



**London**  
CANADA

## COUNCIL MINUTES 11TH MEETING

May 22 and 23, 2012

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

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

ABSENT: Councillors W.J. Armstrong and N. Branscombe.

ALSO PRESENT: J.P. Barber, G. Belch, J.M. Fleming, G. Gauld, G.T. Hopcroft, G. Kotsifas, L. Livingstone, J. Logan, V. McAlea Major, J. Page, M. Ribera, L. Rowe, J. Smout, J. Stanford, J. Taylor, M. Turner, B. Warner, R. Welker and B. Westlake-Power.

At the beginning of the Meeting all Members are present except Councillors W.J. Armstrong, N. Branscombe, J.P. Bryant and J.B. Swan.

His Worship the Mayor recognizes Jane Tucker, President, London Transplant Gift of Life Association.

### **I DISCLOSURES OF PECUNIARY INTEREST**

B. Polhill discloses a pecuniary interest in clause C-2 of the Confidential Appendix to the 15th Report of the Finance and Administrative Services Committee having to do with a matter pertaining to advice that is subject to solicitor-client privilege, including communications necessary for that purpose, and advice with respect to potential litigation with respect to Kaycan's costs associated with the Hale/Trafalgar Grade Separation Project, by indicating that his son owns property in the area. B. Polhill further discloses a pecuniary interest in clause 19 of the 13th Report of the Planning and Environment Committee having to do with the Notice of Application by the City of London for the properties located at 585-613-687 and 604-650 Sovereign Road, by indicating that his business is in the circulation area for this Notice.

D. Brown discloses a pecuniary interest in clause 17 of the 8th Report of the Civic Works Committee having to do with the London Transit Customer Service and 2012 Service Plan Priority Reports, by indicating that her employer has a contract with the London Transit Commission.

P. Hubert discloses a pecuniary interest in clause 5 of the 8th Report of the Strategic Priorities and Policy Committee, as well as the related Bill 221, both having to do with Council-directed funding to non-profit organizations, by indicating that he is the Executive Director of a social services agency.

### **II CONFIRMATION AND SIGNING OF THE MINUTES OF THE EIGHTH, NINTH AND TENTH MEETINGS HELD ON MAY 1 AND 2, 2012, MAY 8, 2012 AND MAY 17, 2012 RESPECTIVELY**

Motion made by Councillor P. Hubert and seconded by Councillor S. Orser to Approve the Minutes of the 8th, 9th and 10th Meetings.

Motion made by Councillor P. Hubert and seconded by Councillor D. Brown to Amend the Minutes of the 8th Meeting on page on page 41 by adding the following new part f) under the reasons to go into closed session for the Committee of the Whole:

- f) A matter pertaining to legal advice that is subject to solicitor-client privilege, including communications necessary for that purpose, in connection with a legal opinion sought by the Planning and Environment Committee arising from a delegation by the Westmount Hills Residents Association.

Motion Passed

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

### III REVIEW OF CONFIDENTIAL MATTERS TO BE CONSIDERED IN PUBLIC

None.

### IV COMMUNICATIONS AND PETITIONS

1. Strategic Priorities and Policy Committee Meeting – 2011 Annual General Meeting of the Shareholder for London Hydro Inc.

Motion made by Councillor D. Brown and seconded by Councillor P. Hubert to Approve that Council rise and convene as the Strategic Priorities and Policy Committee for the purpose of holding the 2011 Annual General Meeting of the Shareholder for London Hydro Inc.

Motion Passed

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

The Council rises and convenes as the Strategic Priorities and Policy Committee at 5:17 PM.

Councillor J.P. Bryant enters the meeting at 5:18 PM.

No pecuniary interests are disclosed.

Motion made by Councillor P. Hubert and seconded by Councillor J.P. Bryant to Approve that the following actions be taken arising from the 2011 Annual General Meeting of the Shareholder for London Hydro Inc.:

- a) the attached presentation from P. Johnson, Chair, London Hydro Inc. and V. Sharma, Chief Executive Officer, London Hydro Inc., as well as the London Hydro Annual Report 2011 **BE RECEIVED**; and
- b) on the recommendation of the Interim City Manager, the attached by-law (Attachment "A") **BE INTRODUCED** at the Municipal Council meeting to be held on May 22, 2012 to:
  - i) ratify and confirm the Annual Resolutions of the Shareholder of 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 London Hydro Inc. attached as Schedule "1" to the by-law.

Motion Passed

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

Motion made by Councillor B. Polhill and seconded by Councillor S. Orser to Approve that the meeting of the Strategic Priorities and Policy Committee Adjourn and Council reconvene in Regular Session.

Motion Passed

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

The Strategic Priorities and Policy Committee meeting adjourns and Council reconvenes in Regular Session at 6:31 PM.

Motion made by Councillor H.L. Usher and seconded by Councillor B. Polhill to Approve that the following actions be taken arising from the 2011 Annual General Meeting of the Shareholder for London Hydro Inc.:

- a) the attached presentation from P. Johnson, Chair, London Hydro Inc. and V. Sharma, Chief Executive Officer, London Hydro Inc., as well as the London Hydro Annual Report 2011 **BE RECEIVED**; and
- b) on the recommendation of the Interim City Manager, the attached by-law (Attachment "A") **BE INTRODUCED** at the Municipal Council meeting to be held on May 22, 2012 to:
  - i) ratify and confirm the Annual Resolutions of the Shareholder of 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 London Hydro Inc. attached as Schedule "1" to the by-law.

Motion Passed

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

## **V MOTIONS OF WHICH NOTICE IS GIVEN**

None.

## **VI ADDED REPORTS**

- 1. 14th Report of the Planning and Environment Committee
- 2. 9th Report of the Civic Works Committee

## **VII REPORTS**

15th Report of the Finance and Administrative Services Committee Councillor J.L. Baechler presents.

Motion made by Councillor J.L. Baechler to Approve clauses 1 to 12, inclusive, of the 15th Report of the Finance and Administrative Services Committee.

- 1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

- 2. Tender 12-56 - Supply and Delivery of Diesel, Biodiesel Fuel and Gasoline (Elgin, Middlesex, Oxford Purchasing Co-Operative)

That, on the recommendation of the Acting Executive Director, Planning, Environmental & Engineering Services & City Engineer, the following actions be taken with respect to a one (1) year contract for the supply and delivery of diesel, biodiesel fuel and gasoline:

- a) the tender submitted by Suncor Energy Products Partnership, 2489 North Sheridan Way, Mississauga, Ontario, L5K 1A8, for the supply of Diesel, Biodiesel Fuel and Gasoline BE ACCEPTED;
  - b) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this award; and,
  - c) the approval given herein BE CONDITIONAL upon the Corporation entering into a formal contract or issuing a purchase order relating to the subject matter of this approval.
- 3. Offer from Andlauer Management Group Inc. to Purchase the Westerly 4 Acres, Part 4, Plan 33R-15788 - Forest City Industrial Park

That, on the recommendation of the Managing Director - Corporate Assets, on the advice of the Manager of Realty Services, with respect to the offer submitted by Andlauer Management Group Inc. to purchase approximately 4.0 acres of land located on the south side of Max Brose Road, described as the westerly 4 acres of Part 4, Plan 33R-15788, as outlined on the sketch attached as Schedule "B", the following actions be taken:

- a) the offer submitted by Andlauer Management Group Inc. to purchase the land noted above in the amount of \$260,000.00, reflecting a price of \$65,000.00 per acre, BE ACCEPTED, subject to the following conditions:
  - i) the City agreeing to permit an initial building coverage of 9% in place of the required 15%;
  - ii) the City agreeing to prepare a reference plan prior to closing;
  - iii) the City requiring a 10 meter buffer strip along the easterly boundary of the site for the protection of the neighbouring woodlot; and,
- b) the ~~attached~~ proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on May 22, 2012, to approve this transaction and to authorize the Mayor and the City Clerk to execute the Agreement of Purchase and Sale.

4. Renewal of Various City of London and Middlesex County - Municipal Service Management Agreements and City-County Roads Funding

That, on the recommendation of the Executive Director of Community Services and the Director of Intergovernmental and Community Liaison, with the concurrence of the City Treasurer, Chief Financial Officer, regarding the apportionment of costs for social housing, Ontario Works, Child Care and Land Ambulance between Middlesex County and the City of London, the ~~attached~~ resolution BE PASSED.

5. Year 2012 Education Tax Rates

That, on the recommendation of the City Treasurer, Chief Financial Officer, the following actions be taken with respect to year 2012 education tax rates:

- a) the ~~attached~~ proposed by-law to levy education tax rates for 2012 (Appendix "A") BE INTRODUCED at the Municipal Council meeting to be held on May 22, 2012; and,
- b) the Minister of Finance for the Province BE REQUESTED to reconsider the deferral of the Business Education Tax reductions for commercial and industrial property in the City of London, previously scheduled for the years 2013 and 2014, given the current economic conditions in the area, and return to the previous timelines; it being noted that there is an inequity for London's small business owners who would like a level playing field.

6. Request for Quotation 12-24 Municipal Hazardous and Special Waste Service - Appeal by Buckham Transport Limited

That, on the recommendation of the City Treasurer, Chief Financial Officer, the appeal under Section 2.9 of the Procurement of Goods and Services Policy by Buckham Transport Limited BE DENIED; it being noted that the Finance and Administrative Services Committee heard a verbal delegation from Jason Hedges, Vice President, Buckham Transport Limited, with respect to this matter.

7. Request for Additional Detail - 2011 Mayor's Office Expenses

That the report dated May 7, 2012 from the Mayor, providing additional detail with respect to his 2011 expenses, BE RECEIVED for information.

8. Consolidated Municipal Service Manager (CMSM) Services Funding Meeting

That the communication dated April 18, 2012 from J. Maudsley, Middlesex County Warden, with respect to a special County Council meeting regarding Consolidated Municipal Service Managers BE RECEIVED.

9. London Police Services Board Stipend Increase

That, in response to the request of the London Police Services Board, NO CHANGE BE MADE for 2012, to the stipend paid in 2011 to the London Police Services Board Members; it being noted that the Finance and Administrative Services Committee received a communication dated April 18, 2012 from M. Deeb, Chair, London Police Services Board with respect to this matter.

10. Representation on the Advisory Committee on the Environment and on the Community Safety and Crime Prevention Advisory Committee

That the following actions be taken with respect to the Advisory Committee on the Environment and the Community Safety and Crime Prevention Advisory Committee:

- a) the terms of reference for the Advisory Committee on the Environment BE AMENDED to reflect the following voting members:

Maximum of thirteen members consisting of:

- Nine members-at-large
- One representative of the Environmental and Ecological Planning Advisory Committee
- One representative of the Thames Region Ecological Association
- One representative of an environmental and/or private sector interest group
- One representative of the industrial/commercial/institutional sector;

- b) the nomination of Diane Szoller as the Thames Region Ecological Association's nominee for the Advisory Committee on the Environment BE REFERRED to the Striking Committee process; and,

- c) the nomination of Greg Fowler as the Thames Region Ecological Association's nominee for the Community Safety and Crime Prevention Advisory Committee BE REFERRED to the Striking Committee process; it being noted that the Finance and Administrative Services Committee received the attached communication dated April 16, 2012 from M. MacDonald, President, Thames Region Ecological Association, with respect to representation on the Community Safety and Crime Prevention Advisory Committee;

it being noted that the Finance and Administrative Services Committee received the attached communication dated April 16, 2012 from M. MacDonald, President, Thames Region Ecological Association, with respect to representation on the Community Safety and Crime Prevention Advisory Committee.

11. Request to Designate the Pride London Festival as a Community Festival

That the 2012 Pride London Festival to be held July 27-29, 2012 at Victoria Park BE DESIGNATED as a Community Festival in the City of London.

12. Resignation from the Community Safety and Crime Prevention Advisory Committee

That the communication dated April 23, 2012, from Douglas Hogg, resigning his appointment to the Community Safety and Crime Prevention Advisory Committee, BE ACCEPTED and the Mayor BE ASKED to forward a letter of appreciation to Mr. Hogg.

Motion Passed

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

Motion made by Councillor H.L. Usher and seconded by Councillor M. Brown to Approve that Council recess.

Motion Passed

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

The Council recesses at 6:36 PM and reconvenes at 7:30 PM with Mayor J.F. Fontana in the Chair and all Members present except Councillors W.J. Armstrong, N. Branscombe and J.B. Swan.

8th Report of the Civic Works Committee  
Councillor H.L. Usher Presents

Motion made by Councillor H.L. Usher to Approve clauses 1 to 4.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. 6th Report of the Transportation Advisory Committee

That the 6th Report of the Transportation Advisory Committee from its meeting held on May 1, 2012, BE RECEIVED.

3. Dundas Street Improvements - Formulating an Implementation Plan

That the following actions be taken with respect to formulating of an implementation plan for the Dundas Street improvements:

- a) the report dated May 14, 2012, from the Acting Executive Director, Planning, Environmental and Engineering Services and City Engineer, BE RECEIVED; and,
- b) a Scoping Study budget in the amount of \$100,000, excluding H.S.T., BE APPROVED, to formulate an improvement plan for Dundas Street, from Ridout Street to Wellington Street and Dundas Street; it being noted that the purpose of the Scoping Study is to set a project plan, including budget and timelines for stakeholder consultation, design and construction; it being further noted that funding will be from other previously approved projects.

4. Amendments to the Traffic and Parking By-law

That, on the recommendation of the Acting Executive Director, Planning, Environmental and Engineering Services and City Engineer, the attached proposed by-law (Appendix "A") BE INTRODUCED at the Municipal Council meeting to be held on May 22, 2012, for the purpose of amending the Traffic and Parking By-law (P.S. 111).

Pursuant to section 17.2 of the Council Procedure By-law, Councillor D. Brown calls for a separate vote on clause 3 b).

At 7:32 PM, His Worship the Mayor places Councillor P. Hubert in the Chair and takes a seat at the Council Board.

Motion made by Mayor J.F. Fontana and seconded by Councillor S. Orser to Amend clause 3 to add new a new part c) requesting the London Transit Commission (LTC) to consider the removal of all LTC buses from Dundas Street, from Ridout Street to Wellington Street.

At 7:38 PM His Worship the Mayor returns to the Chair and Councillor P. Hubert takes his seat at the Council Board.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, S. Orser, J.L. Baechler, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, J.P. Bryant, S. White (10)

NAYS: H.L. Usher (1)

RECUSED: D. Brown (1)

Pursuant to section 17.2 of the Council Procedure By-law, Councillor H.L. Usher calls for a separate vote on clause 3 a).

Councillor J.B. Swan enters the meeting at 8:00 PM.

The motion to Approve part b) of clause 3 is put.

Motion Passed

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

NAYS: P. Van Meerbergen, D. Brown (2)

The motion to Approve part a) of clause 3 is put.

Motion Passed

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

Clause 3, as amended, reads as follows:

That the following actions be taken with respect to formulating of an implementation plan for the Dundas Street improvements:

- a) the report dated May 14, 2012, from the Acting Executive Director, Planning, Environmental and Engineering Services and City Engineer, **BE RECEIVED**;
- b) a Scoping Study budget in the amount of \$100,000, excluding H.S.T., **BE APPROVED**, to formulate an improvement plan for Dundas Street, from Ridout Street to Wellington Street and Dundas Street; it being noted that the purpose of the Scoping Study is to set a project plan, including budget and timelines for stakeholder consultation, design and construction; it being further noted that funding will be from other previously approved projects; and,
- c) the London Transit Commission (LTC) **BE REQUESTED** to consider the removal of all LTC buses from Dundas Street, from Ridout Street to Wellington Street.

The motion to Approve Clauses 1, 2 and 4 is put.

Motion Passed

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

Motion made by Councillor H.L. Usher to Approve clauses 5, 6 and 7.

5. 2012 Infrastructure Lifecycle Renewal Program, Contract 2B - Stanley Street Reconstruction (Tender 12-17)

That, on the recommendation of the Acting Executive Director, Planning, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the contract award for the 2012 Lifecycle Renewal Program, Contract #2B, for the Stanley Street Reconstruction Project (ES2414, ES2414-11, EW3787-11, EW3787-12, TS1446-11, TS4067-12, TS5123-12):

- a) the bid submitted by AAR CON Excavating (AAR CON), 10998 Longwoods Road, Delaware, ON, N0L 1E0, at its tendered price of \$2,627,876.11, excluding H.S.T., for the 2012 Infrastructure Lifecycle Renewal Program, Contract #2B project, **BE ACCEPTED**; it being noted that the bid submitted by AAR CON was the lowest of six (6) bids received and meets the City's specifications and requirements in all areas;
- b) Dillon Consulting Ltd. (DILLON), 1400 – 130 Dufferin Ave, London, ON, N6A 5R2, **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 \$345,598.00, excluding H.S.T.; it being noted that this firm completed the engineering design, based upon the Fee Guideline for Professional Engineering Services, recommended by the Ontario Society of Professional Engineers, and in accordance with Section 15.2 (g) of the City of London's Procurement of Goods and Services Policy;
- c) the financing for this project **BE APPROVED** as set out in the Sources of Financing Report included as Appendix "A" to the associated staff report, dated May 14, 2012;

- d) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project;
- e) the approval hereby 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 12-17); and,
- f) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations.

6. 2012 Infrastructure Lifecycle Renewal Program, Contract 8 - Dufferin and Prospect Avenues Reconstruction (Tender 12-22)

That, on the recommendation of the Acting Executive Director, Planning, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the contract award for the 2012 Lifecycle Renewal Program, Contract #8, for the Dufferin Avenue and the Prospect Avenue Reconstruction Project (ES2414, ES2414-12, EW3765-11):

- a) the bid submitted by L82 Construction Limited (L82), 2070 Huron Street East, Suite A, London, ON, N5V 5A7, at its tendered price of \$1,527,042.31, excluding H.S.T., for the 2012 Infrastructure Lifecycle Renewal Program, Contract #8 project, BE ACCEPTED; it being noted that the bid submitted by L82 was the lowest of eight (8) bids received and meets the City's specifications and requirements in all areas;
- b) Archibald, Gray, McKay Consulting Engineers (AGM), 3514 White Oak Road, London, ON, N6E 2Z9, BE AUTHORIZED to complete the remainder of design and 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 \$159,720.00, excluding H.S.T.; it being noted that this firm completed the engineering design, based upon the Fee Guideline for Professional Engineering Services, recommended by the Ontario Society of Professional Engineers, and in accordance with Section 15.2 (g) of the City of London's Procurement of Goods and Services Policy;
- c) the financing for this project BE APPROVED as set out in the Sources of Financing Report included as Appendix "A" to the associated staff report, dated May 14, 2012;
- d) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project;
- e) the approval hereby 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 12-22); and,
- f) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations.

7. 2012 Infrastructure Lifecycle Renewal Program, Contract 7 - Maitland Street from Dundas Street to York Street Reconstruction (Tender 12-27)

That, on the recommendation of the Acting Executive Director, Planning, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the contract award for the 2012 Lifecycle Renewal Program, Contract #7, for the Maitland Street from Dundas Street to York Street Reconstruction Project (ES2414-12, EW3765-12, TS 4067-11):

- a) the bid submitted by Omega Contractors Inc. (Omega), 4104 Breck Avenue, London, ON, N6L 1B5, at its tendered price of \$1,467,601.36, excluding H.S.T., for the 2012 Infrastructure Lifecycle Renewal Program, Contract #7 project, BE ACCEPTED; it being noted that the bid submitted by Omega was the lowest of seven (7) bids received and meets the City's specifications and requirements in all areas;
- b) IBI Group (IBI), 203-350 Oxford Street West, London, ON, N6H 1T3, BE AUTHORIZED to carry out the resident inspection and contract administration for the said project in accordance with the estimate, on file, at an amount of \$167,445.77, excluding H.S.T.; it being noted that this firm completed the engineering design, based upon the Fee Guideline for Professional Engineering Services, recommended by the Ontario Society of Professional Engineers, and in accordance with Section 15.2 (g) of the City of London's Procurement of Goods and Services Policy;



- c) the financing for this project BE APPROVED as set out in the Sources of Financing Report included as Appendix "A" to the associated staff report, dated May 14, 2012;
- d) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project;
- e) the approval hereby 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 12-27); and,
- f) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations.

Motion Passed

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

Motion made by Councillor H.L. Usher to Approve clauses 8 to 12, inclusive.

8. Greenway Pollution Control Centre Dewatering (Project ES2095)  
(Tender 12-46)

That, notwithstanding the recommendation of the Acting Executive Director Planning, Environmental and Engineering Services and City Engineer, with respect to the Greenway Pollution Control Centre Dewatering project, a special meeting of the Civic Works Committee BE HELD on Tuesday, May 22, 2012 at 3:00 p.m., to receive a revised Staff report, that would have Appendix B and all reference to Bio Gas removed; it being noted that the matter of the Greenway Biosolids Upgrades and Biogas Generation Comparison would be a separate report at a future meeting of the CWC.

9. Mill and Overlay of Various Streets (Tender 12-66)

That, on the recommendation of the Acting Executive Director Planning, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the mill and overlay of various streets:

- a) the bid submitted by Dufferin Construction Company, 2200 Jetstream Road, London, ON, N5V 3P5, BE ACCEPTED, at their tender price of \$657,975.00, including contingency and excluding H.S.T.; it being noted that Dufferin Construction Company was the lowest of four (4) bids received and meets the City's terms, conditions and specifications;
- b) the financing for this project BE APPROVED as set out in the Sources of Financing Report included as Appendix "A" to the associated staff report, dated May 14, 2012;
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this contract;
- d) the approval hereby BE CONDITIONAL upon the Corporation entering into a formal contract or issuing a purchase order for the work to be done relating to this project; 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.

10. Sole Source Purchase of Motor Control Centre at Greenway Pollution Control Centre

That, on the recommendation of the Acting Executive Director Planning, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the purchase of one (1) Motor Control Centre (MCC) for the Greenway Wastewater Treatment Plant (ES5165-12); it being noted that this is a Sole Source purchase under section 14.3 of the City's Procurement of Goods and Services Policy:

- a) the price submitted by Selectra Contracting, 925 Mornington Street, Stratford, ON, N5A 6S2, at its submitted price of \$97,200, excluding H.S.T., for the supply and placement of one (1) MCC, including six (6) Variable Frequency Drives and four (4) 200A breakers, BE ACCEPTED;

- b) the financing for this project BE APPROVED as set out in the Sources of Financing Report included as Appendix "A" to the associated staff report, dated May 14, 2012;
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with these acquisitions;
- d) the approval hereby BE CONDITIONAL upon the Corporation entering into formal contracts or issuing purchase orders relating to these matters; 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.

11. Consultant Appointment - Greenway Wastewater Treatment Plant Expansion (Project ES2685)

That consideration of the Report dated May 14, 2012 from the Acting Executive Director Planning, Environmental and Engineering Services and City Engineer, with respect to the contract award for the pre-design, the detailed design, and the contract administration for the Greenway Wastewater Treatment Plant Expansion, BE REFERRED to a special meeting of the Civic Works Committee to be held on Tuesday, May 22, 2012 at 3:00 p.m., to allow the Civic Administration the opportunity to meet with the unsuccessful proponent to clarify the differing issues with respect to their submission.

12. Consultant Appointment - Pollution Prevention and Control Plan (Project ES5419)

That, on the recommendation of the Acting Executive Director Planning, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the contract award for the preparation of the City of London's Pollution Prevention and Control Plan:

- a) CH2M Hill Limited, 72 Victoria Street South, Suite 300, Kitchener ON N2G 4Y9 BE APPOINTED the Consulting Engineers for the preparation of a Pollution Prevention and Control Plan, in the amount of \$105,425 for Phase 1, including contingency and excluding H.S.T., in accordance with Section 15, Clause 15.2 (e) of the Procurement of Goods and Services Policy; it being noted that the appointment for subsequent phases will be contingent on satisfactory performance and a future recommendation by the Civic Works Committee to Municipal Council;
- b) the financing for this project BE APPROVED as set out in the Sources of Financing Report included as Appendix "A" to the associated staff report, dated May 14, 2012;
- c) the consulting fees for the project identified in (a), above, BE IN ACCORDANCE with the estimate, on file, which are based upon the Fee Guideline for Professional Engineering Services, 2006, and recommended by the Ontario Society of Professional Engineers;
- d) the approval hereby BE CONDITIONAL upon the Corporation entering into a formal contract with the consultant for the work; and,
- e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations.

Motion Passed

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

Motion made by Councillor H.L. Usher to Approve clauses 13, to 16, inclusive.

13. Communication for Maintenance Work

That the report dated May 14, 2012 from the Acting Executive Director, Planning, Environmental and Engineering Services and City Engineer, with respect to communicating the duration of plans and timelines for maintenance work to affected neighborhoods and residents BE RECEIVED for information.

14. Renewable Energy Production from the Greenway Fluidized Bed Incinerator

That the report dated May 14, 2012, from the Acting Executive Director Planning, Environmental and Engineering Services and City Engineer, with respect to the renewable energy production from the Greenway Fluidized Bed Incinerator BE RECEIVED for information.

15. White Oak Road Watermain Repair Emergency Work

That the report dated May 14, 2012, from the Acting Executive Director, Planning, Environmental and Engineering Services and City Engineer, with respect to the emergency watermain repair on White Oak Road BE RECEIVED for information.

16. Municipal Hazardous and Special Waste Service (Quotation 12-24)

That, on the recommendation of the Director, Environmental Programs and Solid Waste, the following actions be taken with respect to the recycling/disposal of Municipal Hazardous and Special Waste (MHSW) collected at the Household Special Waste (HSW) Depot at the W12A landfill:

- a) the price submitted by Clean Harbours Canada Inc., Sheldon Drive, Cambridge, ON, N1T 2H9, in the annual amount of \$175,180.00, excluding H.S.T., BE ACCEPTED;
- b) the approval hereby BE CONDITIONAL upon the Corporation entering into a formal contract or having a purchase order, or contract record relating to the subject matter of this approval; and,
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this purchase.

Motion Passed

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

Motion made by Councillor H.L. Usher to Approve clause 17.

17. London Transit Customer Service and 2012 Service Plan Priority Reports

That the communication dated May 1 2012, with respect to the London Transit Customer Service and 2012 Service Plan Priority Reports and the LTC's 2011 Annual Report, from L. Ducharme, General Manager, London Transit Commission, BE RECEIVED for information;

it being noted that the Civic Works Committee heard a verbal delegation from Councillor H. Usher, and the attached presentation from Mr. L. Ducharme, with respect to this matter.

Motion Passed

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

Motion made by Councillor H.L. Usher to Approve clauses 18 to 20, inclusive.

18. Blackacres Boulevard and Yew Tree Gardens Traffic Concerns

That the following actions be taken with respect to the Blackacres Boulevard and Yew Tree Gardens neighbourhood traffic concerns:

- a) the Civic Administration BE REQUESTED to meet with the Ward Councillor to explore all options available to alleviate the neighborhood's traffic concerns such as, but not limited to: a 3-way stop sign at the intersection of Blackacres Boulevard and Yew Tree Gardens, a speed warning sign, or a chevron; and,
- b) the Police Services Board BE REQUESTED to direct that there be a police presence along Blackacres Boulevard, as an interim safety measure while the Staff and the Ward Councillor review the current Traffic Study of the area and consider a solution to the

area traffic concerns;

it being noted that the Civic Works Committee (CWC) heard a verbal delegation from S. Craig, 281 Blackacres Boulevard, and Councillor M. Brown, and received the following communications respect to this matter;

it being further noted that the Civic Works Committee (CWC) heard a verbal delegation from S. Craig, 281 Blackacres Boulevard, and Councillor M. Brown, and received the following communications respect to this matter:

- J. Cline, 43 Edgehill Crescent;
- V. and J. Phillips, 35 Yew Tree Gardens, dated May 3, 2012;
- B. and M. Denison, dated May 6, 2012;
- V. and M. Ionescu, dated May 2, 2012;
- P. and A. Dark, 276 Blackacres Boulevard
- B. and A. Currado, 275 Blackacres Boulevard, dated May 3, 2012;
- S. and J. McCaw, dated April 27, 2012;
- P. and K. Floyd, 43 Yew Tree Gardens, dated April 28, 2012;
- B. Nelson, 278 Blackacres Boulevard, dated April 25, 2012;
- J. and T. and R. Davidson, 295 Blackacres Boulevard, dated April 24, 2012;
- J. and L. Dougan;
- Resident, 7 Yew Tree;
- G. and T. Fraser, 292 Blackacres Boulevard, dated May 3, 2012;
- Mr. and Mrs. Richardson, 386 Blackacres Boulevard, dated May 3, 2012;
- A. and J. Adamus, 290 Blackacres Boulevard, dated April 22, 2012;
- K. Suggitt, 288 Blackacres Boulevard;
- A. and E. Kubiak, dated May 4, 2012;
- P. Tessier, 27 Yew Trees Gardens, dated May 4, 2012;
- J. Cocurullo, 293 Blackacres Boulevard, dated May 4, 2012;
- J. and T. Anderson, 280 Blackacres Boulevard;
- R. McConnell and C. Carloss, 47 Yew Tree Gardens, dated May 5, 2012;
- S. and S. Craig, 281 Blackacres Boulevard and,
- L. and B. and B. Hawke, dated May 8, 2012.

#### 19. Environmental Program Updates

That the report dated May 14, 2012 and the attached presentation from the Director, Environmental Programs and Solid Waste, with respect to an update on environmental programs BE RECEIVED, for information.

#### 20. Winship Close and Methane Gas

That the Civic Administration BE REQUESTED to meet with the Winship Close and Millbank Drive community, within one month, to discuss their concerns regarding methane gas;

it being noted that the community meeting will be scheduled at a location in Ward 14 to allow easier attendance for the residents in the area;

it being further noted that the Civic Works Committee received a communication dated April 30, 2012, and heard a verbal delegation from P. Sisco, and received a Notice dated March 15, 2012, sent to approximately 55 properties on Winship Close and Millbank Drive, from the Director, Environmental Programs and Solid Waste, with respect to this matter.

Motion Passed

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

Motion made by Councillor H.L. Usher to Approve clauses 21 to 24, inclusive.

#### 21. Shared Services Utility Model Review - May 2012 Status Update

That, on the recommendation of the Interim City Manager, the following actions be taken with respect to the status of the Shared Services Utility Model Review:

- a) the report dated May 14, 2012, from the Interim City Manager, with respect to the

status and conceptual development of the Shared Services Utility Model (SSUM) BE RECEIVED for information;

- b) the methodology and interim steps outlined in the above-noted report BE ENDORSED; and,
- c) the Civic Administration BE DIRECTED to report back to the Civic Works Committee upon completion of each phase and to seek Municipal Council approval prior to proceeding to the subsequent phase, including funding sources, as needed; it being noted that a report on the completion of Phase 1 is anticipated by August 2012.

22. Amendment of Contract for Engineering Fees - Southeast Pumping Station and Reservoir (Project EW3614)

That, on the recommendation of the Acting Executive Director, Planning, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to amending the contract for engineering fees for the Southeast Pumping Station and Reservoir Project (EW3614):

- a) the resident inspection and contract administration fees for AECOM Canada Ltd., 410 – 250 York Street, Citi Plaza, London, ON, N6A 6K2, BE INCREASED in the amount of \$786,280.00 from \$2,800,198.00, excluding H.S.T., to a revised total of \$3,586,478.00, excluding H.S.T., for the increased costs for resident inspection and the contract administration for the Southeast Reservoir and Pumping Station Project (EW3614), due to a construction delay; it being noted that this request for an increase in funds is within the existing funding allocation for the project;
- b) the financing for this project BE APPROVED as set out in the Sources of Financing Report included as Appendix "A" to the associated staff report, dated May 14, 2012;
- c) the contract amendment for engineering fees for the project BE AUTHORIZED in accordance with Section 20.3 of the City of London's Procurement of Goods and Services Policy; and,
- d) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project; and, it being noted that the Corporation previously entered into a formal contract with AECOM Canada Ltd. and this work is an extension of that contract.

23. Request for Delegation Status

That NO ACTION BE TAKEN with respect to the request for delegation status from M. Dankiewicz, 51 Shepherd Avenue, relating to drainage concerns on her property.

24. Sidewalk Cafes Pilot Program

That, on the recommendation of the Director of Land Use Planning and City Planner and the Division Manager, Transportation Engineering, the following actions be taken with respect to assisting Downtown London, on a cost neutral basis, in the implementation of a sidewalk cafe pilot program for the 2012 summer season:

- a) the Civic Administration BE DIRECTED to develop the technical and the design standards/guidelines for sidewalk cafes, using the pilot program as a local case study; and,
- b) a pilot program using on-street parking spaces for sidewalk cafes along Dundas Street, from Wellington Street to Talbot Street, along Carling Street between Richmond Street and Talbot Street and along Talbot Street from Dundas Street to York Street BE APPROVED;

it being noted that the Civic Works Committee heard a verbal delegation from J. MacDonald, Executive Director, Downtown London, and received the attached presentation from E. Lalande, Planner II, with respect to this matter.

Motion made by Councillor D. Brown and seconded by Councillor P. Hubert to Approve postponement of consideration of clause 22 until after the in camera session.

At 8:22 PM His Worship the Mayor places Councillor P. Hubert in the Chair and leaves the meeting.

At 8:28 PM His Worship the Mayor returns to the meeting and Councillor P. Hubert takes his place at the Council Board.

The motion to postpone consideration of clause 22 is put.

Motion Passed

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

Pursuant to section 17.2 of the Council Procedure By-law, Councillor D. Brown calls for a separate vote on clause 24.

Pursuant to section 17.2 of the Council Procedure By-law, Councillor J.L. Baechler calls for a separate vote on clause 21.

The motion to Approve Clause 21 is put.

Motion Passed

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

NAYS: J.L. Baechler, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (5)

The motion to Approve Clause 23 is put.

Motion Passed

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

The motion to Approve Clause 24 is put.

Motion Passed

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

NAYS: D. Brown (1)

9th Report of the Civic Works Committee  
Councillor H.L. Usher presents.

Motion made by Councillor H.L. Usher and seconded by Councillor S. Orser to Approve postponement of consideration of clause 3 until after the in camera session.

Motion Passed

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

Motion made by Councillor H.L. Usher to Approve clause 2.

2. Greenway Pollution Control Centre Dewatering (Project ES2095) (Tender 12-46)

That, on the recommendation of the Acting Executive Director Planning, Environmental and Engineering Services and City Engineer, the following actions **BE TAKEN** with respect to the award of a contract for the Greenway Pollution Control Centre Dewatering Project:

- a) the proposal submitted by Baseline Constructors Inc. 550 Conestogo Road, Waterloo, Ontario, N2L 4E3, at its price of \$8,434,000.00 excluding H.S.T., for the installation of Greenway Pollution Control Centre (PCC) Dewatering Project **BE ACCEPTED**; it being noted Baseline Constructors Inc. submitted the lowest bid and meets all the terms, conditions and specifications;

- b) the financing for this project **BE APPROVED** as set out in the Sources of Financing Report included as Appendix "A" to the associated staff report, dated May 14, 2012;
- c) R.V. Anderson Associates Limited **BE AUTHORIZED** to carry out resident inspection and contract administration for the said project in accordance with the estimate, on file, at an amount of \$520,807.00 including a 10% contingency excluding H.S.T., noting that this firm completed the design, based upon the Fee Guideline for Professional Engineering Services, 2006, recommended by the Ontario Society of Professional Engineers; and in accordance with Section 15.2 (g) of the Procurement of Goods and Services Policy;
- d) the Civic Administration **BE AUTHORIZED** to undertake all the administrative acts that are necessary in connection with these projects; and,
- e) the approvals given herein **BE CONDITIONAL** upon the Corporation entering into a formal contract or issuing a purchase order for the work to be done relating to this project;

it being noted that the Civic Works Committee received a verbal update from D. Evans, R.V. Anderson Associates Limited, with respect to this matter.

Motion Passed

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

Motion made by Councillor H.L. Usher 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, J.B. Swan, S. Orser, J.L. Baechler, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (13)

13th Report of the Planning and Environment Committee  
Councillor B. Polhill presents.

Motion made by Councillor B. Polhill to Approve clauses 1 to 11, inclusive.

1. Disclosures of Pecuniary Interest

That it BE NOTED that Councillor Polhill disclosed a pecuniary interest in clause 19 of this Report as it relates to the Notice of Application by the City of London for the properties located at 585-613-687 and 604-650 Sovereign Road, by indicating that his business is in the circulation area for this Notice.

2. Property located at 580 Fanshawe Park Road East (H-8016)

That, on the recommendation of the Senior Planner of Development Services, based on the application by 1830150 Ontario Limited, relating to the property located at 580 Fanshawe Park Road East, the attached proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on May 22, 2012 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a Holding Community Shopping Area Special Provision (h-5\*h-11\*h\*103\*CSA3(5)) Zone TO a Community Shopping Area Special Provision (CSA3(5)) Zone to remove the holding provisions. (2012-D11-06)

3. Property located at 890 Southdale Road West (39T-07503)

That, on the recommendation of the Senior Planner, Development Services, in response to the request for extension of Draft Approval from Highland Ridge Land Corporation, relating to Draft Plan 39T-07503, the following actions be taken:

- a) the Ontario Municipal Board BE ADVISED that the Municipal Council supports a one

(1) year extension of draft approval for plan 39T-07503 submitted by Highland Ridge Land Corporation, prepared by R.H. Kruys (Drawing No. 05.157, dated May 28, 2007), as red line revised, which showed 28 single detached lots, 7 future residential development blocks, 3 park blocks, and 2 open space blocks, served by 1 new secondary collector road and 2 street extensions; and,

- b) the Ontario Municipal Board BE ADVISED that the Municipal Council supports revisions to the revised Conditions of Draft Approval, to clarify terminology and servicing standards for this draft plan of subdivision, as identified in the attached, revised, Appendix "39T-07503-1";

it being noted that the Planning and Environment Committee heard a verbal presentation and reviewed and received the attached communication, dated May 4, 2012, from Craig Linton, Highland Ridge Land Corp., with respect to this matter. (2012-D26-03)

4. Building Division Monthly Report for March 2012

That the Building Division Monthly Report for March 2012 BE RECEIVED. (2012-D05-00)

5. McCormick Area Study - Economic Analysis (OZ-7601)

That, on the recommendation of the Director of Land Use Planning and City Planner, the Economic Analysis for the McCormick Area Study BE RECEIVED and BE FORWARDED to be considered as part of the McCormick Area Study, which is to be brought forward for consideration in June, 2012. (2012-D07-00)

6. County of Middlesex Approval of Municipality of Middlesex Centre OPA 28

That, on the recommendation of the Director of Land Use Planning and City Planner, the report dated May 7, 2012, relating to the County of Middlesex approval of the Comprehensive Official Plan Review (OPA 28), BE RECEIVED. (2012-D11-09)

7. UFORE Project Summary and Development of Urban Forest Strategy

That, on the recommendation of the Director Land Use Planning and City Planner, the report dated May 7, 2012, relating to the UFORE analysis and development of the Urban Forest Strategy, BE RECEIVED. (2012-E05-00)

8. 5th Report of the London Advisory Committee on Heritage

That, the following actions be taken with respect to the 5th Report of the London Advisory Committee on Heritage from its meeting held on April 11, 2012:

- a) the Heritage Planner BE DIRECTED to continue to make amendments to the Delegation of Authority By-law;
- b) the Manager of By-law Enforcement BE ASKED to attend the next meeting of the London Advisory Committee on Heritage (LACH) to provide information on property standards related to vacant heritage buildings;
- c) notice of the Municipal Council's intention to designate Meadowlily Bridge to be of cultural heritage value or interest BE GIVEN, for the attached, revised, reasons, under the provisions of subsection 29(3) of the Ontario Heritage Act, R.S.O. 1990, c. O.18;
- d) notice of the Municipal Council's intention to designate the property located at 678 Talbot Street to be of cultural heritage value or interest BE GIVEN, for the attached reasons, under the provisions of subsection 29(3) of the Ontario Heritage Act, R.S.O. 1990, c. O.18; it being noted that the owners of the subject property (M. Karttunen and C. Oliver) have concurred with this recommendation, with the understanding that the land to be included in the designation will be as shown on the assessment roll; and,
- e) that clauses 1 c), d) and e), 2 c), d), e), f), g) and clauses 3 through 11, inclusive, of the 5th Report of the London Advisory Committee on Heritage, BE RECEIVED AND NOTED;

it being noted that the Planning and Environment Committee heard a delegation from George Goodlet, Chair, London Advisory Committee on Heritage, with respect to this matter.



9. Properties located on the north side of Horton Street East generally between Wellington Street and Colborne Street comprising 290, 296, 316, 318, 320, 326, 328, 330 and 358 Horton Street East, 300 Wellington Street (southeastern portion) and 240 (southern portion), 251, 263 and 265 Waterloo Street (O-8029)

That, on the recommendation of the Director, Land Use Planning and City Planner, based on the application of The City of London, relating to the properties located on the north side of Horton Street, generally between Wellington Street and Colborne Street comprising: 290, 296, 316, 318, 320, 326, 328, 330, and 358 Horton Street East; the southeastern portion of 300 Wellington Street; and, 240 (southern portion), 251, 263, 265 Waterloo Street, the attached proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on May 22, 2012, to amend the Official Plan to change the designation of the subject lands FROM an Auto-Oriented Commercial Corridor designation, TO a Main Street Commercial Corridor designation, to permit small-scale retail uses; service and repair establishments, food stores; convenience commercial uses; personal and business services; pharmacies; restaurants; financial institutions; small-scale offices; small-scale entertainment uses; galleries; studios; community facilities such as libraries and day care centres, correctional and supervised residences; residential uses (including secondary uses) and units created through the conversion of existing buildings, or through the development of mixed-use buildings;

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

- Roger Caranci, on behalf of P. J. Ambrogio and S. Petrak – see attached communication, dated May 2, 2012.
- Michelle Doornbosch, on behalf of Canadian Tire Limited – expressing support for the application; expressing appreciation to the Civic Administration for their work on this application; and advising that Canadian Tire has long-term plans for this parcel. (2012-D11-09)

10. Property located at 600 First Street

That, on the recommendation of the Manager, Development Planning, the following actions be taken with respect to the site plan approval application of 1525053 Ontario Limited, relating to the property located at 600 First Street:

- a) the Approval Authority BE ADVISED that there were no issues raised at the public participation meeting of the Planning and Environment Committee with respect to the application for Site Plan approval to permit one single-detached dwelling;
- b) the Approval Authority BE ADVISED that the Municipal Council supports the approval of the attached site plan and elevations; and,
- c) the financing for the project BE APPROVED in accordance with the “Claims and Revenues Report”, provided as Schedule “A” to the associated staff report, dated May 7, 2012. (2012-D25-00)

11. Property located at 602 First Street

That, on the recommendation of the Manager, Development Planning, the following actions be taken with respect to the site plan approval application of 1525053 Ontario Limited relating to the property located at 602 First Street:

- a) the Approval Authority BE ADVISED that there were no issues raised at the public participation meeting of the Planning and Environment Committee with respect to the application for Site Plan approval to permit one single-detached dwelling;
- b) the Approval Authority BE ADVISED that the Municipal Council supports the approval of the attached site plan and elevations; and,
- c) the financing for the project BE APPROVED in accordance with the “Claims and Revenues Report” provided as Schedule “A” to the associated staff report, dated May 7, 2012. (2012-D25-00)

Pursuant to section 17.2 of the Council Procedure By-law, Councillor Bryant calls for a separate vote on clause 2.

The motion to Approve clause 2 is put.

Motion Passed

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

NAYS: J.P. Bryant (1)

The motion to Approve clauses 1 – 11, except clause 2, is put.

Motion Passed

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

Motion made by Councillor B. Polhill to Approve clauses 12 to 18, inclusive.

12. Property located at 751 Fanshawe Park Road West (39T-11505/Z-7994)

That, the following actions be taken with respect to the application of Vista Woods Estates Ltd., relating to the property located at 751 Fanshawe Park Road West:

- a) the Approval Authority BE ADVISED that at the public participation meeting of the Planning and Environment Committee with respect to the application for draft plan of subdivision, relating to the property located at 751 Fanshawe Park Road West, issues were raised with respect to the requirement of the City of London for the developer to transfer Lot 5 to the City for future access for the adjacent lands at 775 Fanshawe Park Rd W and the proposed sidewalk connection at the south limit of Street "A";
- b) the Approval Authority BE ADVISED that the Municipal Council supports issuing draft approval of the proposed plan of residential subdivision, as submitted by Vista Woods Estates Ltd. (File No. 39T-11505 prepared by Whitney Engineering Inc., certified by Jeremy Matthews, OLS, as redline revised which shows 10 single detached dwellings served by one (1) new street and Eagletrace Drive, SUBJECT TO the conditions contained in the ~~attached~~, revised, Appendix "39T-11505", with the exception of conditions 51 and 52; and,
- c) the ~~attached~~ proposed by-law BE INTRODUCED at the Municipal Council meeting on May 22, 1012 to amend Zoning By-law No. Z.-1 (in conformity with the Official Plan), to change the zoning of the subject property FROM a Holding Compound Residential R5/R6 (h-54 R5-4/R6-5) Zone TO a Holding Residential R1 (h. R1-4) Zone to permit single detached dwellings on lots with a minimum frontage of 12.0 metres (39.37 feet) and a minimum lot area of 360 square metres (3,875 square feet);

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

- Kyle McIntosh, Whitney Engineering Inc. - expressing concerns with condition 51 of the proposed draft plan approval; requesting the deletion of condition 51; advising that it is unreasonable to expect the developer to eliminate one lot (which represents 10% of the lots in this subdivision) to accommodate access for lands to the west; advising that if a lot is to be utilized for access, then a specified time frame (such as 2 years) should be provided to ensure that this lot is not held out in perpetuity; and, requesting that if the condition is to remain, a minor wording change be considered to indicate that the lot will be "sold at fair market value for residential lots".
- Kyle McIntosh, Whitney Engineering Inc. - expressing concerns with condition 52 of the proposed draft plan approval; requesting the deletion of condition 52; advising that condition 52 requires the installation of a sidewalk to service the adjacent commercial development to the south; noting that the commercial development to the south is proposed to contain a music store, a paint store and insurance offices which are not uses which would generate a significant amount of pedestrian traffic; advising that the installation of a sidewalk would necessitate a break in the noise wall between the commercial building and the residential subdivision; and, advising that people would park in the cul-de-sac and walk to the commercial development. (2012-D11-07/D26-

06)

13. Properties located at 1431-1439 Oxford Street West (Z-8015)

That, on the recommendation of the Director, Land Use Planning and City Planner, the following actions be taken with respect to the application of London Hunt and Country Club, Limited, relating to the property located at 1431-1439 Oxford Street West:

- a) consistent with Policy 19.1.1. of the Official Plan, the subject lands, representing a portion of 1431 and 1439 Oxford Street West, BE INTERPRETED to be located within the Low Density Residential designation; and,
- b) the attached proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on May 22, 2012 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM an Open Space (OS1) Zone which permits conservation works, cultivation of land for agricultural/horticultural purposes, golf courses, private parks, public parks, recreational golf courses, recreational buildings associated with conservation lands and public parks, campground and managed forest, TO a Residential R1 (R1-9) Zone and a Private Road Residential R1 Special Provision (PR\*R1-2(2)) Zone to permit single detached dwellings;

it being pointed out that there were no oral submissions made at the public participation meeting held in connection with this matter. (2012-D11-05)

14. Properties located at 3200 and 3260 Singleton Avenue (Z-8035)

That, on the recommendation of the Senior Planner, Development Services, based on the application of Deerfield Homes Ltd., relating to the properties located at 3200 and 3260 Singleton Avenue, the attached proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on May 22, 2012, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to amend the following:

- a) Section 10.2 (Residential R6 Zone – Permitted Uses) by adding “Fourplex Dwelling” as a permitted use in the R6-5 Zone Variation, applicable City wide; and,
- b) Section 10.4 (Residential R6 Zone - Special Provisions) by replacing the R6-5(30) special provision, which is applicable to 3200 and 3260 Singleton Avenue only, with a new special provision that includes a minimum 60 metre setback from an arterial road for buildings over 9 metres in height; a 20 metre setback for dwellings from high pressure pipelines; and, a maximum permitted density of 55 units per hectare;

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

- Laverne Kirkness, Kirkness Consulting Inc., on behalf of the applicant – expressing support for the application; advising that the applicants are new to London; it being noted that the applicants are based in Kitchener; expressing appreciation to the Civic Administration for moving the application forward quickly; and advising that a similar subdivision plan sold out quickly in Kitchener. (2012-D11-02)

15. Property located at 890 Southdale Road West

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the Environmental Impact Study (EIS) for the Highland Ridge Sanitary Trunk Sewer (Dillon Consulting, July 2011) for the City of London:

- a) the Environmental Impact Study BE ENDORSED as a basis to proceed with construction of the Highland Ridge Sanitary Trunk Sewer Project, and the mitigation measures identified in Table 6 of the EIS Report be included in the contract for this Project;
- b) the recommendations for monitoring identified in Table 7 of the EIS Report BE IMPLEMENTED, with oversight provided by a team comprised of representatives from the City of London, the Upper Thames River Conservation Authority, the Ministry of Natural Resources, the Ministry of Environment and Dillon Consulting; and, c) the

Ecologist Planner BE DIRECTED to report back on the monitoring program within one year of substantial completion of this Project, or no later than September 30, 2013;

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

- Michael Vyse, 967 Gabor Court – requesting a copy of the Senior Planner, Development Services, presentation. (2012-W10-01)

16. Properties located at 909 Southdale Road West and 3045 Pomeroy Lane

That, on the recommendation of the Landscape Planner, the following actions be taken with respect to the site plan approval application by Old Oak Properties Inc., relating to the property located at 909 Southdale Road West and 3045 Pomeroy Lane:

- a) the Approval Authority BE ADVISED that there were no issues raised at the public participation meeting of the Planning and Environment Committee with respect to the site plan approval application for two 16-storey apartment buildings;
- b) the Approval Authority BE ADVISED that the Municipal Council supports the approval of the attached Site Plan for two 16-storey apartment buildings; and,
- c) the financing for the project BE APPROVED in accordance with the “Claims and Revenues Report” provided as Schedule “A” to the associated staff report, dated May 7, 2012;

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

- Chris Gear, Century 21, 421 York Street – requesting confirmation that the proposed lot will be located to the west of Pomeroy Lane; and enquiring as to what is to be built between Pomeroy Lane and Tillman Avenue.
- Ryan Webster, 93 Langarth Street East – enquiring as to what is to be built on the second block; and advising that he is contemplating purchasing a property in the area.
- Michelle Doornbosch, Zelinka Priamo Limited, on behalf of the applicant – expressing support for the recommendation; indicating that there are two separate parcels; and advising that the larger lot is zoned high density residential. (2012-D25-00)

17. Old Victoria Proposed Development - Storm Water Management Issues

That, the following actions be taken with respect to the Old Victoria proposed development, as it relates to SWM Pond #1:

- a) the action of the Municipal Council at its meeting held on February 21 and 22, 2012, in having adopted clause 2 of the 5th Report of the Planning and Environment Committee, BE RECONSIDERED;
- b) the communication, dated April 23, 2012, from Don De Jong, Thames Village Joint Venture, BE REFERRED to the Civic Administration for consideration; and,
- c) the Civic Administration BE REQUESTED to report back to the Planning and Environment Committee, within 90 days, as to the status of the review;

it being noted that the Planning and Environment Committee heard verbal presentations from Paul Hinde and Don De Jong and reviewed and received a communication, dated April 23, 2012, with respect to this matter. (2012-W10-00)

18. 3rd Report of the Trees and Forests Advisory Committee

That, on the recommendation of the Trees and Forests Advisory Committee (TFAC), the following actions be taken with respect to the Emerald Ash Borer Strategy and the Advisory Committee Review:

- a) the Civic Administration BE REQUESTED to examine the City’s tree inventory of Blue Ash to ensure that the health of each specimen of Blue Ash is inspected to warrant its removal; it being noted that the Trees and Forests Advisory Committee (TFAC) heard a

verbal update from S. Rowland, Urban Forestry Planner, with respect to the Emerald Ash Borer Strategy;

- b) the City Clerk BE REQUESTED to allow advisory committee representatives of London-based organizations to be members of advisory committees, irrespective of their home address, as this has been the current practice; it being noted that the TFAC held a general discussion with respect to residency requirements of advisory committee members; and,
- c) that clauses 3 through 7, inclusive, of the 3rd Report of the Trees and Forests Advisory Committee, from its meeting held on April 12, 2012, BE RECEIVED AND NOTED;

it being noted that the Planning and Environment Committee heard a delegation from D. Sheppard, Vice-Chair, Trees and Forests Advisory Committee, with respect to this matter.

The motion to Approve clauses 13 to 18, inclusive, is put

Motion Passed

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

At 9:01 PM, His Worship the Mayor places Councillor P. Hubert in the Chair and takes a seat at the Council Board.

At 9:10 PM His Worship the Mayor resumes the Chair and Councillor P. Hubert takes his seat at the Council Board.

Motion made by Councillor S.E. White and seconded by Councillor B. Polhill to Amend clause 12 b) by adding after the words "51 and 52" the words "provided that access is provided via the rear vacant lots during the development agreement process".

Motion Passed

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

Motion made by Councillor B. Polhill and seconded by Councillor S.E. White to Approve clause 12, as amended.

Motion Passed

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

Clause 12, as amended, reads as follows:

That, the following actions be taken with respect to the application of Vista Woods Estates Ltd., relating to the property located at 751 Fanshawe Park Road West:

- a) the Approval Authority BE ADVISED that at the public participation meeting of the Planning and Environment Committee with respect to the application for draft plan of subdivision, relating to the property located at 751 Fanshawe Park Road West, issues were raised with respect to the requirement of the City of London for the developer to transfer Lot 5 to the City for future access for the adjacent lands at 775 Fanshawe Park Rd W and the proposed sidewalk connection at the south limit of Street "A";
- b) the Approval Authority BE ADVISED that the Municipal Council supports issuing draft approval of the proposed plan of residential subdivision, as submitted by Vista Woods Estates Ltd. (File No. 39T-11505 prepared by Whitney Engineering Inc., certified by Jeremy Matthews, OLS, as redline revised which shows 10 single detached dwellings served by one (1) new street and Eagletrace Drive, SUBJECT TO the conditions contained in the ~~attached~~, revised, Appendix "39T-11505", with the exception of conditions 51 and 52 provided that access is provided via the rear vacant lots during the development agreement process; and,

- c) the ~~attached~~ proposed by-law BE INTRODUCED at the Municipal Council meeting on May 22, 2012 to amend Zoning By-law No. Z.-1 (in conformity with the Official Plan), to change the zoning of the subject property FROM a Holding Compound Residential R5/R6 (h-54 R5-4/R6-5) Zone TO a Holding Residential R1 (h. R1-4) Zone to permit single detached dwellings on lots with a minimum frontage of 12.0 metres (39.37 feet) and a minimum lot area of 360 square metres (3,875 square feet);

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

- Kyle McIntosh, Whitney Engineering Inc. - expressing concerns with condition 51 of the proposed draft plan approval; requesting the deletion of condition 51; advising that it is unreasonable to expect the developer to eliminate one lot (which represents 10% of the lots in this subdivision) to accommodate access for lands to the west; advising that if a lot is to be utilized for access, then a specified time frame (such as 2 years) should be provided to ensure that this lot is not held out in perpetuity; and, requesting that if the condition is to remain, a minor wording change be considered to indicate that the lot will be "sold at fair market value for residential lots".
- Kyle McIntosh, Whitney Engineering Inc. - expressing concerns with condition 52 of the proposed draft plan approval; requesting the deletion of condition 52; advising that condition 52 requires the installation of a sidewalk to service the adjacent commercial development to the south; noting that the commercial development to the south is proposed to contain a music store, a paint store and insurance offices which are not uses which would generate a significant amount of pedestrian traffic; advising that the installation of a sidewalk would necessitate a break in the noise wall between the commercial building and the residential subdivision; and, advising that people would park in the cul-de-sac and walk to the commercial development. (2012-D11-07/D26-06)

19. 5th Report of the Environmental and Ecological Planning Advisory Committee

Motion made by Councillor S.E. White to Approve clause 19.

That, the following comments of the Environmental and Ecological Planning Advisory Committee (EEPAC), with respect to the Notice, dated April 2, 2012, from C. Smith, Planner II, relating to an application submitted by the City of London for the properties located at 585-613-687 and 604-650 Sovereign Road, to amend the Official Plan and Zoning By-law to allow for the expansion of an existing industrial use and to provide for the relocation of a natural heritage feature in the area, BE REFERRED to the Civic Administration for consideration as part of the application review:

- a) EEPAC strongly opposes the removal of a significant woodland, noting that this woodland satisfies three (3) of five (5) criteria for Identification of Significant Woodlands; those criteria are outlined in Section 15.4.5 of the Official Plan, as:
- “(ii) The Woodland contains natural features and ecological functions that are important to the environmental quality and integrity of the Natural Heritage System;
  - (iii) The Woodland is important for the balanced distribution of open space amenities and passive recreational activities across the urban area; and,
  - (v) The Woodland contains distinctive, unusual or high quality natural communities or landforms”;
- b) the City of London cannot afford to lose any woodland, since it currently has less than 8% woodland cover;
- c) the Civic Administration’s proposed compensation plan is inadequate and lacks sufficient detail and that any proposed compensation plan should address the following:
- replacement of lost leaf area within five (5) years;
  - replacement of lost basal area within five (5) years; and,
  - the reclaim and reuse of woodland soils (due to the important seed bank, organic and mineral properties) in any new compensation area;
- d) the compensation lands should be located in the same immediate area, on the same landform unit (sand plain); and,
- e) any additional compensation measures should include the City of London purchasing another woodland with similar features and functions, which would otherwise be at risk of development, such as a woodland with current non-open space zoning; and,

it being noted that the EEPAC heard verbal presentations from B. Warner, Manager, Realty Services and A. Macpherson, Manager, Parks Planning and Design, with respect to this matter; and,

- f) that clauses 2 through 10, inclusive of the 5th Report of the Environmental and Ecological Planning Advisory Committee, from its meeting held on April 19, 2012, BE RECEIVED AND NOTED; it being noted that the Planning and Environment Committee heard a delegation from D. Sheppard, Chair, Environmental and Ecological Planning Advisory Committee, with respect to this matter;

it being noted that the Planning and Environment Committee heard a delegation from D. Sheppard, Chair, Environmental and Ecological Planning Advisory Committee, with respect to this matter

Motion Passed

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

RECUSED: B. Polhill (1)

14th Report of the Planning and Environment Committee  
Councillor B. Polhill presents.

Motion made by Councillor B. Polhill to Approve clauses 1 and 2.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests are disclosed.

2. Properties located at 73, 77, 81 and 91 Southdale Road East and 3021 and 3033 White Oak Road

That, on the recommendation of the Director Land Use Planning, City Planner, the following actions be taken with respect to the application of Sean Eden relating to the property located at 73, 77, 81, and 91 Southdale Road East and 3021 and 3033 White Oak Road:

- a) the action of the Municipal Council at its meeting held on April 10 and 11, 2012, in having adopted parts a) and b) of clause 23 of the 8th report of the Planning and Environment Committee, **BE RECONSIDERED**;
- b) the proposed ~~attached~~ by-law **BE INTRODUCED** at the Municipal Council meeting to be held on May 22, 2012, to amend the Official Plan to change the designation of the subject property FROM Auto Oriented Commercial Corridor and Multi Family Medium Density Residential TO Neighbourhood Commercial Node;
- c) the proposed ~~attached~~ by-law **BE INTRODUCED** at the Municipal Council meeting to be held on May 22, 2012, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan, as amended in part b) above), to change the zoning of the subject property FROM a Residential R1 (R1-10) Zone which permits single detached dwellings, a Neighbourhood Facility (NF) Zone which permits churches and an Urban Reserve (UR4) Zone which permits existing uses TO a Holding Neighbourhood Shopping Area (h\*h-11\*h-63\*h-103\*NSA4) Zone which permits retail commercial uses such as grocery stores, personal service establishments, restaurants, financial institutions to a maximum total gross floor area of 6000 m2 and subject to holding provisions to ensure that a development agreement be entered into with the City, appropriate access arrangements are provided to the satisfaction of Council, implementation of all noise attenuation and design mitigating measures as recommended in a noise assessment report, acceptable to the City and to ensure that urban design matters are addressed at site plan review; and,
- d) pursuant to Section 34(17) of the Planning Act, as determined by the Municipal Council, no further notice **BE GIVEN** in respect of the proposed by-law as the proposed amendment was included in the description of the previous legal notice for this application.

Motion Passed

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

7th Report of the Community Services Committee  
Councillor M. Brown presents.

Motion made by Councillor M. Brown to Approve clauses 1 to 6, inclusive.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Community Projects 2011 Update

That, on the recommendation of the Director of Land Use Planning and City Planner, the report dated May 14, 2012, with respect to the 2011 update of community-led parks projects, BE RECEIVED.

3. Municipal Housing Supplement Agreement

That, on the recommendation of the Director of Municipal Housing, with the concurrence of the Executive Director of Community Services, the following actions be taken with respect to the Municipal Housing Supplement Program:

- a) the Municipal Housing Supplement Agreement between The Corporation of the City of London and eligible Landlord(s), substantially in the form of agreement ~~attached~~ to the report dated May 14, 2012, and to the satisfaction of the City Solicitor, BE APPROVED; and,
- b) the ~~attached~~ proposed By-law BE INTRODUCED at the Municipal Council meeting of May 22, 2012 to delegate authority to the Executive Director of Community Services to execute Municipal Housing Supplement Agreements, noted in a) above, on behalf of the City of London.

4. Summit Baseball Response to Community Concerns Regarding the Team Name & Logo

That, on the recommendation of the Director of Parks & Recreation, with the concurrence of the Executive Director of Community Services, the report dated May 14, 2012 with respect to the response of Summit Baseball, related to community concerns for the team name and logo BE RECEIVED.

5. Neighbourhood Concerns with Greenway Off Leash Dog Area

That, on the recommendation of the Director of Parks & Recreation, with the concurrence of the Executive Director of Community Services, the report dated May 14, 2012 with respect to a summary of measures addressing neighbourhood concerns with the Greenway Off-Leash Dog Area, BE RECEIVED.

6. Accessibility Advisory Committee Report

That the following actions be taken with respect to the 3rd Report of the Accessibility Advisory Committee:

- a) clauses 1 to 9 BE RECEIVED for information;
- b) the verbal report of the Manager of Parking and Licensing Enforcement Services with respect to parking enforcement BE RECEIVED; and,
- c) the Civic Administration BE DIRECTED to report back to the appropriate committee with respect to recommendations for improving the 'enforceability' of designated accessible parking spaces and spaces designated in approved site plans and new developments;



it being noted that the Community Services Committee received a presentation from B. Ryan and L. MacDonald with respect to this matter.

Motion Passed

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

8th Report of the Strategic Priorities and Policy Committee  
Councillor D.G. Henderson presents.

Motion made by Councillor D.G. Henderson to Approve clauses 3 and 5.

Pursuant to section 17.2 of the Council Procedure By-law, Councillor P. Hubert calls for a separate vote on clauses 3 and 5.

### 3. Assessment Growth Policy

That the following financial policy on Assessment Growth **BE APPROVED**:

- a) Assessment growth funding will be dedicated to civic departments, boards and commissions that incur costs to provide an extension of core services to new growth areas;
- b) Assessment growth costs be supported by a business case prepared by the respective civic department, board or commission and approved by the City Treasurer, Chief Financial Officer or designate;
- c) The City Treasurer, Chief Financial Officer, or designate, review and approve the business cases prepared by the respective civic department, board or commission and present a report to Council during the 2013 budget cycle. Commencing with the 2014 budget cycle, the City Treasurer, Chief Financial Officer will report annually, outside of the annual budget review process, on the allocation of assessment growth funding;
- d) If assessment growth funding exceeds the accumulated growth costs of civic departments, boards and commissions in any one budget year, the balance available will be applied in that year as follows: 50% to reducing unissued debt; and 50% to the Economic Development Reserve Fund and/or tax mitigation;
- e) If assessment growth funding is not sufficient to fund assessment growth costs, excess assessment growth funding from previous years will be attributed to assessment growth costs to the extent that funding is available; and,
- f) If excess assessment growth funding from previous years is not available to fund accumulated growth costs, consideration will be given for a tax levy increase or other cost reductions to fund the difference.

Motion Passed

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

NAYS: P. Hubert, H.L. Usher, J.P. Bryant (3)

### 5. Strategic Funding Framework: City Council Directed Funding to Non-Profit Organizations

That, on the recommendation of the Director of Neighbourhood and Children's Services, with the concurrence of the Executive Director of Community Services and the City Treasurer, Chief Financial Officer:

- a) the Strategic Plan for the City of London five result areas (A Strong Economy, A Vibrant and Diverse Community, A Green and Growing City, A Sustainable Infrastructure, A Caring Community) **BE CONFIRMED** as the community priorities and for 2013, all current and new funding coming forward as part of the 2013 budget process must be reasonably expected to contribute to the achievement of these priorities; and,

- b) the ~~attached~~ proposed by-Law (Appendix 1), with the effective date January 1, 2013, **BE INTRODUCED** at the Municipal Council Meeting of May 22, 2012 to:
- (a) approve the standard form for Grant Agreement (~~attached~~ as Schedule A to the By-law) for the Strategic Funding Framework;
  - (b) delegate to the City Manager, the City Treasurer, City's Executive Director of Community Services, City's Executive Director of Engineering and Environmental Services, or their respective written designate, the authority to insert the details into the respective Agreements in the form approved in (a) above; and,
  - (c) delegate to the City Manager, the City Treasurer, City's Executive Director of Community Services, City's Executive Director of Engineering and Environmental Services, or their respective written designate, the authority to execute the Agreements.

Motion Passed

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

RECUSED: J.B. Swan, P. Hubert (2)

Motion made by Councillor D.G. Henderson to Approve clauses 1 to 11, excluding clauses 3 and 5.

1. Disclosures of Pecuniary Interest

That it **BE NOTED** that:

- a) Councillor J.B. Swan disclosed a pecuniary interest in clause 5 of this Report having to do with Council-directed funding to non-profit organizations, in the event that this is applicable to Orchestra London, as Orchestra London is his employer.
- b) Councillor P. Hubert disclosed a pecuniary interest in clause 5 of this report having to do with Council-directed funding to non-profit organizations, by indicating that he is the Executive Director of a social services agency.

2. Initiation Report - 2014 Development Charges Background Study and DC By-law Update

That the following actions be taken with respect to the report dated April 30, 2012, entitled "Initiation Report – 2014 Development Charges Background Study and DC By-law Update", from the City Treasurer, Chief Financial Officer:

- a) the report **BE RECEIVED** for information; it being noted that staff have initiated the 2014 Development Charge (DC) study process with a view to establishing new DC rates by the expiry of the current DC rate by-law in August, 2014;
- b) the Province **BE ASKED** to review the current development charge legislation and **BE ADVISED** that it remains the City of London's position that it would like the Province to reform the *Development Charges Act* to remove the requirement that capital costs be reduced by 10% in the determination of development charges; and,
- c) a copy of the communication to the Province, as referenced in b), above, **BE PROVIDED** to the Association of Municipalities of Ontario, the Large Urban Mayors' Caucus of Ontario and the Mayors' and Regional Chairs' of Ontario.

4. 2013-2017 Operating Budget Targets

That, on the recommendation of the City Treasurer, Chief Financial Officer, the following actions be taken with respect to the 2013 – 2017 Operating Budget Targets:

- a) notwithstanding the updated forecasts provided by Civic Departments, Boards, Commissions and outside agencies that would indicate that a 5.5% property tax levy increase is required, the Civic Administration, Boards, Commissions and outside agencies **BE REQUESTED** to report back to the Strategic Priorities and Policy Committee with 3.8%, 2% and 0% tax increase scenarios, including the implications of

those various scenarios;

- b) that consideration of an average annualized targets for the 2013 to 2017 period **BE REFERRED** to the discussion of the report noted in a), above; it being noted that the average annualized increase forecasted by service programs was 4.1%, which represents a \$78 million fiscal challenge over the next 5 years;
- c) the report back by the London Police Service and the Middlesex-London Health Unit, to the Strategic Priorities and Policy Committee, on the impact of the proposed targets **BE REFERRED** to discussion of the report noted in a), above;
- d) the 2013 assessment growth, estimated at 1%, **BE APPLIED** to services that can demonstrate through a business case that the growth in the city has necessitated additional resources to provide for an extension of core services; it being noted that this direction is consistent with the proposed Assessment Growth Policy being recommended by the City Treasurer, Chief Financial Officer;
- e) sources of funding **BE IDENTIFIED** for the Economic Investment Plan, **SUBJECT TO** the adoption of the Plan by the Municipal Council in September 2012;
- f) the 2013 to 2017 Water rate increase target **BE APPROVED** as follows in order to support the Water Budget, as set out in the Financial Plan prepared under Ontario Regulation 453/07:

2013 – 8%  
2014 – 8%  
2015 – 8%  
2016 – 7%  
2017 – 6.75%

- g) the 2013 to 2017 Sewer rate increase target **BE APPROVED** as follows in order to support the Wastewater and Treatment Budget as set out in the 20-Year Plan:

2013 – 7%  
2014 – 7%  
2015 – 7%  
2016 – 7%  
2017 – 4%

it being noted that the City Treasurer, Chief Financial Officer provided the attached presentation with respect to this matter.

#### 6. KPMG - Rationale for Continuing your Service Delivery Review Process

The Chair directed that the presentation by I. Jeffries, KPMG, regarding the rationale for The Corporation of the City of London continuing its Service Delivery Review Process, be postponed to a future meeting.

#### 7. Southwest Area Plan Servicing Strategy and The City's Growth Management Implementation Strategy (GMIS)

That, on the recommendation of the Director, Land Use Planning and City Planner, the Acting Executive Director, Planning, Environmental & Engineering Services and City Engineer, and the Director, Development Finance, in response to Council's request for further review and evaluation of the Southwest Area Plan phasing and servicing strategy, the staff report dated April 30, 2012 **BE RECEIVED** for information and the following actions be taken on the draft revised Southwest Area Plan Servicing Strategy and GMIS update:

- a)
  - i) the proposed refinements to the servicing strategy for Greenway PCP to allow for servicing of the "Interim Developable Lands" included in the Southwest Planning Area until such time as the ultimate wastewater servicing solution is evaluated **BE SUPPORTED**, noting that the final Scenario for the Interim Development Lands be confirmed through the on-going Southwest Area Plan planning process; and,
  - ii) the requirement for 75% build-out of the lands designated low density residential within the "Interim Developable Lands" of the Southwest Secondary

Plan Area **BE ENDORSED** as the trigger a Municipal Class Environmental Assessment for the ultimate wastewater servicing solution and staging of development for the build-out of the remaining lands in the Southwest Secondary Planning Area, and considered in the context of Citywide development;

- b) staff **BE DIRECTED** to prepare a proposed Official Plan amendment, which is to be circulated to the Public and brought forward to a future Public Meeting to:
- account for existing Lambeth in the servicing hierarchy;
  - identify a strategy for staging of development within the “Interim developable Lands” servicing area of the Southwest Area Secondary Plan; and
  - establish a trigger, as identified in Clause a(ii) above, for the ultimate wastewater servicing solution and required Environmental Assessment to accommodate the servicing for the full build-out of lands in the Southwest Secondary Plan Area; and,
- c) the proposed “Interim Developable Lands” servicing strategy, identified in the enclosed report as Scenario B, **BE CONFIRMED** through the on-going Southwest Area Plan consultation process, as follows:
- full build out of Wonderland Corridor, starting from the existing commercial lands south of Southdale Road and progressing southerly to Dingman Drive;
  - a sanitary pump station to service the lands within the northern part of the corridor;
  - a permanent trunk sanitary sewer in coordination with the widening of Wonderland Road south of Wharncliffe Road to the pump station at Dingman Drive;
  - full buildout of the Central Longwoods community, including all permanent servicing;
  - a trigger for the “Ultimate Developable Lands” upon 75% of buildout of the “Interim Developable Lands”; includes Municipal Class EA to determine wastewater servicing solution;
  - adoption of the projects and staging within Scenario B to be reflected within the 2014 DC Study Update, with timing to be determined in that study;

it being noted that the Strategic Priorities and Policy Committee heard the attached presentation from the Director of Planning and City Planner, the Director of Development Finance, the Manager of Land Use Planning Policy and the Manager of Development Finance with respect to this matter.

#### 8. 3rd Report of the Services Review Committee

That the following actions be taken with respect to the 3rd Report of the Services Review Committee, from its meeting held on April 4, 2012:

- a) the following actions be taken with respect to results based accountability, the Business Planning Process for 2012 and the work of the Services Review Committee (SRC):
- i) on the recommendation of the City Treasurer and Chief Financial Officer, the Business Plan review process, as outlined in the report dated April 4, 2012, **BE ENDORSED**; it being noted that the SRC received the attached presentation with respect to this matter;
- ii) the City Clerk **BE DIRECTED** to incorporate the following into the report currently being drafted related to the mandate and terms of reference for the SRC:
- A) the necessary changes to reflect the role of the SRC as a part of the municipal budget process, such that the annual budget target will act as the guide for the work of the SRC; and,
- B) notwithstanding the current governance structure, the SRC report directly to Council and not through a Standing Committee;
- iii) the following general guiding principles **BE ADOPTED**:
- A) City Council to set multi-year budget targets;
- B) the above-noted targets be multi-faceted, including targets for investment, reserve funds, etc.;

- C) budget targets to be established prior to Summer to direct all of the related processes;
  - D) status reports to be provided annually, in early Spring, with respect to the current budget context and to include consultation with the City's Boards and Commissions; and,
- iv) a revised public consultation and engagement strategy, related to the budget process, **BE ESTABLISHED**; and,
- b) clauses 2, 3 and 5 **BE RECEIVED**.

9. Services Review Committee Terms of Reference

That consideration of the report from the City Clerk, concurred by the City Treasurer, Chief Financial Officer, as to what amendments, if any, the Municipal Council wishes to make to the terms of reference for the Services Review Committee, **BE REFERRED** to the next meeting of the Strategic Priorities and Policy Committee.

10. London Public Library

That the resignation of Jan Lubell from the London Public Library Board of Trustees **BE RECEIVED** and that Ms. Lubell **BE THANKED** for her contributions to the work of the London Public Library Board; and,

That German Gutierrez **BE APPOINTED** to the London Public Library Board of Trustees.

11. Middlesex-London Health Unit

That the communication dated March 28, 2012, from the Chair of the Middlesex-London Board of Health regarding the 2012 estimated Board of Health Expenditures, and the related Council resolution from its meeting held on March 20 and 21, 2012 **BE RECEIVED**.

Motion made by Councillor D.G. Henderson and seconded by Councillor J.B. Swan to Amend clause 7 a)i) by deleting part a)i) and by replacing it with a new part a)i) as follows:

- a) i) the proposed refinements to the servicing strategy for Greenway PCP to allow for servicing of the "Interim Developable Lands" included in the Southwest Planning Area **BE SUPPORTED** subject to the evaluation of the ultimate waste water servicing solution;

Motion Passed

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

Motion made by Councillor D.G. Henderson and seconded by Councillor J.B. Swan to Approve clauses 1 to 11, excluding clauses 3 and 5, including clause 7, as amended.

Motion Passed

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

Clause 7 as amended, reads as follows:

Recommendation: That, on the recommendation of the Director, Land Use Planning and City Planner, the Acting Executive Director, Planning, Environmental & Engineering Services and City Engineer, and the Director, Development Finance, in response to Council's request for further review and evaluation of the Southwest Area Plan phasing and servicing strategy, the staff report dated April 30, 2012 **BE RECEIVED** for information and the following actions be taken on the draft revised Southwest Area Plan Servicing Strategy and GMIS update:

- a) i) the proposed refinements to the servicing strategy for Greenway PCP to allow for to allow for servicing of the "Interim Developable Lands" included in the Southwest Planning Area **BE SUPPORTED** subject to the evaluation of the ultimate waste water servicing solution;

- ii) the requirement for 75% build-out of the lands designated low density residential within the “Interim Developable Lands” of the Southwest Secondary Plan Area **BE ENDORSED** as the trigger a Municipal Class Environmental Assessment for the ultimate wastewater servicing solution and staging of development for the build-out of the remaining lands in the Southwest Secondary Planning Area, and considered in the context of Citywide development;
- b) staff **BE DIRECTED** to prepare a proposed Official Plan amendment, which is to be circulated to the Public and brought forward to a future Public Meeting to:
- account for existing Lambeth in the servicing hierarchy;
  - identify a strategy for staging of development within the “Interim developable Lands” servicing area of the Southwest Area Secondary Plan; and
  - establish a trigger, as identified in Clause a(ii) above, for the ultimate wastewater servicing solution and required Environmental Assessment to accommodate the servicing for the full build-out of lands in the Southwest Secondary Plan Area; and,
- c) the proposed “Interim Developable Lands” servicing strategy, identified in the enclosed report as Scenario B, **BE CONFIRMED** through the on-going Southwest Area Plan consultation process, as follows:
- full build out of Wonderland Corridor, starting from the existing commercial lands south of Southdale Road and progressing southerly to Dingman Drive;
  - a sanitary pump station to service the lands within the northern part of the corridor;
  - a permanent trunk sanitary sewer in coordination with the widening of Wonderland Road south of Wharncliffe Road to the pump station at Dingman Drive;
  - full buildout of the Central Longwoods community, including all permanent servicing;
  - a trigger for the “Ultimate Developable Lands” upon 75% of buildout of the “Interim Developable Lands”; includes Municipal Class EA to determine wastewater servicing solution;
  - adoption of the projects and staging within Scenario B to be reflected within the 2014 DC Study Update, with timing to be determined in that study;

it being noted that the Strategic Priorities and Policy Committee heard the ~~attached~~ presentation from the Director of Planning and City Planner, the Director of Development Finance, the Manager of Land Use Planning Policy and the Manager of Development Finance with respect to this matter.

8th 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 6, inclusive.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

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

That the 4th Report of the London Diversity & Race Relations Advisory Committee from its meeting held on March 22, 2012, BE RECEIVED.

3. Creation of a Separate Eldon House Board

That, on the recommendation of the City Treasurer, Chief Financial Officer, the following actions be taken with regard to the creation of a separate Eldon House Municipal Service Board:

- a) the ~~attached~~ revised proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on May 22, 2012 to establish the Eldon House Municipal Services Board;

- b) the Transition Plan to put the Eldon House Municipal Service Board in place by December 31, 2012, BE APPROVED as outlined in the associated staff report, dated March 5, 2012; and,
- c) the financing for the Transition Plan BE APPROVED in accordance with the Sources of Financing Report provided as Appendix 'B' to the associated staff report, dated March 5, 2012;

it being noted that the Investment and Economic Prosperity Committee reviewed and received the ~~attached~~ communication from M. Lake Collins with respect to this matter; it being pointed out that at the public participation meeting associated with this matter, the following individuals made an oral submission in connection therein:

- Roxanne Lutz – indicating that she has volunteered at Eldon House for 2 ½ years and is excited and supportive of the proposal to create a separate Eldon House Municipal Services Board.
- Nancy Poole – indicating support of the proposal to create a separate Eldon House Municipal Services Board.

#### 4. London Convention Centre Corporation

That, notwithstanding the recommendation of the City Clerk, with the concurrence of the City Treasurer, Chief Financial Officer, the ~~attached~~ proposed by-law (Appendix "A") to repeal By-law A.-5357-298 entitled "A by-law respecting the London Convention Centre Corporation" and replace it with a new by-law BE REFERRED to a future meeting of the Investment and Economic Prosperity Committee, in order to provide the Board of Directors of the London Convention Centre Corporation with an opportunity to further review the proposed by-law and provide further comment;

it being pointed out that at the public participation meeting associated with this matter, Lori Da Silva, Executive Director of the London Convention Centre (LCC), responded to questions of the Committee and requested that the proposed by-law be referred to a future meeting of the Investment and Economic Prosperity Committee for consideration, in order to provide the LCC with a further opportunity to review the proposed by-law and submit comments.

#### 5. Establishing the Economic Baseline

That the ~~attached~~ revised presentations entitled "Establish the Economic Baseline" and "London's Prosperity Plan 2013-2023" BE RECEIVED;

it being noted that the Investment and Economic Prosperity Committee heard a verbal presentation from the City Treasurer, Chief Financial Officer, the Director of Planning and City Planner and the President & CEO, London Economic Development Corporation with respect to these matters.

#### 6. Communications and Engagement Plan

That the presentation entitled "Communications and Engagement Plan" and the ~~attached~~ document entitled "London's Prosperity Plan" BE RECEIVED;

it being noted that the Investment and Economic Prosperity Committee heard a verbal presentation from the Director of Corporate Communications with respect to these matters.

Motion made by Councillor J.B. Swan and seconded by Councillor S. Orser to Amend clause 3 in line 1 of part a) by inserting the word "further", before the word "revised" and by replacing the by-law appended thereto with the ~~attached~~ revised by-law with the word monthly removed from section 4.9(1).

Motion Passed

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

The motion to Approve clauses 1 to 6, including clause 3, as amended, is put.

Motion Passed

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

Clause 3 as amended, reads as follows:

That, on the recommendation of the City Treasurer, Chief Financial Officer, the following actions be taken with regard to the creation of a separate Eldon House Municipal Service Board:

- a) the ~~attached~~ further revised proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on May 22, 2012 to establish the Eldon House Municipal Services Board;
- b) the Transition Plan to put the Eldon House Municipal Service Board in place by December 31, 2012, BE APPROVED as outlined in the associated staff report, dated March 5, 2012; and,
- c) the financing for the Transition Plan BE APPROVED in accordance with the Sources of Financing Report provided as Appendix 'B' to the associated staff report, dated March 5, 2012;

it being noted that the Investment and Economic Prosperity Committee reviewed and received the ~~attached~~ communication from M. Lake Collins with respect to this matter; it being pointed out that at the public participation meeting associated with this matter, the following individuals made an oral submission in connection therein:

- Roxanne Lutz – indicating that she has volunteered at Eldon House for 2 ½ years and is excited and supportive of the proposal to create a separate Eldon House Municipal Services Board.
- Nancy Poole – indicating support of the proposal to create a separate Eldon House Municipal Services Board.

5th Report of the Public Safety Committee  
Councillor D. Brown presents.

Motion made by Councillor D. Brown to Approve clauses 1 to 3.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Public Nuisance By-law

That, on the recommendation of the City Solicitor, with the concurrence of the Manager of Licensing and Municipal Law Enforcement Services, the ~~attached~~ proposed by-law (Appendix 1) BE INTRODUCED at the Municipal Council meeting on May 22, 2012;

it being noted the enactment of the by-law becomes an operational matter under the jurisdiction of the London Police Service.

3. 1st Report of the Town and Gown Committee

That the 1st Report of the Town and Gown Committee, from its meeting held on April 17, 2012, BE RECEIVED.

Motion made by Councillor D. Brown and seconded by Councillor P. Hubert to Amend clause 2 by adding the following wording at the end:

“; it being further noted that the provisions of the Police Services Act, R.S.O. 1990, do not permit reporting of operational matters by the Chief of Police to the Police Services Board, and therefore to the Board to the Public Safety Committee and the same restrictions apply to the Manager of Licensing and Municipal Law Enforcement Services, who is a special constable, appointed by the Police Services Board.”

At 9:55 PM His Worship the Mayor places Councillor D.G. Henderson in the Chair and takes a seat at the Council Board.



At 10:05 PM His Worship the Mayor resumes the Chair and Councillor D.G. Henderson takes his seat at the Council Board.

The motion to Amend clause 2 is put.

Motion Passed

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

NAYS: J.L. Baechler, D.G. Henderson (2)

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

Motion Passed

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

NAYS: J.L. Baechler, D.G. Henderson (2)

Clause 2 as amended, reads as follows:

That, on the recommendation of the City Solicitor, with the concurrence of the Manager of Licensing and Municipal Law Enforcement Services, the attached proposed by-law (Appendix 1) BE INTRODUCED at the Municipal Council meeting on May 22, 2012;

it being noted the enactment of the by-law becomes an operational matter under the jurisdiction of the London Police Service;

it being further noted that the provisions of the Police Services Act, R.S.O. 1990, do not permit reporting of operational matters by the Chief of Police to the Police Services Board, and therefore to the Board to the Public Safety Committee and the same restrictions apply to the Manager of Licensing and Municipal Law Enforcement Services, who is a special constable, appointed by the Police Services Board.

The motion to Approve clauses 1 and 3 is put.

Motion Passed

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

## **VIII DEFERRED MATTERS**

None

## **IX ENQUIRIES**

None

## **X EMERGENT MOTIONS**

None

## **XI BY-LAWS**

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

Motion made by Councillor B. Polhill and seconded by Councillor D. Brown to Approve 1st Reading of Bill No. 221.

Motion Passed

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

RECUSED: P. Hubert (1)

Motion made by Councillor S. Orser and seconded by Councillor S.E. White to Approve 2nd Reading of Bill No. 221.

Motion Passed

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

RECUSED: P. Hubert (1)

Motion made by Councillor B. Polhill and seconded by Councillor H.L. Usher to Approve 3rd Reading of Bill No. 221.

Motion Passed

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

RECUSED: J.B. Swan, P. Hubert (2)

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

Bill No. 221, By-law No. A.-	A by-law to approve and adopt the standard form Grant Agreement (Strategic Funding Framework); and to authorize a City Representative to insert information and execute agreements which employ this form. (5/8/SPPC)
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Motion made by Councillor P. Van Meerbergen and seconded by Councillor H.L. Usher to Approve 1st Reading of Bill No.s 119 and 220, Bill No. 222, Bill No. 223, as amended, and Bill No.s 224 to 247, excluding Bill No. 244.

Motion Passed

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

Motion made by Councillor B. Polhill and seconded by Councillor D. Brown to Approve 2nd Reading of Bill No.s 119 and 220, Bill No. 222, Bill No. 223, as amended, and Bill No.s 224 to 247, excluding Bill No. 244.

Motion Passed

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

Motion made by Councillor P. Van Meerbergen and seconded by Councillor P. Hubert to Approve 3rd Reading of Bill No.s 119 and 220, Bill No. 222, Bill No. 223, as amended, and Bill No.s 224 to 247, excluding Bill No. 244.

Motion Passed

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

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

Bill No. 219, By-law No. A.-	A by-law to confirm the proceedings of the Council Meeting held on the 22nd day of May, 2012. (City Clerk)
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Bill No. 220, By-law No. A.-	A by-law levying rates for 2012 for school purposes in the City of London. (5/15/FASC)
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Bill No. 222, By-law No. A.-	A by-law to authorize an Agreement between The Corporation of the City of London and Andlauer Management Group Inc., to authorize the Mayor and the City Clerk to execute the Agreement. (4/15/FASC)
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Bill No. 223, By-law No. A.-	A by-law to establish a municipal service board for the purpose of operating and managing Eldon House. (3/8/IEPC)
Bill No. 224, By-law No. A.-	A by-law to delegate authority to the Executive Director of community Services to execute Municipal Housing Supplement Agreements on behalf of the City of London under the Affordable Housing Program. (3/7/CSC)
Bill No. 225, By-law No. A.-5273(cf)-amend	A by-law to amend By-law No. A.-5273-82 entitled, "A by-law to appoint Municipal Law Enforcement Officers for the City of London." (Manager of By-law Enforcement)
Bill No. 227, By-law No. C.P.-1284(sh)-amend	A by-law to amend the Official Plan for the City of London, 1989 relating to 290, 296, 316, 318, 320, 326, 328, 330, 358 Horton Street East; 300 Wellington Street (southeast portion); and, 240 (southern portion), 251, 263, 265 Waterloo Street (9/13/PEC)
Bill No. 228, By-law No. PH-	A by-law to prohibit and regulate public nuisances within the City of London. (2/5/PSC)
Bill No. 229, By-law No. PS-111-amend	A by-law to amend By-law PS-111 entitled, "A by-law to regulate traffic and the parking of motor vehicles in the City of London." (4/8/CWC)
Bill No. 230, By-law No. S.-	A by-law to permit Sara Ann Vander Hoeven and Alexander George Vander Hoeven to maintain and use an encroachment upon the road allowance for Grosvenor Street, City of London.) (City Solicitor)
Bill No. 231, By-law No. S.-	A by-law to permit Isaac David Shapiro & Jessica Sarah Papernick to maintain and use a boulevard parking area upon the road allowance for 569 Victoria Street, City of London.) (Manager Licensing and Elections)
Bill No. 232, By-law No. S.-	A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (For the purpose of a public walkway for pedestrian use only, west of Jinnies Street) (Chief Surveyor)
Bill No. 233, By-law No. S.-	A by-law to lay out, constitute, establish and assume certain reserves in the City of London as public highway. (As part of Singleton Avenue, west of Morgan Avenue; As part of Morgan Avenue, north of Morgan Crescent; and As widening to Singleton Avenue, east of Morgan Avenue.) (Chief Surveyor)
Bill No. 234, By-law No. S.-	A by-law to lay out, constitute, establish and assume certain reserves in the City of London as public highway. (As part of Cedarpark Crescent, east of Cedarhollow Boulevard; As part of Guinness Way, west of Cedarhollow Boulevard; And as part of Cedarpark Drive, north of Killarney Road.) (Chief Surveyor)
Bill No. 235, By-law No. S.-	A by-law to lay out, constitute, establish and assume certain reserves in the City of London as public highway. (As part of Medway Park Drive, west of Foxwoods Avenue.) (Chief Surveyor)
Bill No. 236, By-law No. S.-	A by-law to lay out, constitute, establish and assume certain reserves in the City of London as public highway. (As part of North Weenie Drive, east of Gough Avenue; and As part of Waterwheel Road, east of Gough Avenue.) (Chief Surveyor)
Bill No. 237, By-law No. S.-	A by-law to lay out, constituted, establish and assume certain reserves in the City of London as public highway. (As widening to Wilton Grove Road, west of Cheese Factory Road) (Chief Surveyor)
Bill No. 238, By-	A by-law to amend By-law No. S.-5411-69 entitled, "A by-law to

law No. S.-5411()-amend	lay out, constitute, establish and assume lands in the City of London as public highway. (As widening to Bolero Road, north of Southdale Road West; And as widening to Southdale Road West, east of Bolero Road. (City Solicitor)
Bill No. 239, By-law No. S.-5419(a)-amend	A by-law to amend By-law S.-5419-126 entitled, "A by-law to rename Headley to Headley Gate, in the City of London." (City Solicitor)
Bill No. 240, By-law No. Z.-1-122106	A by-law to amend By-law No. Z.-1 to remove the holding provisions from the zoning for an area of land located at 580 Fanshawe Park Road East (2/13/PEC)
Bill No. 241, By-law No. Z.-1-122107	A by-law to amend By-law No. Z.-1 to rezone an area of land located at a portion of 1431 and 1439 Oxford Street West (13/13/PEC)
Bill No. 242, By-law No. Z.-1-122108	A by-law to amend By-law No. Z.-1 to rezone an area of land at 751 Fanshawe Park Rd W. (Block 94 in Plan 33M-639) (12/13/PEC)
Bill No. 243, By-law No. Z.-1-122109	A by-law to amend By-law No. Z.-1 to add a permitted use in the R6-5 Zone Variation, and change the zoning on lands located at 3200 and 3260 Singleton Avenue (14/13/PEC)
Bill No. 245, By-law No. A.-	A by-law to ratify and confirm the Annual Resolutions of the Shareholder of London Hydro Inc.
Bill No. 246, By-law No. C.P.-1284(sag)-177	A by-law to amend the Official Plan for the City of London, 1989 relating to 73, 77, 81 and 91 Southdale Road East and 3021 and 3033 White Oak Road (2/14/PEC)
Bill No. 247, By-law No. Z.-1-122105	A by-law to amend By-law No. Z.01 to rezone an area of land located at 73, 77, 81 and 91 Southdale Road East and 3021 and 3033 White Oak Road (2/14/PEC)

## **XII COMMITTEE OF THE WHOLE, IN CAMERA**

### **MOTION FOR IN CAMERA SESSION**

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

- a) A matter pertaining to 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. (FASC)
- b) A matter pertaining to advice that is subject to solicitor-client privilege, including communications necessary for that purpose, and advice with respect to potential litigation with respect to the Kaycan's costs associated with Hale/Trafalgar Grade Separation Project. (FASC)
- c) A matter pertaining to advice that is subject to solicitor-client privilege, including communications necessary for that purpose, and advice with respect to potential litigation with respect to the Margaret Joanne McLeod's residence at 1377 Trafalgar Street and OMB File # LC110030. (FASC)
- d) A matter pertaining to employee negotiations including personal information about identifiable individuals 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. (FASC)

- e) A matter pertaining to advice that is subject to solicitor-client privilege, including communications necessary for that purpose, and advice with respect to potential litigation with respect to the appeal by Buckham Transport Limited with respect to Request for Quotation 12-24 Municipal Hazardous and Special Waste Service. (FASC)
- f) A matter being considered to receive advice subject to solicitor-client privilege, including communications necessary for that purpose, and advice with respect to potential litigation with respect to the Southeast Reservoir and Pumping Station. (CWC)
- g) A matter being considered pertaining to a) litigation or potential litigation with respect to the appeal of Hesham Abdelsayed to the Ontario Municipal Board, including matters before administrative tribunals, affecting the municipality or local board relating to a refusal to approve a zoning by-law amendment to permit a pharmacy at 1472 Huron Street; b) advice that is subject to solicitor-client privilege, including communications necessary for that purpose, in connection the appeal of Hesham Abdelsayed to the Ontario Municipal Board, including matters before administrative tribunals, affecting the municipality or local board relating to a refusal to approve a zoning by-law amendment to permit a pharmacy at 1472 Huron Street; and c) giving instructions and directions to the solicitors of the municipality in connection with the appeal of Hesham Abdelsayed to the Ontario Municipal Board, including matters before administrative tribunals, affecting the municipality or local board relating to a refusal to approve a zoning by-law amendment to permit a pharmacy at 1472 Huron Street. (PEC)
- h) A matter pertaining to advice that is subject to solicitor-client privilege, including communications necessary for that purpose, regarding confidentiality in relation to economic development services. (IEPC)
- i) Advice subject to solicitor-client privilege including communications necessary for that purpose relating to the request for proposals for Engineering Services RFP 12-15.

Motion Passed

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

The Council rises and goes into Committee of the Whole, in camera at 10:29 PM with Mayor J.F. Fontana in the Chair and all Members present except Councillors W.J. Armstrong and N. Branscombe.

The Committee of the Whole rises and Council resumes in resumes regular session at 12:25 AM with Mayor J.F. Fontana in the Chair and all Members present except Councillors W.J. Armstrong, N. Branscombe and B. Polhill.

Councillor J.L. Baechler reports progress with respect to the matters for which the Committee of the Whole convened in camera.

8th Report of the Civic Works Committee (continued)  
Councillor H.L. Usher presents.

The motion to Approve clause 22 is put.

Motion Passed

Clause 22 reads as follows:

That, on the recommendation of the Acting Executive Director, Planning, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to amending the contract for engineering fees for the Southeast Pumping Station and Reservoir Project (EW3614):

- a) the resident inspection and contract administration fees for AECOM Canada Ltd., 410 – 250 York Street, Citi Plaza, London, ON, N6A 6K2, BE INCREASED in the amount of \$786,280.00 from \$2,800,198.00, excluding H.S.T., to a revised total of \$3,586,478.00, excluding H.S.T., for the increased costs for resident inspection and the contract administration for the Southeast Reservoir and Pumping Station Project (EW3614), due to a construction delay; it being noted that this request for an increase in funds is within the existing funding allocation for the project;
- b) the financing for this project BE APPROVED as set out in the Sources of Financing Report included as Appendix "A" to the associated staff report, dated May 14, 2012;
- c) the contract amendment for engineering fees for the project BE AUTHORIZED in accordance with Section 20.3 of the City of London's Procurement of Goods and Services Policy; and,
- d) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project; and, it being noted that the Corporation previously entered into a formal contract with AECOM Canada Ltd. and this work is an extension of that contract.

9th Report of the Civic Works Committee (continued)  
Councillor P. Van Meerbergen presents.

Motion made by Councillor P. Van Meerbergen to Approve clause 3.

3. Consultant Appointment – Greenway Wastewater Treatment Plant Expansion (Project ES2685)

That, notwithstanding the recommendation of the Acting Executive Director Planning, Environmental and Engineering Services and City Engineer, the matter of the of award of pre-design, detailed design, and contract administration for the Greenway Wastewater Treatment Plant Expansion (Project ES2685) **BE REFERRED** to Civic Administration in order to facilitate presentations, from each of the three short-listed proponents, to the Civic Works Committee.

At 12:29 AM, His Worship the Mayor places Councillor P. Hubert in the Chair and takes a seat at the Council Board.

At 12:35 AM, His Worship the Mayor resumes the Chair and Councillor P. Hubert takes his seat at the Council Board.

Motion made by Councillor P. Hubert and seconded by Councillor D. Brown to Amend clause 3 to read to request the Civic Administration to ask the proponents if they would be willing to waive the confidentiality provisions

Councillor S.E. White leaves the meeting at 12:49 AM.

The motion to Amend clause 3 is put.

Motion Lost

YEAS: Mayor J.F. Fontana, Councillors S. Orser, D.G. Henderson, P. Van Meerbergen and D. Brown (5)

NAYS: Councillors J.B. Swan, J.L. Baechler, M. Brown, P. Hubert, H.L. Usher and J.P. Bryant. (6)

Motion made by Councillor P. Van Meerbergen and seconded by Councillor D. Brown to Refer clause 3 back to the selection team to take questions from the Civic Works Committee at its next meeting.

At 1:10 AM His Worship the Mayor places Councillor P. Hubert in the Chair and takes a seat at the Council Board.

At 1:12 AM His Worship the Mayor resumes the Chair and Councillor P. Hubert takes his seat at the Council Board.

The motion to Refer is put.

Motion Lost

YEAS: Mayor J.F. Fontana, Councillors S. Orser, D.G. Henderson, P. Van Meerbergen and D. Brown (5)

NAYS: Councillors J.B. Swan, J.L. Baechler, M. Brown, P. Hubert, H.L. Usher and J.P. Bryant. (6)

The motion to Approve clause 3 is put.

Motion Lost

YEAS: Mayor J.F. Fontana, Councillors S. Orser, D.G. Henderson, P. Van Meerbergen and D. Brown (5)

NAYS: Councillors J.B. Swan, J.L. Baechler, M. Brown, P. Hubert, H.L. Usher and J.P. Bryant. (6)

Motion made by Councillor P. Hubert and seconded by Councillor H.L. Usher to Approve that, on the recommendation of the Acting Executive Director Planning, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the award of pre-design, detailed design, and contract administration for the Greenway Wastewater Treatment Plant Expansion:

- a) CH2MHill (project lead), along with partners Aecom and Eramosa, **BE APPOINTED** Consulting Engineers for the design and contract administration of the Greenway Wastewater Treatment Plant expansion and upgrade for the amount of \$ 3,079,994.50, including contingency and excluding HST, in accordance with Section 15, Clause 15.2 (e) of the Procurement of Goods and Services Policy;
- b) the financing for the project **BE APPROVED** in accordance with the "Sources of Financing Report" included as Appendix "A" to the associated staff report dated May 14, 2012;
- c) the consulting fees for the project identified in (a), above, **BE IN ACCORDANCE** with the estimate, on file, which are based upon the Fee Guideline for Professional Engineering Services, 2006, recommended by the Ontario Society of Professional Engineers;
- d) the approvals given herein **BE CONDITIONAL** upon the Corporation entering into a formal contract with the consultant for the work; and
- e) the Mayor and the City Clerk **BE AUTHORIZED** to execute any contract or other documents, if required, to give effect to these recommendations.

Motion Passed

YEAS: Councillors J.B. Swan, J.L. Baechler, M. Brown, P. Hubert, H.L. Usher and J.P. Bryant. (6)

NAYS: Mayor J.F. Fontana, Councillors S. Orser, D.G. Henderson, P. Van Meerbergen and D. Brown (5)

Motion made by Councillor J.L. Baechler and seconded by Councillor P. Hubert, that pursuant to section 17.4 of the Council Procedure By-law leave be given for discussion and debate and the making of a substantive motion with respect changing the date of the June 6, 2012 Strategic Priorities and Policy Committee meeting.

Motion Passed

Pursuant to section 11.6 of the Council Procedure By-law, the motion made by Councillor J.L. Baechler and seconded by Councillor P. Hubert is, at the joint request of the mover and seconded and with the consent of the Council, withdrawn.

**XIII ADJOURNMENT**

Motion made by Councillor P. Hubert and seconded by Councillor S. Orser, to Adjourn.

The meeting Adjourns at 1:40 AM on May 23, 2012.

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Joe Fontana, Mayor

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Catharine Saunders, City Clerk