

Motion Passed

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

12th Report of the Planning and Environment Committee
Councillor B. Polhill presents.

Motion made by Councillor B. Polhill to Approve clause 2.

2. Blackfriars/Petersville Neighbourhood Planning Options/6th Report of the London Advisory Committee on Heritage

That, the following actions be taken with respect to the 6th Report of the London Advisory Committee on Heritage (LACH) from its meeting held on May 8, 2013:

- a) on the recommendation of the Managing Director, Planning and City Planner, with the concurrence of the Heritage Planner, the Blackfriars/Petersville Neighbourhood BE PRIORITIZED as the next potential Heritage Conservation District on the list of potential Heritage Conservation Districts (Heritage Places: A Description of Potential Heritage Conservation Areas in the City of London, 1993);

it being also noted that the Planning and Environment Committee was advised by the Manager, Policy Planning and Programs, that the Municipal Council, at its meeting held on June 20, 2011, identified SoHo as the next Heritage Conservation District (HCD); noting that the Managing Director, Planning and City Planner's report, dated May 8, 2013, indicates that SoHo is sixth on the list of potential HCD's;

- b) a study of the Blackfriars/Petersville Neighbourhood BE UNDERTAKEN for the purpose of designating a heritage conservation district in accordance with the Terms of Reference appended as Schedule "B" of the staff report dated May 8, 2013; and,
- c) subject to the approval of parts a) and b), above, the attached, revised, by-law to designate the Blackfriars/Petersville Neighbourhood heritage conservation study area BE INTRODUCED at the Municipal Council meeting to be held on May 14, 2013, to designate a heritage conservation district study area for the Blackfriars/Petersville neighbourhood;

it being noted that the London Advisory Committee on Heritage (LACH) reviewed and received a Report, dated May 8, 2013, from the Managing Director, Planning and City Planner, and heard a verbal delegation from G. Barrett, Manager, Policy Planning and Programs, with respect to this matter;

- d) on the recommendation of the Managing Director, Land Use Planning and City Planner, with the advice of the Heritage Planner, the Heritage Alteration Permit Application of M. Schiller/A. Schiller requesting permission for an change to the cladding on the designated heritage property located at 142 Kent Street BE APPROVED; it being noted that the Heritage Planner has reviewed the proposed change and has advised that the impact of such alteration on the heritage features of the property identified in the reasons for designation, while not negligible, is reversible; it being noted that the London Advisory Committee on Heritage (LACH) heard a verbal delegation from A. Schiller with respect to this matter; it being further noted that the Staff report relating to this matter was provided to the LACH at its March 13, 2013 meeting; and,
- e) that clauses 3 through 15, inclusive, of the 6th Report of the LACH, BE RECEIVED.

Motion Passed

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

Motion made by Councillor B. Polhill to Approve clauses 1 and 3.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

3. Heritage Conservation Districts

That, the Civic Administration BE DIRECTED to report back at a future meeting of the Planning and Environment Committee with respect to the potential of undertaking concurrent Heritage Conservation Districts, on the list of potential Heritage Conservation Districts (Heritage Places: A Description of Potential Heritage Conservation Areas in the City of London, 1993), including sources of financing and the procedure for undertaking this initiative; it being noted that the Planning and Environment Committee heard verbal presentations from the Manager, Policy Planning and Programs and the Heritage Planner, with respect to this matter.

Motion Passed

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

11th Report of the Planning and Environment Committee (continued)
Councillor B. Polhill presents.

Motion made by Councillor B. Polhill to Approve clause 15.

15. Hazelden Park

That the Civic Administration BE REQUESTED to review the amount of parking in Hazelden Park and look for potential opportunities to expand the existing parking lot; it being noted that cars are parking along Hyde Park Road during ball games and soccer games.

Motion Passed

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

Motion made by Councillor M. Brown and seconded by Councillor J.L. Baechler to Recess.

Motion Passed

Council recesses at 6:58 PM and reconvenes at 7:40 PM with Mayor J.F. Fontana in the Chair and all Members present except Councillor S.E. White.

9th Report of the Community and Protective Services Committee
Councillor D. Brown presents.

Motion made by Councillor D. Brown to Approve clauses 1 to 7.

1. Disclosures of Pecuniary Interest

That it BE NOTED that Councillor J.P. Bryant disclosed a pecuniary interest in clause 5 of this Report, having to do with the 5th Report of the London Housing Advisory Committee, as it relates to the recommendation related to the Residential Rental Unit Licensing By-law, by indicating that she owns a rental unit.

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

That the 4th Report of the London Diversity and Race Relations Advisory Committee, from its meeting held on April 18, 2013, BE RECEIVED.

3. No. 7 Fire Station Relocation Project No. F07-PP1089 Tender No. 13-51

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer and the Fire Chief, the following actions be taken with respect to the No. 7 Fire Station Relocation Project No. F07-PP1089 (Tender No. 13-51):

- a) the bid submitted by Graceview Enterprises Inc., 50432 Yorke Line, RR1, Belmont, Ontario N0L 1B0, at its tendered price of \$1,824,000.00 (HST excluded) for No. 7 Fire Station Relocation, BE ACCEPTED; it being pointed out that the bid submitted by Graceview Enterprises Inc. was the lowest bid received and meets the City's specifications and requirements in all areas;
- b) the financing for this project BE APPROVED as set out in the Sources of Financing Report attached to the staff report dated May 6, 2013;
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts which are necessary in connection with this project;
- d) the approval given herein BE CONDITIONAL upon the Corporation entering into a formal contract with the contractor for the work; and
- e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2013-L04A)

4. Fence By-law Amendments

That, on the recommendation of the Managing Director, Development and Compliance Services & Chief Building Official, the proposed by-law appended to the staff report dated May 6, 2013 BE INTRODUCED at the Municipal Council meeting of May 14, 2013, to amend the Fence By-law, PS-6, to for the purpose of addressing public safety. (2013-C01)

5. 5th Report of the London Housing Advisory Committee

That the following actions be taken with respect to the 5th Report of the London Housing Advisory Committee (LHAC), from its meeting held on April 10, 2013:

- a) on the recommendation of the LHAC, the Municipal Council BE ADVISED that the LHAC expressed its support for the administration and enforcement of the Residential Rental Units Licensing By-law, with a focus on addressing substandard housing conditions proactively, protecting amenities, character and stability of residential areas and ensuring compliance with the Fire Protection and Promotion Act; and,
- b) clauses 2 to 5 BE RECEIVED.

6. Request for Delegation Status - Guaranteed Designs

That the following actions be taken with respect to the request for delegation status from S. Charles, Guaranteed Designs to request an amendment to the Sign and Canopy By-law related to the property located at 1064 Western Road:

- a) the request for delegation status BE NOTED AND FILED; it being noted that a new sign by-law is scheduled to be brought forward at a future meeting of the Community and Protective Services Committee and public comments will be received at that time; and,
- b) the additional correspondence from M. Shahabi, with respect to this matter BE RECEIVED.

7. Request for Delegation Status - Youth Create Healthy Communities

That the following actions be taken with respect to the request for delegation status from Youth Create Healthy Communities, related to a proposed student bus pass subsidy from the City of London:

- a) the request for delegation status BE NOTED AND FILED; and,
- b) the Civic Administration BE DIRECTED to arrange a meeting with the local Members of the Legislative Assembly of Ontario, as soon as possible, in for the matter of income

redistribution to be further discussed in order to facilitate a program such as the one proposed above.

Motion Passed

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

13th Report of the Corporate Services Committee
Councillor J.P. Bryant presents.

Motion made by Councillor J.P. Bryant to Approve clause 1.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

Motion Passed

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

14th Report of the Corporate Services Committee
Councillor J.P. Bryant presents.

Motion made by Councillor J.P. Bryant to Approve clauses 1 to 8, excluding clauses 2, 5, and 7.

1. Disclosures of Pecuniary Interest

That it BE NOTED that Councillor J.P. Bryant disclosed a pecuniary interest in clause 2 of this Report having to do with Western University's Strategic Plan by indicating that her spouse is on the faculty of Western University.

3. City Initiated Assessment Appeals

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, staff BE AUTHORIZED to proceed with appeals under the Assessment Act for the properties as set out in Schedule "A" appended to the staff report dated May 7, 2013.

4. Voluntary Donations to a Municipality

That the following actions be taken with respect to voluntary donations to the City of London:

- a) the City of London's current practices with respect to donations to the City of London BE AFFIRMED; and
- b) the Civic Administration BE REQUESTED to update the City of London's website to make reference to the ability to make a donation to the City of London, in keeping with current practices.

6. City of London Days - Budweiser Gardens

That, on the recommendation of the City Clerk, notwithstanding Council Policy 3(8) – Policy for City Events at Budweiser Gardens, which restricts a group from having more than two event days over a five year consecutive period, the request from the United Way Campaign to host the annual United Way Campaign Launch & 3M Harvest Lunch on September 19, 2013 BE APPROVED as a City of London Day at the Budweiser Gardens; it being noted that only one other request has been received for 2013.

8. Additional Information Regarding Training Expenditures for London Hydro Board Members

That the City Clerk BE REQUESTED to review the appointment process for the City of London's appointees to its local boards and commissions, with a view to ensuring the process

provides for consideration of the qualifications of applicants and that any necessary changes to the appointment process are made prior to the commencement of the new Council term; it being noted that the Corporate Services Committee received a communication dated April 10, 2013, from V. Sharma, Chief Executive Officer, London Hydro Inc., with respect to the training expenditures for a board member for London Hydro.

Motion Passed

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

Motion made by Councillor N. Branscombe Approve clause 2.

2. Western University's Strategic Plan

That the Mayor and the City Manager BE REQUESTED to advise Western University that, further to the letter dated April 24, 2013 from the Mayor and the City Manager providing input on Western University's strategic plan, the City of London has an interest in connecting international students within the Downtown core through a graduate program; it being noted that the Corporate Services Committee received an information report from the City Manager with respect to this matter.

Motion Passed

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

RECUSED: J.P. Bryant (1)

Motion made by Councillor J.P. Bryant to Approve clause 5.

5. Annual Meeting Calendar

That, on the recommendation of the City Clerk, the annual meeting calendar for the period December 1, 2013 to December 31, 2014, as appended to the staff report dated May 7, 2013, BE APPROVED; it being understood that adjustments to the calendar may be required from time to time in order to accommodate special meetings or changes to governing legislation.

Motion made by Councillor J.L. Baechler and seconded by Councillor S. Orser to Amend the annual meeting calendar to move the SPPC meeting of February 13 to February 10, 2014.

Motion Passed

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

Motion made by Councillor N. Branscombe and seconded by Councillor J.P. Bryant to Amend clause 5 by revising the annual meeting calendar to include the following new meeting dates:

Dearness Committee of Management:

Thursday, January 23, 2014 at Noon
Thursday, March 27, 2014 at Noon
Wednesday, June 25, 2014 at Noon
Thursday, September 18, 2014 at Noon

Audit Committee:

Thursday, February 13, 2014 at 4:00 PM
Thursday, June 26, 2014 at 4:00 PM
Thursday, September 25, 2014 at 4:00 PM
Thursday, December 11, 2014 at 4:00 PM

Motion Passed

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

NAYS: P. Hubert (1)

Motion made by Councillor J.L. Baechler and seconded by Councillor D. Brown to Approve clause 5, as amended.

Motion Passed

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

Motion made by Councillor J.P. Bryant to Approve clause 7.

7. Welcoming the World to London Campaign

That, on the recommendation of the City Manager, and the Managing Director, Corporate Services and Chief Human Resources Officer, the report dated May 7, 2013 with respect to the Welcoming the World to London Campaign BE RECEIVED for information; it being noted that there will be a future report regarding next steps and the costs associated therewith; it being further noted that the Corporate Services Committee heard a verbal delegation from the Director of Corporate Communications with respect to this matter.

Motion Passed

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

10th Report of the Civic Works Committee
Councillor P. Van Meerbergen presents.

Motion made by Councillor P. Van Meerbergen to Approve clauses 1 to 9.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. 2013 Infrastructure Lifecycle Renewal Program Contract 3: Dreaney Avenue and King Edward Avenue Reconstruction Project (Tender No. 13-13)

That, on the recommendation of the Managing Director, Environmental & Engineering Services & City Engineer, the following actions be taken with respect to the award of contracts for the 2013 Lifecycle Renewal Program, Contract #3: Dreaney Avenue and King Edward Avenue Reconstruction Project (ES2414-13, EW3765-13, ES3055):

- a) the bid submitted by Omega Contractors Inc. (Omega), 4104 Breck Avenue, London, Ontario, N0M 2A0, at its tendered price of \$1,768,850.15 (excluding H.S.T.), for the 2013 Infrastructure Lifecycle Renewal Program, Contract #3 project, BE ACCEPTED; it being noted that the bid submitted by Omega was the lowest of eight bids received and meets the City's specifications and requirements in all areas;
- b) R.V. Anderson Associates Limited (RVA), #200-557 Southdale Road East, London, Ontario, N6E 1A2, BE AUTHORIZED to carry out the resident inspection and contract administration for the said project in accordance with the estimate, on file, at an upset amount of \$203,500.00 (excluding H.S.T.) based upon the Fee Guideline for Professional Engineering Services recommended by the Ontario Society of Professional Engineers, and in accordance with Section 15.2 (g) of the City of London's Procurement of Goods and Services Policy; it being noted that this firm completed the engineering design for the project;
- c) minor future additional annual operating costs of \$500.00 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 Water &

Wastewater Operating Budgets;

- d) the financing for this project BE APPROVED as set out in the Sources of Financing Report appended to the staff report dated May 6, 2013;
- e) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project;
- f) the approval given herein BE CONDITIONAL upon the Corporation entering into a formal contract or issuing a purchase order for the material to be supplied and the work to be done relating to this project (Tender 13-13); and,
- g) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2013-L04A)

3. 2013 Infrastructure Lifecycle Renewal Program Contract 8: Manitoulin Drive Reconstruction (Tender No. 13-25)

That, on the recommendation of the Managing Director, Environmental & Engineering Services & City Engineer, the following actions be taken with respect to the award of contracts for the 2013 Lifecycle Renewal Program, Contract #8: Manitoulin Drive Reconstruction Project (ES2414-12, EW3765-13, TS3014-13, TS3037-13):

- a) the bid submitted by Aar-Con Excavating, 10998 Longwoods Road, Delaware, ON, N0L 1E0, at its tendered price of \$1,834,911.50 (excluding H.S.T.), for the 2013 Infrastructure Lifecycle Renewal Program, Contract #8 project, BE ACCEPTED; it being noted that the bid submitted by Aar-Con Excavating was the lowest of eleven bids received and meets the City's specifications and requirements in all areas;
- b) the financing for this project BE APPROVED as set out in the Sources of Financing Report appended to the staff report dated May 6, 2013;
- 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 13-25); and,
- e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2013-L04A)

4. 2013 Arterial Road Rehabilitation - Contract - '2' (Tender 13-35)

That, on the recommendation of the Managing Director, Environmental & Engineering Services & City Engineer, the following actions be taken with respect to the award of the contract for the 2013 Arterial Road Rehabilitation - Contract '2' (TS1446-11 & 12):

- a) the bid submitted by Dufferin Construction Company, 2200 Jetstream Rd, PO Box 189, London, ON, N6A 4V7, at its submitted tendered price of \$2,872,006.64 (excluding H.S.T.), for the 2013 Arterial Road Rehabilitation - Contract '2', BE ACCEPTED; it being noted that the bid submitted by Dufferin Construction Company was the lowest of two (2) bids received and meets the City's specifications and requirements in all areas; it being further noted that there is no anticipated additional operating costs to the Environmental and Engineering Services budget in 2014 and subsequent years associated with approval of this tender;
- b) the financing for this project BE APPROVED as set out in the Sources of Financing Report appended to the staff report dated May 6, 2013;
- 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 13-35); and,
- e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other

documents, if required, to give effect to these recommendations. (2013-L04A)

5. Sherwood Forest Weeping Tile Disconnect Internal and External Works (ES2680) (Tender No. 13-49 and 13-22)

That, on the recommendation of the Managing Director, Environmental & Engineering Services & City Engineer, the following actions be taken with respect to the award of contracts for the Sherwood Forest Weeping Tile Disconnect Internal & External Works (ES2680):

- a) the bid submitted by All Season Excavating, 8513 Churchill Line, Watford, ON, N0M 2S0, at its tendered price of \$172,240.00 (excluding H.S.T.), for the construction of the Sherwood Forest Weeping Tile Disconnect Internal Works, BE ACCEPTED; it being noted that the bid submitted by All Season Excavating was irregular (sole bid received) but came in below the estimate, meets the City's specifications and requirements in all areas, and All Season Excavating was one of five contractors that prequalified to bid;
- b) the bid submitted by All Season Excavating, 8513 Churchill Line, Watford, ON, N0M 2S0, at its tendered price of \$305,167.50 (excluding H.S.T.), for the construction of the Sherwood Forest Weeping Tile Disconnect External Works, BE ACCEPTED; it being noted that the bid submitted by All Season Excavating was the lowest of seven bids received and meets the City's specifications and requirements in all areas;
- c) the Civic Administration BE AUTHORIZED to provide an allotment of \$1,000.00 to each homeowner that participates in the weeping tile disconnection program (total of \$28,000.00) to cover future operating and maintenance costs for the sump pump;
- d) the financing for this project BE APPROVED as set out in the Sources of Financing Report appended to the staff report dated May 6, 2013;
- e) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project;
- f) the approval given herein BE CONDITIONAL upon the Corporation entering into a formal contract or issuing a purchase order for the material to be supplied and the work to be done relating to this project (Tender 13-49 & 13-22); and,
- g) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2013-LO4B)

6. On-Street Boulevard Cafe Permit Program

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken to permit the use of on-street municipal parking spaces for boulevard cafes in the Downtown:

- a) the ~~attached~~ revised on-street boulevard cafe principles for the use of on-street municipal parking spaces for boulevard cafes BE APPROVED for a period of up to three years, ending November 1, 2016;
- b) the Civic Administration BE DIRECTED to finalize and report back to Council regarding technical and design guidelines for boulevard cafes; it being noted that the establishment of on-street boulevard cafes under the program shall be at no cost to the City; and,
- c) the current Boulevard Cafe Permit Program BE AMENDED to provide for the use of on-street municipal parking spaces for seasonal boulevard cafes. (2013-P09)

7. Veterans Memorial Parkway South Extension and Highway 401 Interchange Improvements Transportation Environmental Study Report.

That, on the recommendation of the Director, Roads and Transportation, the following actions be taken with respect to the Veterans Memorial Parkway South Extension and Hwy 401 Interchange Improvements Environmental Assessment (TS1325):

- a) the Veterans Memorial Parkway South Extension and Highway 401 Interchange Improvements Transportation Environmental Study Report BE ACCEPTED;
- b) a Notice of Completion BE FILED with the Municipal Clerk; and,

- c) the Transportation Environmental Study Report BE PLACED on public record for a 30-day review period;

it being noted that the Civic Works Committee (CWC) received the ~~attached~~ presentation from the Division Manager, Transportation Planning and Design, with respect to this matter;

it being pointed out that there were no oral submissions made at the public participation meeting associated with this matter. (2013-E05)

8. London Transit - 2012 Annual Report

That the communication dated May 1 2012, with respect to the ~~attached~~ London Transit Service 2012 Annual Report, from L. Ducharme, General Manager, London Transit Commission, BE RECEIVED for information; it being noted that the Civic Works Committee received the ~~attached~~ presentation from Mr. L. Ducharme, with respect to this matter. (2013-C03D)

9. Bruce Street and Elmwood Avenue

That the communication dated April 5, 2013, from Councillor D. Brown, with respect to traffic flow on Bruce Street and Elmwood Avenue, BE REFERRED to staff for a report back to the Civic Works Committee. (2013-T04)

The motion to Approve clauses 1 to 9, excluding clause 6, is put.

Motion Passed

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

Motion made by Councillor P. Van Meerbergen and seconded by Councillor B. Polhill to Amend the criteria attached to part 6, "Criteria For the on-street Boulevard Cafe Program:" in part j) by adding the words "along Dundas Street within", following the words "York Street".

Motion Passed

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

NAYS: D. Brown (1)

Motion made by Councillor P. Van Meerbergen and seconded by Councillor P. Hubert to Approve clause 6, as amended.

Motion Passed

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

NAYS: D. Brown (1)

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

Motion made by Councillor J.B. Swan to Approve clauses 1 to 5, excluding clause 2

1. Disclosures of Pecuniary Interest

That it BE NOTED that Councillor J. Swan disclosed a pecuniary interest in clause 2 of this report, having to do with the Orchestra London Business Plan, by indicating that he is employed by Orchestra London.

3. Investment and Economic Prosperity Project Updates

That, on the recommendation of the Director of Corporate Investments and Partnerships, the

Investment and Economic Prosperity Project updates report BE RECEIVED for information; it being noted that the City Treasurer indicated that he would be ensuring that the City's economic partners understand the urgency of and the requirement for implementation timelines, with regard to the prosperity projects they are involved in.

4. Eldon House Corporation First Quarter Update

That the following actions be taken with respect to the Eldon House Corporation first quarter update:

- a) the communication dated April 29, 2013 from the Eldon House Board of Directors, with respect to the 2013 Business Plan for the Eldon House Corporation BE RECEIVED;
- b) the Civic Administration BE REQUESTED to continue to dialog with Museum London with respect to the apportionment of costs related to Eldon House; and,
- c) the 2014 Eldon House budget submission BE REFLECTIVE of a sustainable financial model for the future;

it being noted that the Investment and Economic Prosperity Committee heard the attached presentation from M. Spencer Golovchenko, Chair, Board of Directors and R. Warden, Interim Manager, Eldon House, with respect to this matter.

5. City of London's Various Programs and Projects

That the Civic Administration BE REQUESTED to look at the Community Improvement Program (CIP) within the framework of the Industrial Land Strategy as an economic development instrument with a view to attract businesses and resources for the City of London's various programs and projects, inclusive but not limited to, the 401/402 Corridor.

Motion Passed

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

Motion made by Councillor M. Brown to Approve clause 2.

2. Orchestra London Business Plan

That, on the recommendation of the Deputy City Treasurer, the following actions be taken with respect to the Orchestra London Business Plan:

- a) the business plan from Orchestra London, BE RECEIVED for information; and,
- b) the business plan noted in a) above, BE REFERRED to the Civic Administration to review, with a report back at the next Investment and Economic Prosperity Committee meeting;

it being noted that the Investment and Economic Prosperity Committee heard a verbal delegation from J. O'Neill, President, Board of Directors, Orchestra London, with respect to this matter.

Motion Passed

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

RECUSE: J. Swan (1)

9th Report of the Strategic Priorities and Policy Committee
Councillor M. Brown presents.

Motion made by Councillor M. Brown to Approve clauses 1 to 7.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. City of London At Your Service Video

That it BE NOTED that the City Manager presented the new City of London "At Your Service" video and acknowledged the City's partnership with Fanshawe College on the project.

3. London Hydro Inc. - 2012 Annual Meeting of the Shareholder Annual Resolutions

That the following actions be taken arising from the 2012 Annual General Meeting of the Shareholder for the London Hydro Inc.:

- a) the ~~attached~~ presentation from Vinay Sharma, Chief Executive Officer, London Hydro Inc. and Peter Johnson, Board Chair, London Hydro Inc., as well as the London Hydro Annual Report 2012 BE RECEIVED;
- b) on the recommendation of the City Manager, the by-law (Attachment "A") appended to the staff report dated May 13, 2013 BE INTRODUCED at the Municipal Council meeting to be held on May 14, 2013 to:
 - i) ratify and confirm the Annual Resolutions of the Shareholder of the London Hydro Inc. attached as Schedule "1" to the by-law; and,
 - ii) authorize the Mayor and the City Clerk to execute the Annual Resolutions of the Shareholder of the London Hydro Inc. attached as Schedule "1" to the by-law; and
- c) the Civic Administration BE REQUESTED to complete its review of the Shareholder's Declaration, in liaison with London Hydro, and in conjunction with the shared services review, and report back with any suggested changes that may be in order by September 2013.

4. London & Middlesex Housing Corporation - 2012 Annual Meeting of the Shareholder Annual Resolutions

That the following actions be taken arising from the 2012 Annual General Meeting of the Shareholder for the London & Middlesex Housing Corporation:

- a) the ~~attached~~ presentation from Steve Matthew, Executive Director, London & Middlesex Housing Corporation, as well as the London & Middlesex Housing Corporation Annual Report 2012 BE RECEIVED;
- b) on the recommendation of the City Manager, the by-law (Attachment "A") appended to the staff report dated May 13, 2013 BE INTRODUCED at the Municipal Council meeting to be held on May 14, 2013 to:
 - i) ratify and confirm the Annual Resolutions of the Shareholder of the London & Middlesex Housing Corporation attached as Schedule "1" to the by-law; and,
 - ii) authorize the Mayor and the City Clerk to execute the Annual Resolutions of the Shareholder of the London & Middlesex Housing Corporation attached as Schedule "1" to the by-law.

5. Development Charges Policy Review - Local Services Policy

That the following recommendation BE REFERRED back to staff for further dialogue and report back at the June 10, 2013 meeting of the Strategic Priorities and Policy Committee:

"That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, with the concurrence of the Managing Director, Environmental & Engineering Services and City Engineer, the following changes to the City's "local service" definitions BE APPROVED in principle:

- a) watermain oversizing be claimable from the City Services Reserve Fund;

- b) stormwater open channel oversizing be claimable from the Urban Works Reserve Fund - Minor Storm Works;
- c) the definition of Sanitary Sewer Oversizing be reconsidered subject to information to be provided by the Master Servicing Study consultants; and
- d) the definition of storm water management works be more broadly defined as all works required to provide stormwater management servicing that satisfies the requirements of a Class Environmental Assessment process;

it being noted that the Strategic Priorities and Policy Committee (SPPC) heard the ~~attached~~ presentation from the Managing Director, Corporate Services and City Treasurer/Chief Financial Officer, and the Manager, Development Finance, and verbal delegations from Jim Kennedy, President, London Development Institute, and Sandy Levin, 59 Longbow Road, with respect to this matter; it being further noted that the SPPC also received a written communication from Jim Kennedy, President, London Development Institute, with respect to this matter.”

6. Managing Director, Corporate Services and City Treasurer, Chief Financial Officer - Development Charge Policy - DC Area Specific Charges

That the following recommendation BE REFERRED back to staff for further dialogue and report back at the June 10, 2013 meeting of the Strategic Priorities and Policy Committee:

“That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer with the concurrence of the Managing Director of Planning and City Planner and Managing Director, Development & Compliance Services & Chief Building Official, the following actions be taken with respect to amending the City’s policy with respect to DC area specific rating:

- a) the Civic Administration BE DIRECTED to complete the 2014 DC rate calculations and draft the 2014 DC by-law amendments necessary to implement differential DC rate calculations for SWM facilities in the Central Thames Watershed (CTW) Area identified in Appendix B to the staff report dated May 13, 2013; and
- b) the Civic Administration BE DIRECTED to develop the implementation rules (including any transitional arrangements and further refinement of the boundary) related to establishing the Central Thames Watershed SWM DC Area Specific Rate for inclusion in the 2014 DC by-law;

it being noted that the Strategic Priorities and Policy Committee (SPPC) heard the ~~attached~~ presentation from the Managing Director, Corporate Services and City Treasurer/Chief Financial Officer, and the Manager, Development Finance, and verbal delegations from Jim Kennedy, President, London Development Institute, and Sandy Levin, 59 Longbow Road, with respect to this matter; it being further noted that the SPPC also received a written communication from Jim Kennedy, President, London Development Institute, with respect to this matter.”

7. Development Charges Policy Review - UWRF Framework and Timing of DC Payment - SWM Component

That the following recommendation BE REFERRED back to staff for further dialogue and report back at the June 10, 2013 meeting of the Strategic Priorities and Policy Committee:

“That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, with the concurrence of the Managing Director, Environmental and Engineering Services and City Engineer and the Managing Director, Development and Compliance Services and Chief Building Official, the following policy amendments with respect to the City’s Urban Works Reserve Fund (UWRF) and the future funding of Storm Water Management Facilities (SWMs) BE APPROVED IN PRINCIPLE as part of the 2014 DC By-law, subject to further dialogue with external stakeholders with respect to:

- details of implementation, including the change to the number of SWMs affected and their costs, all of which would ultimately be included in the Background Study in any event;

- how the existing financial obligations of the UWRF (“Transition payments”) will be met through the implementation of the new policy;
- assurance that the policies being introduced are not intended to be used to unduly delay approvals for land development by staff or by Council; it being noted that the existing Growth Management Implementation Strategy is the mechanism which facilitates the sufficient supply of serviceable land, and which must be respected following its implementation;
- an update of Stormwater Management Facility design standards; and
- details regarding the impact of changing the timing of payment of the SWM component of the DC from building permit to subdivision agreement:
 - a) funding of all future SWM works be consolidated under the City Services Reserve Fund (CSRF) – SWM component; it being noted that suitable transitional measures associated with existing claims and development applications involving Urban Works Reserve Funded (UWRF) Storm Water Management Facilities (SWMF) in progress will be in the draft 2014 Development Charges DC By-law; it being further noted that the City’s policy regarding Private Permanent Stormwater Servicing is expected to reduce the number and size of ponds that will be constructed in the future;
 - b) revised timing of collection of the SWM component of the DC charge under Section 26 of the *Development Charges Act* be incorporated in the next DC Rate By-law; it being noted that this will result in DC charge collections for this component being made at time of entering the agreement of subdivision or consent rather than from collection at building permit stage;
 - c) new processes for Design and Construction of Storm Water Management Facilities (SWMF’s), as generally summarized in Appendix D be implemented as appended to the staff report dated May 13, 2013;
 - d) the Civic Administration be directed to further develop the procedures governing construction of infrastructure undertaken through development agreements, summarized in draft form in Appendix E as appended to the staff report dated May 13, 2013;
 - e) the Civic Administration be directed to prepare by-law amendments and further refine administrative processes necessary to effect the above-noted changes coincident with the effective date of the 2014 DC By-law; and
 - f) comments received from the London Development Institute, the Urban League and Lyn Townsend, LLB, with respect to the above-noted policy amendments as Appendix G, appended to the staff report dated May 13, 2013 be received for information;

it being noted that the Strategic Priorities and Policy Committee (SPPC) heard the ~~attached~~ presentation from the Managing Director, Corporate Services and City Treasurer/Chief Financial Officer, and the Manager, Development Finance, and verbal delegations from Jim Kennedy, President, London Development Institute, and Sandy Levin, 59 Longbow Road, with respect to this matter; it being further noted that the SPPC also received a written communication from Jim Kennedy, President, London Development Institute, with respect to this matter.”

Pursuant to section 12.3 of the Council Procedure By-law, Councillor J.L. Baechler calls for a separate vote on clauses 5, 6 and 7, collectively.

The motion to adopt clauses 1 to 4 is put.

Motion Passed

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

The motion to adopt clauses 5, 6 and 7 is put.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, D.G. Henderson, P. Van Meerbergen, D. Brown (8)

NAYS: J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, H.L. Usher, J.P. Bryant (6)

Councillor J.P. Bryant leaves the meeting at 8:43 PM.

10th Report of the Committee of the Whole
Councillor D.G. Henderson presents.

Motion made by Councillor D.G. Henderson to Approve progress on the in camera matters.

Motion Passed

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

X DEFERRED MATTERS

None.

XI ENQUIRIES

None.

XII EMERGENT MOTIONS

None.

XIII BY-LAWS

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

Motion made by Councillor B. Polhill and seconded by Councillor P. Van Meerbergen to Approve Introduction and 1st Reading of Bill Nos. 211 to 232.

Motion Passed

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

Motion made by Councillor B. Polhill and seconded by Councillor D. Brown to Approve 2nd Reading of Bill Nos. 211 to 232.

Motion Passed

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

Motion made by Councillor B. Polhill and seconded by Councillor S. Orser to Approve 3rd Reading and Enactment of Bill Nos. 211 to 232.

Motion Passed

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

Motion made by Councillor B. Polhill and seconded by Councillor P. Hubert to Approve Introduction and 1st Reading of Bill No. 233.

Motion Passed

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

Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher (13)

The City Clerk advises that there is a small typographical error in Part 6, whereby the word “of” after the word “year” should read “from”.

Motion made by Councillor H.L. Usher and seconded by Councillor P. Van Meerbergen to Approve 2nd Reading of Bill No. 233, with the corrected typographical error.

Motion Passed

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

Motion made by Councillor B. Polhill and seconded by Councillor P. Van Meerbergen to Approve 3rd Reading and Enactment of Bill No. 233, with the corrected typographical error.

Motion Passed

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

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

Bill No. 211 By-law No. A.-6959-162	A by-law to confirm the proceedings of the Council Meeting held on the 14 th day of May, 2013. (City Clerk)
Bill No. 212 By-law No. A.-5273(ci)-163	A by-law to amend By-law No. A.-5273-82 entitled, “A by-law to appoint Municipal Law Enforcement Officers for the City of London.” (Manager By-law Enforcement)
Bill No. 213 By-law No. A.-5273(cj)-164	A by-law to amend By-law No. A.-5273-82 entitled, “A by-law to appoint Municipal Law Enforcement Officers for the City of London.” (Manager By-law Enforcement)
Bill No. 214 By-law No. A.-5896(t)-165	A by-law to amend By-law 5896-233 entitled, “A by-law to appoint Municipal Law Enforcement Officers for the purpose of enforcing the by-laws of The Corporation of the City of London.” (Manager By-law Enforcement)
Bill No. 215 By-law No. C.P-1455(j)-166	A by-law to amend By-law No. C.P.-1455-541, a by-law to designate a site plan control area and to delegate Council’s power under Section 41 of the <i>Planning Act</i> , R.S.O. 1990 c.P.13 with respect to an application for site plan approval submitted by Andrew Hines for the construction of a duplex at 108 Wilson Avenue. (14c/11/PEC)
Bill No. 216 By-law No. L.S.P.-3429-167	A by-law to designate 3378 Homewood Lane to be of historical and contextual value or interest. (5/5/PEC)
Bill No. 217 By-law No. L.S.P.-3430-168	A by-law to designate 1460 Commissioners Road West to be of historical and contextual value or interest. (5/5/PEC)
Bill No. 218 By-law No. PS-6-13002	A By-law to amend By-law PS-6 entitled, “A by-law to provide for regulating and governing fences in the City of London.” (4/9/CPSC)
Bill No. 219 By-law No. S.-5564-169	A by-law to lay out, constitute, establish and assume certain reserves in the City of London as public highway. (as widening to Asima Drive). (City Surveyor)
Bill No. 220 By-law No. S.-5565-170	A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Colonel Talbot Road, south of Pack Road) (City Surveyor)

Bill No. 221 By-law No. W.-5538-171	A by-law to amend By-law No. W.-5290-234 entitled "A by-law to authorize the Southdale Road Widening – Wonderland to Wharnclyffe Project. (Project No. TS1486)" (8/4/CWC)
Bill No. 222 By-law No. W.-5539-172	A by-law to authorize the 2010 Recreation Facilities (Project No. RC2201) (4/5/FASC/2012)
Bill No. 223 By-law No. W.-5540-173	A by-law to amend By-law No. W.-2040-70 entitled "A by-law to authorize the Wonderland Road North Improvements Project (Project No. TS1156)" (7/15/BC/2010)
Bill No. 224 By-law No. W.-5541-174	A by-law to authorize the Skate Canada – Fountain Area Plaza – Fork of the Thames (Project No. GG1312-03) (4/5/CSC/2012)
Bill No. 225 By-law No. Z.-1-132187	A by-law to amend By-law No. Z.-1 to remove the h-122 holding provision from the zoning for an area of land located at 905 Pond Mills Road. (2/11/PEC)
Bill No. 226 By-law No. Z.-1-132188	A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at 1934-1984 Watroak Drive and 1921-1931 Watroak Drive. (5/11/PEC)
Bill No. 227 By-law No. Z.-1-132189	A by-law to amend By-law No. Z.-1 to rezone the easterly portion of the property located at 635 Wilton Grove Road. (9/11/PEC)
Bill No. 228 By-law No. Z.-1-132190	A by-law to amend By-law No. Z.-1 to rezone lands located at 2800 Roxburgh Road. (9/11/PEC)
Bill No. 229 By-law No. Z.-1-132191	A by-law to amend By-law No. Z.-1 to remove the holding provision from the zoning on lands located on a portion of 2350 Dundas Street (Block 5, 39T-12502) (6/11/PEC)
Bill No. 230 By-law No. A.-6960-175	A by-law to ratify and confirm the Annual Resolutions of the Shareholder of London & Middlesex Housing Corporation (SPPC)
Bill No. 231 By-law No. A.-6961-176	A by-law to ratify and confirm the Annual Resolutions of the Shareholder of Hydro Inc. (SPPC)
Bill No. 232 By-law No. Z.-1-132192	A by-law to amend By-law No. Z.-1 to remove the holding provision from the zoning on lands located at 2310 & 2330 Dundas Street. (3/28/PEC-2012)
Bill No. 233 By-law No. L.S.P.-3431-177	A by-law to designate a heritage conservation district study area for the Blackfriars/Petersville neighbourhood.

XIV ADJOURNMENT

Motion made by Councillor H.L. Usher and seconded by Councillor P. Hubert to Adjourn.

Motion Passed

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

The meeting adjourned at 8:50 PM.

Joe Fontana, Mayor

Catharine Saunders, City Clerk