



London
CANADA

COUNCIL MINUTES SIXTEENTH MEETING

October 3, 2011

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

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

ALSO PRESENT: J.A. Fielding, R.L. Fair, M. Hayward, P. McNally, G.T. Hopcroft, E. Gamble, B. Westlake-Power, V. McAlea Major, J. Braam, J. Stanford, T.A. Johnson, J. Kobarda, D. Ailles, S. Axford, J.P. Barber, J. Fleming, B. Warner, M. Henderson

ABSENT WITH REGRETS: W.J. Armstrong, J.L. Baechler, N. Branscombe

I RECOGNITIONS

1. His Worship the Mayor presents a certificate for "London's Featured Community Organization" to Boomer Boyce, Greg Schaus, Clare McCabe and Jerry Pickering representing the London Minor Hockey Association.
2. His Worship the Mayor recognizes James Thompson and the Miss Supertest for the recent unveiling of a national and international stamp issued by Canada Post.

II DISCLOSURES OF PECUNIARY INTEREST

285. Councillor P. Hubert discloses a pecuniary interest in clause C-4 of the Confidential Appendix of the 23rd Report of the Finance and Administration Committee having to do with a matter pertaining to instructions and directions to officers and employees of the Corporation pertaining to a proposed disposition and/or acquisition of land; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; reports or advice or recommendations of officers and employees of the Corporation pertaining to a proposed disposition and/or acquisition of land; financial information supplied in confidence pertaining to the proposed disposition and/or acquisition of land, the disclosure of which could reasonably be expected to, prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of the Corporation, result in similar information no longer being supplied to the Corporation where it is in the public interest that similar information continue to be so supplied, and result in undue loss or gain to any person, group, committee or financial institution or agency; commercial information relating to the proposed disposition and/or acquisition of land that belongs to the Corporation that has monetary value or potential monetary value; information concerning the proposed disposition and/or acquisition of land whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or its competitive position; information concerning the proposed disposition and/or acquisition of land whose disclosure could reasonably be expected to be injurious to the financial interests of the Corporation; and instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the Corporation concerning the proposed disposition and/or acquisition of land by indicating that he has contracts with the owner of one of the sites; it being noted that the 23rd Report of the Finance and Administration Committee should note the Councillor's disclosure to clause C-4, not C-3.

Councillor P. Hubert further discloses a pecuniary interest in clause 25 of the 23rd Report of the Built and Natural Environment Committee having to do with a demolition request for 764 Waterloo Street, by indicating that he is the Executive Director of a Social Services Agency which leases from the proponent.

Councillor P. Hubert also discloses a pecuniary interest in clauses 12 and 13 of the 16th Report of the Community and Neighbourhoods Committee having to do with the Ontario Works Caseload Update for May to August, 2011 and the Participant Profile July 2011, respectively, by indicating that he is the Executive Director of a Social Services Agency that does work with Ontario Works.

286. Councillor D. Brown discloses a pecuniary interest in clause 1 of the 16th Report of the Community and Neighbourhoods Committee having to do with the taxi/limousine by-law by indicating that her employer has a taxi division.

Councillor D. Brown further discloses a pecuniary interest in clause 4 of the 23rd Report of the Built and Natural Environment Committee (BNEC), having to do with the access management and transportation impact assessment guidelines, by indicating that her employer has a contract with the London Transit Commission; clause 17 of the 23rd Report of the BNEC, having to do with the 6th Report of the Transportation Advisory Committee, by indicating that her employer has a contract with the London Transit Commission; clause 23 of the 23rd Report of the BNEC, having to do with the University of Western Ontario Student Union Late Night Shuttle Service, by indicating that her employer may bid on the contract; and, clause 24 of the 23rd Report of the BNEC, having to do with the application of 1209571 Ontario Limited relating to the properties located at 485, 495, 503, 517 and 519 York Street by indicating that her employer's place of business is within 250 metres.

287. Councillor White makes notation of the disclosures, and related voting, from the Council meeting of September 19, 2011.
288. Councillor Polhill discloses a pecuniary interest in clause 29 of the 23rd Report of the Built and Natural Environment Committee, having to do with the Great Near-Campus Neighbourhoods Planning Amendments, by indicating that his son is a member of the Committee of Adjustment.

289. **III CONFIRMATION AND SIGNING OF THE MINUTES OF THE FIFTEENTH MEETING HELD ON SEPTEMBER 19, 2011**

Motion made by Councillor M. Brown and seconded by Councillor P. Van Meerbergen to Approve the Minutes of the Fifteenth Meeting, held on September 19, 2011.

Motion Passed

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

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

291. **V COMMUNICATIONS AND PETITIONS**

1. D. Jack, President, 719299 Ontario Inc. - By-law of Abandonment for Identified Sections of the Stanton Municipal Drain. (Referred to the Built and Natural Environment Committee Stage for Consideration with Clause 6 of the 23rd Report of the Built and Natural Environment Committee.)
2. S. Levin, Nature London - Thames Valley Parkway Extension on Westdel Bourne - Road Allowance at Kains Road. (Referred to the Built and Natural Environment Committee Stage for Consideration with Clause 24 of the 23rd Report of the Built and Natural Environment Committee.)
3. Farhi Holdings Inc. - Demolition Request - 764 Waterloo Street. (Referred to the Built and Natural Environment Committee Stage for Consideration with Clause 25 of the 23rd Report of the Built and Natural Environment Committee.)
 - a) C. Buck and B. O'Neill, 336 St. James Street.
 - b) C. Scott Barre, Bishop Hellmuth Community Association.
4. City Clerk advising that the following zoning by-laws have come into force and effect, namely:
 - a) By-law No. Z.-1-112037 to amend By-law No. Z.-1 to rezone an area of land located at 1100 Fanshawe Park Road East;
 - b) By-law No. Z.-1-112038 to amend By-law No. Z.-1 to rezone an area of land located at 1200 Commissioners Road East;
 - c) By-law No. Z.-1-112039 to amend By-law No. Z.-1 to rezone an area of land located at 608 Hamilton Road and 610 Hamilton Road;

- d) By-law No. Z.-1-112040 to amend By-law No. Z.-1 to rezone an area of land located at 122 Baseline Road West;
- e) By-law No. Z.-1-111978 to amend By-law No. Z.-1 to rezone an area of land located at 90 Central Avenue;
- f) By-law No. Z.-1-112013 to amend By-law No. Z.-1 to rezone an area of land located at 307 Fanshawe Park Road East; and
- g) By-law Z.-1-112036 to amend By-law No. Z.-1 to rezone an area of land located at 3313 Wonderland Road South.

5. J. Winston, General Manager, Tourism London - Request for Review of Tricar Group Parking Proposal.

(Referred to the Finance and Administration Committee Stage for Consideration with Clause 2 of the 23rd Report of the Finance and Administration Committee.)

6. (a) J. & C. Bacik, 1940 Riverbend Road – Thames Valley Parkway Extension on Westdel Bourne – Road Allowance at Kains Road;
- (b) S. & B. Turner, 1952 Riverbend Road – Thames Valley Parkway Extension on Westdel Bourne – Road Allowance at Kains Road;
- (c) C. & M. Frauts, 1964 Riverbend Road – Thames Valley Parkway Extension on Westdel Bourne – Road Allowance at Kains Road;
- (d) W. McAlpine & I. McAlpine, 1948 Riverbend Road – Thames Valley Parkway Extension on Westdel Bourne – Road Allowance at Kains Road;
- (e) L. Williams, Principal, Wortley Road PS – Thames Valley Parkway Extension on Westdel Bourne – Road Allowance at Kains Road; and
- (f) M. O'Brien & L. Williams, 2020 Riverbend Road – Thames Valley Parkway Extension on Westdel Bourne – Road Allowance at Kains Road.

(Referred to the Built and Natural Environment Committee Stage for Consideration with Clause 24 of the 23rd Report of the Built and Natural Environment Committee.)

7. (a) L. Kaufman, 778 Hellmuth Avenue – Farhi Holdings Inc. – Demolition Request – 764 Waterloo Street; and
- (b) S. Barre, 774 Hellmuth Avenue – Farhi Holdings Inc. – Demolition Request – 764 Waterloo Street.

(Referred to the Built and Natural Environment Committee Stage for Consideration with Clause 25 of the 23rd Report of the Built and Natural Environment Committee.)

8. K. Barboza, Heritage Advisor, Ministry of Tourism and Culture – Infrastructure Ontario (Formerly Ontario Realty Corporation) – London Psychiatric Hospital Lands Secondary Plan (O-7668).

(Referred to the Built and Natural Environment Committee Stage for Consideration with Clause 26 of the 23rd Report of the Built and Natural Environment Committee.)

9. (a) B. Smith, Station Manager, Rogers TV London – Summit Professionals Baseball LLC (Frontier League Professional Baseball) License Agreement for Use of Labatt Park;
- (b) J. O'Neill, Commissioner IBL – Summit Professionals Baseball LLC (Frontier League Professional Baseball) License Agreement for Use of Labatt Park;

- (c) D. J. Clark, Barrister & Solicitor – Summit Professionals Baseball LLC (Frontier League Professional Baseball) License Agreement for Use of Labatt Park;
- (d) B. Coste, Compressor Engineering Group – Summit Professionals Baseball LLC (Frontier League Professional Baseball) License Agreement for Use of Labatt Park;
- (e) N. E. Leppan, 45 Wilson Avenue – Summit Professionals Baseball LLC (Frontier League Professional Baseball) License Agreement for Use of Labatt Park;
- (f) J. Ashton, E-mail – Summit Professionals Baseball LLC (Frontier League Professional Baseball) License Agreement for Use of Labatt Park;
- (g) C. Chambers, E-mail – Summit Professionals Baseball LLC (Frontier League Professional Baseball) License Agreement for Use of Labatt Park;
- (h) K. Chambers, E-mail – Summit Professionals Baseball LLC (Frontier League Professional Baseball) License Agreement for Use of Labatt Park;
- (i) M. Lumley, London Badgers Baseball Organization – Summit Professionals Baseball LLC (Frontier League Professional Baseball) License Agreement for Use of Labatt Park;
- (j) M. Riffel, E-mail – Summit Professionals Baseball LLC (Frontier League Professional Baseball) License Agreement for Use of Labatt Park;
- (k) P. Fernandes Wardhaugh, PhD, E-mail – Summit Professionals Baseball LLC (Frontier League Professional Baseball) License Agreement for Use of Labatt Park;
- (l) D. Moreland, E-mail – Summit Professionals Baseball LLC (Frontier League Professional Baseball) License Agreement for Use of Labatt Park;
- (m) K. L. Smyth, 290 Kiwanis Park Drive – Summit Professionals Baseball LLC (Frontier League Professional Baseball) License Agreement for Use of Labatt Park;
- (n) D. Adams, 12 Kinnear Crescent – Summit Professionals Baseball LLC (Frontier League Professional Baseball) License Agreement for Use of Labatt Park;
- (o) S. Gibson, E-mail – Summit Professionals Baseball LLC (Frontier League Professional Baseball) License Agreement for Use of Labatt Park;
- (p) L. Hogarth, E-mail – Summit Professionals Baseball LLC (Frontier League Professional Baseball) License Agreement for Use of Labatt Park;
- (q) J. Wunnink, The Better Way Lending Company Inc. – Summit Professionals Baseball LLC (Frontier League Professional Baseball) License Agreement for Use of Labatt Park;
- (r) S. Dart, President/Co-Owner, London Majors Baseball Corp. – Summit Professionals Baseball LLC (Frontier League Professional Baseball) License Agreement for Use of Labatt Park;
- (s) A. Wilkinson, E-mail – Summit Professionals Baseball LLC (Frontier League Professional Baseball) License Agreement for Use of Labatt Park;
- (t) Z. Breault, E-mail – Summit Professionals Baseball LLC (Frontier League Professional Baseball) License Agreement for Use of Labatt Park;

- (u) A. Gladysz, Marketing Manager, London Majors Baseball – Summit Professionals Baseball LLC (Frontier League Professional Baseball) License Agreement for Use of Labatt Park;
- (v) T. Park, Professor, Fanshawe College – Summit Professionals Baseball LLC (Frontier League Professional Baseball) License Agreement for Use of Labatt Park;
- (w) J. Cressman, 957 Dalhousie Drive – Summit Professionals Baseball LLC (Frontier League Professional Baseball) License Agreement for Use of Labatt Park;
- (x) K. R. Sewchand, E-mail – Summit Professionals Baseball LLC (Frontier League Professional Baseball) License Agreement for Use of Labatt Park;
- (y) R. Chanderdat, Co-Owner, General Manager & Field Manager, London Majors Baseball Club – Summit Professionals Baseball LLC (Frontier League Professional Baseball) License Agreement for Use of Labatt Park;
- (z) T. Valcke, President & CEO, Canadian Baseball Hall of Fame & Museum – Summit Professionals Baseball LLC (Frontier League Professional Baseball) License Agreement for Use of Labatt Park;
- (aa) A. Sellars, E-mail – Summit Professionals Baseball LLC (Frontier League Professional Baseball) License Agreement for Use of Labatt Park;
- (bb) R. Chanderat, Co-Owner, General Manager & Field Manager, London Majors Baseball Club – Summit Professionals Baseball LLC (Frontier League Professional Baseball) License Agreement for Use of Labatt Park;
- (cc) J. Lapp, Canadian Supervisor, Milwaukee Brewers Baseball Club – Summit Professionals Baseball LLC (Frontier League Professional Baseball) License Agreement for Use of Labatt Park;
- (dd) N. Laprise, 64 Guildwood Walk – Summit Professionals Baseball LLC (Frontier League Professional Baseball) License Agreement for Use of Labatt Park;
- (ee) T. Chapman, E-mail – Summit Professionals Baseball LLC (Frontier League Professional Baseball) License Agreement for Use of Labatt Park;
- (ff) K. Richardson, E-mail – Summit Professionals Baseball LLC (Frontier League Professional Baseball) License Agreement for Use of Labatt Park;
- (gg) E. Collins, 1002-854 Commissioners Road East – Summit Professionals Baseball LLC (Frontier League Professional Baseball) License Agreement for Use of Labatt Park;
- (hh) J. Ouellette, E-mail – Summit Professionals Baseball LLC (Frontier League Professional Baseball) License Agreement for Use of Labatt Park;
- (ii) M. Harvey, University of Western Ontario – Summit Professionals Baseball LLC (Frontier League Professional Baseball) License Agreement for Use of Labatt Park;
- (jj) D. Chapman, E-mail – Summit Professionals Baseball LLC (Frontier League Professional Baseball) License Agreement for Use of Labatt Park;
- (kk) T. Pham, E-mail – Summit Professionals Baseball LLC (Frontier League Professional Baseball) License Agreement for Use of Labatt Park;

- (ll) D. Mills, President & Owner, Barrie Baycats Baseball Club – Summit Professionals Baseball LLC (Frontier League Professional Baseball) License Agreement for Use of Labatt Park;
- (mm) B. Pegg, President, Kitchener Panthers Baseball Club – Summit Professionals Baseball LLC (Frontier League Professional Baseball) License Agreement for Use of Labatt Park;
- (nn) S. & J. Hubert – Summit Professionals Baseball LLC (Frontier League Professional Baseball) License Agreement for Use of Labatt Park;
- (oo) P. Lytwynec, E-mail – Summit Professionals Baseball LLC (Frontier League Professional Baseball) License Agreement for Use of Labatt Park;
- (pp) Crow, E-mail – Summit Professionals Baseball LLC (Frontier League Professional Baseball) License Agreement for Use of Labatt Park;
- (qq) R. LaPensee, E-mail – Summit Professionals Baseball LLC (Frontier League Professional Baseball) License Agreement for Use of Labatt Park; and
- (rr) S. Adlam, E-mail – Summit Professionals Baseball LLC (Frontier League Professional Baseball) License Agreement for Use of Labatt Park.

(Referred to the Community and Neighbourhoods Committee Stage for Consideration with Clause 5 of the 16th Report of the Community and Neighbourhoods Committee.)

- 10. Mayor Fontana – One-Time Funding. (Referred to the Finance and Administration Committee Stage for consideration with clause 13.)

VI MOTIONS OF WHICH NOTICE IS GIVEN

292. **VII ADDED REPORTS**

- 1. 24th Report of the Built and Natural Environment Committee
- 2. 24th Report of the Finance and Administration Committee

VIII REPORTS

293. **Finance and Administration Committee**
Councillor Bryant presents the 23rd Report

- 1. 10:10 AM Presentation - John Fleming, Director, Land Use Planning and City Planner re Downtown Vision - Summary of the Downtown Summit

Motion made by Councillor J.P. Bryant to Receive for Information that the Finance and Administration Committee (FAC) heard a verbal delegation and received the ~~attached~~ presentation from John Fleming, Director, Land Use Planning and City Planner, G. Barrett, Manager-Land Use Planning Policy and J. Yanchula, Manager-Community Planning and Urban Design regarding the Downtown Vision, including a summary of the Downtown Summit. The FAC requested that the presentation be made before the Committee of the Whole at its meeting on October 4, 2011.

Motion Passed

- 2. City Treasurer, Chief Financial Officer and Managing Director-Corporate Assets - Request for Review of Tricar Group Parking Proposal

Motion made by Councillor J.P. Bryant to Approve that the Civic Administration BE DIRECTED to proceed to the next phase of negotiations concerning the draft proposal submitted by the Tricar Group for the lease of a parking garage at King Street and Ridout Street; it being noted that the Finance and Administration Committee also received the ~~attached~~ communications from J. MacDonald, Executive Director, Downtown London and R. T. Usher, Chair, London Downtown Business Association and J. Carapella, President, The Tricar Group regarding this matter.

Motion made by Councillor J. Swan and seconded by Councillor M. Brown to Amend clause 2 to read as follows: That the Civic Administration BE DIRECTED to proceed to the next phase of negotiations concerning the draft proposal submitted by the Tricar Group for the lease of a parking garage at King Street and Ridout Street, SUBJECT TO confirmation that the aforementioned proposal is in conformity with the City Procurement Policy and confirmation that the proposal product is offered at a competitive price and in the public interest; it being noted that the Finance and Administration Committee also received the ~~attached~~ communications from J. MacDonald, Executive Director, Downtown London and R. T. Usher, Chair, London Downtown Business Association and J. Carapella, President, The Tricar Group regarding this matter.

Motion made by Councillor D. Henderson and seconded by Councillor H. Usher to refer clause 2 back to Civic Administration in order to obtain additional information, and to consider a full Request for Proposal Process.

At 5:34 p.m., the Mayor places Councillor Hubert in the Chair, and takes a seat at the Council Board.

The motion to refer is put.

Motion Failed

At 5:42 p.m., the Mayor resumes the Chair and Councillor Hubert takes his seat at the Council Board.

The motion to Amend clause 2 is put and Passed.

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

Motion Passed

3. City Treasurer, Chief Financial Officer - Foreign - Sub-Contractors

Motion made by Councillor J.P. Bryant to Approve that, on the recommendation of the City Treasurer, Chief Financial Officer, the September 28, 2011 report entitled "Foreign Sub-Contractors" BE RECEIVED for information.

Motion Passed

4. Chief Administrative Officer - Business Enterprise Centre and Centre for Commercialization of Digital Interactive Game Technology

Motion made by Councillor J.P. Bryant to Approve that, on the recommendation of the Chief Administrative Officer, the following actions be taken with respect to the proposed Business Enterprise Centre and Centre for Commercialization of Digital Interactive Game Technology:

(a) the concept, as detailed in the report of the Chief Administrative Officer, dated September 28, 2011, BE ENDORSED in principle; and

(b) the Civic Administration BE DIRECTED to enter into discussions with the proposed partner organizations to develop a formal business case for the Municipal Council's consideration as a part of the broader Service London implementation strategy.

Motion Passed

5. Chief Administrative Officer - Service London

Motion made by Councillor J.P. Bryant to Approve that, on the recommendation of the Chief Administrative Officer, further to the discussion of the Service Review Committee at its meeting on August 31, 2011, the Service London initiative BE IDENTIFIED as a Council priority and that \$2.1 million from the Efficiency, Effectiveness and Economy Reserve BE COMMITTED as a source of financing subject to the submission and approval of a three-year implementation plan.

Motion made by Councillor J.B. Swan and seconded by Councillor M. Brown to Amend clause 5 in the fourth line by replacing the number "\$2.1" with the number "\$2.3", and to further amend by adding after the words "Service London Initiatives" the words, ", to accommodate both

corporate and community initiatives as may be identified in the Consultant's report.”

Motion to Amend Passed

Motion made by Councillor J.P. Bryant and seconded by Councillor M. Brown to Approve clause 5, as amended

Motion Passed on a recorded vote, the Members voting as follows:

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

NAYS: P. Van Meerbergen (1)

6. Chief Human Resources Officer - Report on the Corporate Human Rights Program, Code of Conduct Program and Corporate Training Initiatives as of June 30, 2011

Motion made by Councillor J.P. Bryant to Approve that, on the recommendation of the Chief Human Resources Officer, the September 28, 2011 report regarding the Corporate Human Rights Program, Code of Conduct Program and Corporate Training Initiatives as of June 30, 2011 BE RECEIVED for information.

Motion Passed

7. City Clerk - Amendments to Civic Administration By-law A-39

Motion made by Councillor J.P. Bryant to Approve that, on the recommendation of the City Clerk, the revised ~~attached~~ proposed by-law (Appendix “A”) to amend By-law No. A-39, as amended entitled “A By-law respecting the Civic Administration” to change the titles of Chief Administrative Officer and Deputy Chief Administrative Officer to City Manager and Deputy City Manager, respectively BE INTRODUCED at the Municipal Council meeting on October 3, 2011.

Motion Passed

8. Managing Director-Corporate Assets; City Treasurer, Chief Financial Officer; Director of Water and City Engineer; and Chief Technology Officer - Request for Proposals for Consultant Support - Corporate Asset Management

Motion made by Councillor J.P. Bryant to Approve that, on the recommendation of the Managing Director - Corporate Assets, City Treasurer, Chief Financial Officer, the Director of Water and City Engineer, and the Chief Technology Officer, the following actions be taken regarding Corporate Asset Management:

(a) the September 28, 2011 status report, and the Draft Scope of Work appended thereto, for Corporate Asset Management implementation and the systemization of Tangible Capital Assets reporting processes BE RECEIVED for information; and

(b) an initial 2011 Capital Budget of \$150,000 BE ESTABLISHED from the Operating Budget Contingency Reserve to undertake a Request For Proposal (RFP) to engage a consultant to initiate the first two Units of the Corporate Asset Management program; it being noted that the funding for the remaining Units will be requested through the Business Plan and 2012 Capital Budget process as required;

it being also noted that Corporate Asset Management is an integrated set of processes to minimize the lifecycle costs of owning, operating and maintaining assets, at an acceptable level of risk, while continuing to deliver established levels of service.

Motion Passed

9. Director of Intergovernmental and Community Liaison - 2011 Ontario Provincial Election Candidate Questionnaire

Motion made by Councillor J.P. Bryant to Approve that, on the recommendation of the Director of Intergovernmental and Community Liaison, the September 28, 2011 report regarding the 2011 Ontario Provincial Election Candidate Questionnaire BE RECEIVED for information.

Motion Passed

10. Director of Intergovernmental and Community Liaison - Update on Trade Agreements

Motion made by Councillor J.P. Bryant to Approve that the following actions be taken with respect to Trade Agreements:

- (a) on the recommendation of the Director of Intergovernmental and Community Liaison, the September 28, 2011 report on Trade Agreements BE RECEIVED for information;
- (b) the ~~attached~~ communication from George Crowell, Economic and Trade Committee Chair, London Chapter of the Council of Canadians, regarding Trade Agreements BE REFERRED to the Director of Intergovernmental and Community Liaison for review and report back at the Special Meeting of the Finance and Administration Committee being held on October 3, 2011 as to appropriate actions to be taken in response to the communication; it being noted that the Finance and Administration Committee heard a verbal delegation from Mr. Crowell with respect to this matter.

Motion Passed

11. Executive Director, Planning, Environmental and Engineering Services - 2011 United Way Campaign

Motion made by Councillor J.P. Bryant to Approve that the September 28, 2011 report regarding the initiative supported by the Senior Management Team (SMT) and the Fire Management Team, wherein a total of 15 personal vacation days have been donated by management staff for prize purposes as a fundraiser for the City of London's United Way Campaign, BE RECEIVED for information.

Motion Passed

12. Executive Director, Planning, Environmental & Engineering Services - Downtown Parking Lots

Motion made by Councillor J.P. Bryant to Approve that, on the recommendation of the Executive Director – Planning, Environmental & Engineering Services, the September 28, 2011 report regarding Downtown Parking Lots BE RECEIVED for information.

Motion Passed

13. Deputy City Clerk - Municipal Council resolution adopted at its meeting held on August 29 and 30, 2011 with respect to Residual Local Government Funding Arising from the Recent Governance Restructuring

Motion made by Councillor J.P. Bryant to Approve that the Mayor's Office BE ALLOCATED one-time funding in the amount of \$30,000 from the residual Local Government funding arising from the recent governance restructuring, subject to the submission of full details at the Municipal Council meeting of October 3, 2011, as to how those monies will be spent.

Motion Passed

14. D. Vandenberg, email - Transfer Fee with respect to the Property Tax Roll

Motion made by Councillor J.P. Bryant to Approve that the communication dated September 12, 2011, from D. Vandenberg, with respect to the fee charged by the City of London for changes to the tax roll arising from property transfers, BE REFERRED to the Civic Administration for response to Mr. Vandenberg.

Motion Passed

15. George Crowell, Economic and Trade Committee Chair, London Chapter of the Council of Canadians re Update on Trade Agreements

Motion made by Councillor J.P. Bryant to Receive for information, see clause #10.

Motion Passed

16. City Clerk – REVISED BY-LAW – Amendments to Civic Administration By-law A-39

Motion made by Councillor J.P. Bryant to Receive for information, see clause #7.

Motion Passed

17. Director of Intergovernmental and Community Liaison – 2011 Ontario Provincial Election Candidate Questionnaire Added Report

Motion made by Councillor J.P. Bryant to Receive for information that, on the recommendation of the Director of Intergovernmental and Community Liaison, the ~~attached~~ added report regarding the 2011 Ontario Provincial Election Candidate Questionnaire BE RECEIVED for information.

Motion Passed

18. J. MacDonald, Executive Director, Downtown London and R. T. Usher, Chair, London Downtown Business Association – Downtown Parking Lots; and J. Carapella, President, The Tricar Group – Downtown Parking Lots

Motion made by Councillor J.P. Bryant to Receive for information, see clause #2.

Motion Passed

19. Managing Director, Corporate Assets – VERBAL – Options for City Hall

Motion made by Councillor J.P. Bryant to Receive for information that the Finance and Administration Committee (FAC) heard a verbal delegation from the Managing Director, Corporate Assets and received the ~~attached~~ presentation from J. Amoils, Managing Director, Real Estate Management Consulting Services, with respect to options for City Hall. The FAC also heard a presentation and received the ~~attached~~ communication from A. Chakma, President and Vice Chancellor, the University of Western Ontario (UWO), with respect to UWO's interest in a future presence in Downtown London. The FAC requested that Ms. Amoil's presentation be made before the Committee of the Whole at its meeting on October 4, 2011 and that additional information be provided to assist the Municipal Council in better understanding the current analyses relating to options for City Hall.

Motion Passed

20. Confidential Matters

The motion made by the Finance and Administration to move in camera was noted.

294. **Finance and Administration Committee**
Councillor Bryant presents the 24th Report

At 6:01 p.m. the Mayor places Councillor Hubert in the Chair and takes a seat at the Council Board.

At 6:05 p.m. the Mayor resumes the Chair, and Councillor Hubert resumes his seat at the Council Board.

1. Update on Trade Agreements

Motion made by Councillor J.P. Bryant to Approve that, on the recommendation of the Director of Intergovernmental and Community Liaison, the following actions be taken with respect to Trade Agreements:

- (a) the following resolution regarding the Comprehensive Economic and Trade Agreement with the European Union (CETA), BE ENDORSED:

Whereas the Government of Canada and the European Union have been negotiating a

trade agreement known as the Comprehensive Economic and Trade Agreement (CETA);

And Whereas the Canada-European Union relationship holds great potential for growing Canada's trade and collective prosperity;

And Whereas the Council of Canadians London Chapter has provided City Council with information and their concerns regarding CETA negotiations currently underway between Canada and the European Union;

And Whereas the Corporation of the City of London supports the guiding principles as set out by the Federation of Canadian Municipalities (FCM) and endorsed by the Association of Municipalities of Ontario (AMO);

Be it Resolved that the Corporation of the City of London requests the Federal Government and the Province of Ontario to continue to ensure that the municipal sectors' interests are represented in the ongoing negotiations; and

That the federal government's negotiations ensure that the FCM guiding principles will be fully reflected in any trade agreement reached between Canada and the European Union; and

That the federal and Ontario governments provide FCM and AMO with regular, detailed updates on the status of the European Union trade negotiations to the fullest extent possible.

This resolution be forwarded to the Minister of International Trade; our local MPs, the Premier of Ontario, our local MPPs, FCM, AMO and the London Chapter of the Council of Canadians. (See Report attached.)

Motion Passed

2. Jinshan Memorandum of Understanding

Motion made by Councillor J.P. Bryant to Approve that, on the recommendation of the Director of Intergovernmental and Community Liaison, the Mayor BE AUTHORIZED to sign the attached Memorandum of Understanding (MOU) with Chongqing Jinshan Science and Technology (Group) Co., Ltd.

Motion Passed

The Chair directs that the Report clause 3 be noted.

Clause 3 reads as follows:

That the Finance and Administration Committee (FAC) passed the following resolution prior to moving in camera from 3:38 p.m. to 4:15 p.m.:

That the Finance and Administration Committee move in camera to consider a matter pertaining to employee matters including personal information about identifiable individuals, including municipal employees with respect to employment related matters, advice or recommendations of officers and employees of the Corporation including communications necessary for that purpose and for the purpose of providing instructions and directions to officers and employees of the Corporation.

The FAC is submitting a confidential report to the Municipal Council regarding this matter. (See Confidential Appendix to the 24th Report of Finance and Administration Committee enclosed for Council Members only.)

Motion made by Councillor P. Hubert and seconded by Councillor D. Brown, that pursuant to section 7.3 of the Council Procedure By-law, the order of business be changed to permit the consideration of clause 27 of the 23rd Report of the Built and Natural Environment Committee at this time.

Motion Passed

295. **Built and Natural Environment Committee**
Councillor Polhill presents the 23rd Report

27. KAP Holdings Inc. – 186-188 Huron Street and 2 Audrey Avenue (OZ-7912)

Motion made by Councillor B. Polhill to Approve that, notwithstanding the recommendation of the Director of Land Use Planning and City Planner, the application of KAP Holdings Inc relating to the properties located at 186-188 Huron Street and 2 Audrey Avenue BE REFERRED back to staff to continue to work with the developer and the neighbourhood to determine a less-intense development that all parties can agree to, and to report back to the Built and Natural Environment Committee, by the end of the year with respect to this matter.

Motion Failed on a recorded vote, the Members voting as follows:

YEAS: S.E. White (1)

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

Motion made by Councillor B. Polhill and seconded by Councillor J.P. Bryant to Approve that, on the recommendation of the Director of Land Use Planning and City Planner, the following actions be taken with respect to the application of KAP Holdings Inc relating to the properties located at 186-188 Huron Street and 2 Audrey Avenue:

- (a) the request to amend the Official Plan to change the designation of the lands at 186-188 Huron Street and 2 Audrey Avenue FROM Low Density Residential which allows single detached dwellings, semi-detached dwellings, duplex dwellings, and converted dwellings (to a maximum of 2 dwelling units) TO a Policy for Specific Area (Chapter 10) to permit stacked townhouses with a maximum of 56 bedrooms in addition to the permitted uses in the Low Density Residential designation BE REFUSED for the following reasons: the requested amendments are not consistent with the policies of the *Provincial Policy Statement, 2005* which encourage efficient development and land use patterns which sustain the financial well-being of the municipality; ii) the requested amendments are not consistent with the Residential Intensification policies of the Official Plan; iii) the requested amendments are not consistent with the intent of the North London/Broughdale Neighbourhood Special Official Plan Policies which exist in this area to promote neighbourhood stability; iv) the requested amendments constitute “spot” designation for a site that is not unique and does not have any special attributes which would warrant a site specific amendment; and, v) the requested amendments are contrary to a decided matter of Council and an OMB ruling; and,
- (b) the request to amend Zoning By-law No. Z.-1 to change the zoning of the lands at 186-188 Huron Street and 2 Audrey Avenue FROM a Residential R1 Special Provision (R1-5(3)) Zone which permits one single detached dwelling per lot subject to a special provision which restricts: maximum floor area; maximum floor area ratio; the minimum rear yard depth; and, the location of parking areas TO a Residential R5 Special Provision (R5-7()) Zone to permit Cluster Stacked Townhouse dwellings subject to a special provision to: restrict the maximum number of bedrooms to 4 per dwelling unit; reduce the minimum parking space requirements to permit a total of 14 spaces; increase the maximum density to permit 82 units per hectare; and, reduce the maximum front yard and exterior side yard setbacks to 4.5 metres BE REFUSED for the following reasons: i) the requested amendments are not consistent with the policies of the *Provincial Policy Statement, 2005* which encourage efficient development and land use patterns which sustain the financial well-being of the municipality; ii) the requested amendments are not consistent with the Residential Intensification policies of the Official Plan; iii) the requested amendments are not consistent with the intent of the special Zoning regulations which exist in this area to regulate residential intensity; iv) the requested amendments constitute “spot” zoning for a site that is not unique and does not have any special attributes which would warrant a site specific amendment; and, v) the requested amendments are contrary to a decided matter of Council and OMB ruling;

it being noted that the Built and Natural Environment Committee received communications opposing this matter from the following:

- M. Gregory, 545 St. George Street, dated September 26, 2011; and,
- D. Bale, 776 Colborne Street, dated September 23, 2011;

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

- W. Pol, IBI Group, on behalf of the applicant – see ~~attached~~ presentation.
- R. Langille, Associate Vice-President of Physical Plant and Capital Planning, University of Western Ontario – advising that the University of Western Ontario opposes this application; advising that the University of Western Ontario is constructing a new 1,000 bedroom residence on campus; advising that if the application is allowed, it will change the neighbourhood.
- C. Jacobs - expressing support for the application; advising that he worked on the design of the project; indicating that the proposal allows more students to walk to school; advising that good health habits can be more easily encouraged at this age; indicating that fewer students driving will reduce fossil fuels usage; suggesting that in the future people will be leasing from private sectors; indicating that the University of Western Ontario is against this proposal as they are in the business of student housing; advising that most people deal with noise and traffic issues year round; indicating that the Broughdale Neighbourhood tells the Planning Department what to do; advising that Dundas Street has soup kitchens, methadone clinics and prostitution; suggesting that Richmond Street should be six stories in height and turned into a place that students can go for coffee; advising that students use porches and large backyards for parties; advising that large developers pay for security; advising that separate renters can't afford this; encouraging young people to walk; advising that he has the same waist size that he had in 1978; advising that most clients don't want to come to London and suggesting that either you want to intensify or you don't.
- D. Bale, 776 Colborne Street – expressing opposition to the application; advising that it affects everyone in London and everyone across the Province; advising that KAP Holdings has applied for an application that has been turned down by the Planning Department, Council and the Ontario Municipal Board; indicating that KAP Holdings puts up buildings that apply to the regulations and flouts all regulations; indicating that KAP Holdings is not a model developer that cares for what it does, it puts up buildings that are an affront to the eye; and suggesting that Council send this application back.
- M. Blosch, 43 Mayfair Drive – expressing opposition to the application; indicating that the Planning Department does not jump when the Broughdale Neighbourhood speaks; expressing a feeling of déjà vu; advising that the study area is the applicants study area; advising that the area within a 10 minute walk is where most of the comments came from; advising that nothing in the neighbourhood has changed; advising that she has lived in the neighbourhood for 10 years; indicating that it is not a transient neighbourhood; expressing frustration for something that she has to come to City Hall for at midnight that the neighbourhood had to come out for 5 years ago with 6 more bedrooms; indicating that the Zoning By-law and the Official Plan are the same; advising that giving the ugly, old buildings to Habitat for Humanity doesn't justify the application; indicating that it is a self-inflicted wound; indicating that to now use that this is going to look prettier, is the same as earlier except that the buildings are going to be functional; advising that this is not an issue of pretty buildings but an issue of intensification; and advising that students have cars because they drive back and forth to home, the grocery store and their jobs.
- Resident, 434 Wilkins Street – expressing opposition to the application; advising that she walks around in her area of the city; indicating that when she goes to University, she will still be using a car, it does make that much difference; advising that her grandmother lives down the street and that her grandmother's house has been egged; indicating that she would not live in one of the buildings that KAP Holdings built on Huron Street and Audrey Avenue; enquiring as to how you can fit that many houses into the small lots; advising that growing up she is seeing the city become more urbanized; that more houses are being built near Wharncliffe Road South and advising that she has friends that attend University who live 5 to 6 people a house.
- K. Langs, 199 St. James Street – expressing opposition to the application; advising that he is outside of the study area, but within the 10 minute walking distance; advising that the residents were here in 2005 and that there have not been significant changes to the neighbourhood; indicating that the staff report says it all; indicating that to make an exception in the middle is not right; requesting that the policies be followed; and indicating that it is an R-1 zone, not an R-5 zone for a reason.

- S. Trosow, 43 Mayfair Drive – expressing opposition to the application; indicating that the staff presentation is comprehensive; indicating that it is a mixed neighbourhood with students and non-students living there; advising that some of the policies that the city is undertaking are working; advising that the University of Western Ontario is building more dormitories that will have adequate parking and security; advising that the neighbourhood is established and is not going downhill like it was; indicating that this is not something that can be solved by a developer on his white horse; requesting that spot zoning not be allowed; and advising that if you grant this application, you will see many more.
- R. Millard, 193 Regent Street – expressing opposition to the application; advising that he can see KAP Holdings handiwork from his living room; indicating that allowing the application will exacerbate the noise, parking and garbage problems and will pose a real possibility for social disorder; advising that the students get together late at night; advising that this is the thin edge of the wedge; indicating that if you can do this here, you can do it anywhere; and requesting Council think about the public's interests.
- A. Kaplansky, applicant – advising that the divisional court did not uphold the Ontario Municipal Board decision.

Motion Passed on a recorded vote, the Members voting as follows:

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

NAYS: S. Orser, S.E. White (2)

Pursuant to section 17.2 of the Council Procedure By-law, Councillor D. Brown requests a separate vote on clause 4.

1. Winter Maintenance of Various Municipally Owned Facilities – Tender 11-85

Motion made by Councillor B. Polhill to Approve that, on the recommendation of the Managing Director – Corporate Assets, the following actions be taken with respect to the winter maintenance of various municipally owned facilities:

- (a) the bids submitted for the provision of winter maintenance services at the various Municipal Facilities for each City Area (Areas I through XVII), for a period of three (3) years, with an option to extend the contract for two additional years BE ACCEPTED, as follows:
- (i) Area I - All Terrain Property Maintenance Inc., P.O. Box 655, Lambeth Station, London, ON N6P 1P2;
 - (ii) Areas II, VI, VIII, X, XIII and the Dump Truck and Loader costs for removal of accumulated snow from locations - 1564242 Ontario Ltd. o/a CanSweep, 7927 Glendon Drive, P.O. Box 805, Mt. Brydges, ON N0L 1W0;
 - (iii) Areas III, IV and XIV - Black Dog Outdoor Services, 5308 Whalen Line, Granton, ON N0M 1V0;
 - (iv) Areas V and XV - 4M Services, P.O. Box 223 Lambeth Station, London, ON N6P 1P9;
 - (v) Area IX - Doug's Snowplowing and Sanding Ltd., 540 First Street, London, ON N5V 1Z3;
 - (vi) Areas VII, XI, except for Municipal Parking Lot #8, Areas XII, XVII, Master Meters and Individual meters at Municipal Lot #3 - 1724830 Ontario Inc. o/a Flandscape, 2509 Main Street, Lambeth, ON N6P 1P9; and,
 - (vii) Area XVI and Municipal Parking Lot #8 - Marski Inc., o/a Wintergreen Grounds Management Services, 354 Neptune Crescent, London, ON N6M 1A1;
- (b) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with these contracts; and,
- (c) the approval hereby given BE CONDITIONAL upon the Corporation entering into a formal contract or having a purchase order, or contract record relating to the subject matter of this approval.

Motion Passed

2. Amendments to the Traffic and Parking By-law

Motion made by Councillor B. Polhill to Approve that, on the recommendation of the Acting

Director, Roads & Transportation, the ~~attached~~ proposed by-law (Appendix "A") BE INTRODUCED at the Municipal Council meeting to be held on October 3, 2011 for the purpose of amending the Traffic and Parking By-law (P.S. 111), to address traffic safety, operations and parking concerns relating to "No Parking", "Stop Signs", "Yield Signs", "Higher Speed Limits" and "Reserved Lanes".

Motion Passed

3. London Road Safety Strategy

Motion made by Councillor B. Polhill to Approve that, notwithstanding the recommendation of the Acting Director, Roads and Transportation, the Civic Administration BE DIRECTED to give further consideration to the development of a Road Safety Strategy for London with a report back at a future meeting of the Built and Natural Environment Committee with this information.

Motion Passed

4. Access Management and Transportation Impact Assessment Guidelines

Motion made by Councillor B. Polhill to Approve That, on the recommendation of the Acting Director, Roads and Transportation, the ~~attached~~ Draft Access Management Guidelines and Transportation Impact Assessment Guidelines BE CIRCULATED to the London Development Institute, the London Engineering & Area Planning Consultants, the London Transit Commission, and other interested parties for review and comment.

Motion Passed

5. Labatt Sanitary Siphon Cleaning and Inspection – RFP No. 11-30

Motion made by Councillor B. Polhill to Approve that, on the recommendation of the Director, Wastewater and Treatment, the following actions be taken with respect to the Labatt sanitary siphon cleaning & inspection:

- (a) the proposal submitted by PipeFlo Contracting Corp., 180 Chatham Street, Hamilton, ON, in the amount of \$515,472.00, excluding H.S.T., for the Labatt Sanitary Siphon Cleaning & Inspection project BE ACCEPTED; it being noted that PipeFlo met the minimum technical qualifications and was the lowest of two submitted prices; it being also noted that the award is in accordance with Section 12 of the Procurement of Goods and Services Policy;
- (b) the financing for this project BE APPROVED, as set out in the Sources of Financing Report ~~attached~~ hereto as Appendix "A";
- (c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project; and,
- (d) the approvals given herein BE CONDITIONAL upon the Corporation entering into a formal contract or issuing a purchase order to the project.

Motion Passed

At 6:20 p.m. His Worship the Mayor recognizes the following City of London Employees who have achieved 25 years of service during 2011:

Chief Administrative Office - James Paul Barber, Richard J. Barker, Lisa Dakin, Anthony Holmes, Tom Karidas, Lou Anne Oldenhof, Cindy Verity

Fire Services - William Comrie, Kevin S. Culbertson, Shawn M. Fitzgerald, Walter Linaric, Andy Murray, David C. Robb, Kevin P. Payne

Planning, Environmental & Engineering Services - Derrick Allen, Andrew Barta, Ian Bensted, J-Paul Bere, Jake Blancher, Alastair Bruff, Micheal William Bushby, Thomas Deziel, Mike Farrell, Brian Feeney, David S. Flitton, John Frey, Dell Goulden, Michael Heaslip, Paul Langdon, Ken Longman, Dennis Molnar, Joe Oliveira, Stephanie Poirier, Roger Richards, Randall Robinson, Steven Robinson, Dale Root, Gordon Ross Jr., Tedd Tarkowski, Robert Gino Ticco, Graziano Torresan, Edward E. Turner, Robert Watt, Douglas John Webster and Darryl Wheatley.

Councillor P. Hubert moves, seconded by Councillor M. Brown, that Council recess. Motion Passed

The Council recesses at 6:32 p.m. and reconvenes at 7:44 p.m. with all Members present except Councillors Armstrong, Baechler and Branscombe.

Motion made by Councillor J.B. Swan and seconded by Councillor S. Orser, that pursuant to section 7.3 of the Council Procedure By-law, the order of business be changed to permit the consideration of clause 5 of the 16th Report of the Community and Neighbourhoods Committee at this time.

Motion Passed

296. **Community and Neighbourhoods Committee**
Councillor Usher presents the 16th Report

5. Summit Professional Baseball LLC (Frontier League Professional Baseball) Licence Agreement for use of Labatt Park

Motion made by Councillor Usher to Approve that, on the recommendation of the Director of Parks and Recreation, with the concurrence of the Executive Director of Community Services, the ~~attached~~ proposed By-law (Appendix A) BE INTRODUCED at the Municipal Council meeting to be held on October 3, 2011, to:

- a) approve the revised ~~attached~~ Licence Agreement between the City of London and Summit Professional Baseball LLC, for non-exclusive use of Labatt Park for the period of November 1, 2011 to October 31, 2012;
- b) delegate to the Executive Director of Community Services, or designate, the authority to authorize and approve such further other documents, including agreements, that may be required in furtherance of the licence agreement, that:
 - i) are consistent with the requirements contained in the Agreement noted in (a) above;
 - ii) do not require additional funding, or are provided for in the City's current budget; and,
 - iii) do not increase the indebtedness or liabilities of The Corporation of the City of London, subject to prior review and approval by the City Solicitor; and,
- c) authorize the Executive Director of Community Services, or designate, to execute any agreements approved under (a) or (b) above;

it being noted that the Community and Neighbourhoods Committee (CNC) heard delegations from D. Martin, President, General Manager, Summit Professional Baseball, and the ~~attached~~ presentation from S. Dart, President, Owner and R. Chanderdat, General Manager, Owner, London Majors Baseball. The CNC also received a communication, dated September 27, 2011, as well as heard a verbal delegation from J. O'Neill, Commissioner, Intercountry Baseball League, with respect to this matter. (2011-A09-07)

Motion made by Councillor J.B. Swan and seconded by Councillor D.G. Henderson to Amend clause 5 by adding two new parts as follows:

subject to the Agreement noted part (a)(i) being executed, the Civic Administration BE DIRECTED to work with the London Majors to mitigate potential income loss based on not having up to 9 Friday night home games as a result of the Summit Baseball Group having first call on playing dates at Labatt Park; and

the Civic Administration BE DIRECTED to consult with the neighbourhood to determine what measures could be undertaken to address the concerns of the neighbourhood.

Motion made by Councillor J.P. Bryant and seconded by Councillor M. Brown to Refer clause 5 back to staff for a more fulsome report on the potential impacts to the community and to London baseball, in general.

Motion Failed on a recorded vote, the Members voting as follows:

YEAS: M. Brown, P. Hubert, J.P. Bryant (3)

NAYS: J.F. Fontana, B. Polhill, J.B. Swan, S. Orser, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, S.E. White (9)

The motion to amend clause 5 is put.

Motion Passed

The motion to adopt clause 5, as amended is put.

Motion Passed on a recorded vote, the Members voting as follows:

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

NAYS: M. Brown, P. Hubert, J.P. Bryant (3)

Clause 5, as amended, reads as follows:

That, on the recommendation of the Director of Parks and Recreation, with the concurrence of the Executive Director of Community Services, the following actions be taken with respect to the request of Summit Professional Baseball for the development of a licence agreement for the use of Labatt Park:

- (a) the ~~attached~~ proposed By-law (Appendix A) **BE INTRODUCED** at the Municipal Council meeting to be held on October 3, 2011, to:
 - (i) approve the revised ~~attached~~ Licence Agreement between the City of London and Summit Professional Baseball LLC, for non-exclusive use of Labatt Park for the period of November 1, 2011 to October 31, 2012; and
 - (ii) delegate to the Executive Director of Community Services, or designate, the authority to authorize and approve such further other documents, including agreements, that may be required in furtherance of the licence agreement, that:
 - (A) are consistent with the requirements contained in the Agreement noted in (a) above;
 - (B) do not require additional funding, or are provided for in the City's current budget; and,
 - (C) do not increase the indebtedness or liabilities of The Corporation of the City of London, subject to prior review and approval by the City Solicitor;
 - (iii) authorize the Executive Director of Community Services, or designate, to execute any agreements approved under (a) or (b) above;
- (b) subject to the Agreement noted part (a)(i) being executed, the Civic Administration **BE DIRECTED** to work with the London Majors to mitigate potential income loss based on not having up to 9 Friday night home games as a result of the Summit Baseball Group having first call on playing dates at Labatt Park; and
- (c) the Civic Administration **BE DIRECTED** to consult with the neighbourhood to determine what measures could be undertaken to address the concerns of the neighbourhood.

it being noted that the Community and Neighbourhoods Committee (CNC) heard delegations from D. Martin, President, General Manager, Summit Professional Baseball, and the ~~attached~~ presentation from S. Dart, President, Owner and R.Chanderdat, General Manager, Owner, London Majors Baseball. The CNC also received a communication, dated September 27, 2011, as well as heard a verbal delegation from J. O'Neill, Commissioner, Intercounty Baseball League, with respect to this matter.

297. **Built and Natural Environment Committee, continued**

6. By-law of Abandonment for Identified Sections of the Stanton Municipal Drain

Motion made by Councillor B. Polhill to Refer back to the Civic Administration for additional consultation with the affected property owners.

Motion Passed

Clause 6, as referred, reads as follows:

That, on the recommendation of the Director, Wastewater and Treatment, the ~~attached~~ By-law (Appendix 'A') BE INTRODUCED at the Municipal Council meeting to be held on October 3, 2011 to provide for the abandonment of drainage works in the City of London – Stanton Municipal Main Drain, County Road #20 Drain, Branch 'A', Branch 'A1', Branch 'B', Branch 'B1', Branch 'D' and Branch 'G', that are located in close proximity to Fanshawe Park Road, Hyde Park Road and Gainsborough Road and discharging to the Thames River.

7. Innovation Park Industrial Subdivision Phase 3 – Sanitary Sewer Extension – Contract Award – Tender 11-91 (ID1168-3A and ID2058-3A)

Motion made by Councillor B. Polhill to Approve that, on the recommendation of the Director, Wastewater and Treatment, the following actions be taken with respect to the award of a contract for the Innovation Park Industrial Subdivision, Phase 3, Sanitary Sewer Extension (Projects ID1168-3A and ID2058-3A):

- (a) the bid submitted by L82 Construction Ltd., 270 Huron Street, Suite A, London, ON, N5V 5A7, in the amount of \$554,715.58, excluding HST, for the above-noted project, BE ACCEPTED; it being noted that the bid submitted by L82 Construction Ltd. Was the lowest of nine (9) bids received and meets the City's specifications and requirements in all areas;
- (b) the contract with AECOM, 410-250 York Street, Citi Plaza, London ON, N6A 6K2, BE INCREASED by \$81,312.00 to a revised upset limit of \$1,613,877, excluding HST, in order to carry out the resident inspection and contract administration for the said project, in accordance with the estimate on file, noting that this firm completed the engineering 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;
- (c) minor future additional annual operating costs of \$1,000 BE RECOGNIZED as a result of this project noting that these costs are as a result of new infrastructure installation and will be considered and accommodated within future Wastewater & Treatment operating budgets;
- (d) the financing for this project BE APPROVED as set out in the Sources of Financing Report, ~~attached~~ hereto as Appendix "A";
- (e) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with these projects; and,
- (f) the approvals given herein BE CONDITIONAL upon the Corporation entering into a formal contract or issuing a purchase order for this project and the completion of the related land sale; and,
- (g) the Mayor and City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations.

Motion Passed

8. Development Charge Project Costs & City Services Reserve Fund Projects

Motion made by Councillor B. Polhill to Approve that, on the recommendation of the Executive Director, Planning, Environmental and Engineering Services, the Civic Administration BE DIRECTED to provide a response to the London Development Institute relating to

Development Charge Project Costs & City Services Reserve Fund Projects; it being noted that the Built and Natural Environment Committee reviewed and received a communication dated September 24, 2011, from J. Kennedy, London Development Institute, with respect to this matter.

Motion Passed

9. Supply, Delivery and Planting of Ash Tree Replacements – Tender 11-94

Motion made by Councillor B. Polhill to Approve that, on the recommendation of the Director of Planning, the following actions be taken with respect to the supply, delivery and planting of 2011 spring infill street trees (Tender T11-94):

- (a) the tender submitted by Kamarah Tree Farms, R.R. #1, 196312, Rd. 119, Lakeside, Ontario N0M 2G0, in the amount of \$130,875.00, excluding HST, BE ACCEPTED; it being noted that Kamarah Tree Farms submitted the lowest of four bids and meets all the tender terms, conditions and specifications;
- (b) the funding for this project BE APPROVED as set out in the Source of Financing Report ~~attached~~ hereto as Appendix "A";
- (c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this contract; and,
- (d) the approvals given herein BE CONDITIONAL upon the Corporation entering into a formal contract or issuing a purchase order for the material to be supplied and the work to be done relating to these projects.

Motion Passed

10. Appeal to Condition of Provisional Consent – Application B.027/11 – 290, 292 and 294 Wharncliffe Road South

Motion made by Councillor B. Polhill to Approve that, on the recommendation of the Director of Development Planning, in response to the letter of appeal to the Ontario Municipal Board from Marjorie Louise Orr, dated July 22, 2011 relating to the Provisional Decision on Consent Application B.027/11 concerning property located at 290, 292 and 294 Wharncliffe Road South, the following actions be taken:

- (a) the Ontario Municipal Board BE ADVISED that Municipal Council supports current wording of Condition No. 7 of the Provisional Consent Decision, which is specifically objected by the applicant, which reads as follows:

"7. That the Owner transfer, at no cost to the City, sufficient lands free of encumbrances, save and except the buildings or steps of these dwelling units to widen Wharncliffe Road South to a maximum width of 18.0 metres in perpendicular width from the centerline of Wharncliffe Road South along the entire frontage of the subject lands as determined by the City Engineer. The reference plan describing the widening to be transferred must be pre-approved by the City Engineer."
- (b) the Ontario Municipal Board BE ADVISED that Municipal Council supports all other conditions included in the Provisional Consent Decision; and,
- (c) the City Solicitor BE DIRECTED to provide legal and planning representation at the Ontario Municipal Board hearing in support of the position of Municipal Council.

Motion Passed

11. Highland Green London Inc. – Request for Extension of Draft Approval – 181 and 199 Commissioners Road East (39T-08501)

Motion made by Councillor B. Polhill to Approve that, on the recommendation of the Director of Development Planning and the Managing Director of the Development Approvals Business Unit, the following actions be taken with respect to the application of Highland Green London Inc. relating to the properties located at 181 and 199 Commissioners Road East:

- (a) the Approval Authority BE REQUESTED to approve a one (1) year extension to Draft

Plan Approval, submitted by Highland Green London Inc., prepared by ENG Plus (Project No. 06.257), certified by J. Andrew Smith OLS, on December 18, 2007, File No. 39T-08501, as red line amended, SUBJECT TO the revised conditions contained in the ~~attached~~ Appendix "39T-08501-1"; and,

- (b) the Applicant BE ADVISED that the Director of Development Finance has projected the ~~attached~~ claims and revenues information.

Motion Passed

12. Subdivision Amendment Agreement – Foxhollow Developments Inc. – Foxfield Subdivision – Phase 3 (39T-02505-3)

Motion made by Councillor B. Polhill to Approve that, on the recommendation of the Director of Development Planning and the Managing Director, Development Approvals Business Unit, the following actions be taken with respect to amending the subdivision agreement between The Corporation of the City of London and Foxhollow Developments Inc. for the Foxfield Subdivision, situated on the north side of Fanshawe Park Road West, west of Wonderland Road (Phase 3):

- (a) the ~~attached~~ Special Provisions to be contained in a Subdivision Amendment Agreement between The Corporation of the City of London and Foxhollow Developments Inc. for the Foxfield Subdivision, Phase 3 (39T-02505-3), BE APPROVED;
- (b) the Mayor and the City Clerk BE AUTHORIZED to execute this Subdivision Amendment Agreement and all documents required to fulfill its conditions; and,
- (c) the applicant BE ADVISED that the Director of Development Finance has estimated the ~~attached~~ claims and revenues information.

Motion Passed

13. Subdivision Amendment Agreement – Foxhollow Developments Inc. – Foxfield Subdivision – Phase 4 (39T-02505-4)

Motion made by Councillor B. Polhill to Approve that, on the recommendation of the Director of Development Planning and the Managing Director, Development Approvals Business Unit, the following actions be taken with respect to amending the subdivision agreement between The Corporation of the City of London and Foxhollow Developments Inc. for the Foxfield Subdivision, situated on the north side of Fanshawe Park Road West, west of Wonderland Road (Phase 4):

- (a) the ~~attached~~ Special Provisions to be contained in a Subdivision Amendment Agreement between The Corporation of the City of London and Foxhollow Developments Inc. for the Foxfield Subdivision, Phase 4 (39T-02505-4), BE APPROVED;
- (b) the Mayor and the City Clerk BE AUTHORIZED to execute this Subdivision Amendment Agreement and all documents required to fulfill its conditions; and,
- (c) the applicant BE ADVISED that the Director of Development Finance has estimated the ~~attached~~ claims and revenues information.

Motion Passed

14. Subdivision Amendment Agreement – Foxhollow Developments Inc. – Foxfield Subdivision – Phase 5 (39T-02505-5)

Motion made by Councillor B. Polhill to Approve that, on the recommendation of the Director of Development Planning and the Managing Director, Development Approvals Business Unit, the following actions be taken with respect to amending the subdivision agreement between The Corporation of the City of London and Foxhollow Developments Inc. for the Foxfield Subdivision, situated on the north side of Fanshawe Park Road West, west of Wonderland Road (Phase 5):

- (a) the ~~attached~~ Special Provisions to be contained in a Subdivision Amendment Agreement between The Corporation of the City of London and Foxhollow

Developments Inc. for the Foxfield Subdivision, Phase 5 (39T-02505-5), BE APPROVED;

- (b) the Mayor and the City Clerk BE AUTHORIZED to execute this Subdivision Amendment Agreement and all documents required to fulfill its conditions; and,
- (c) the applicant BE ADVISED that the Director of Development Finance has estimated the ~~attached~~ claims and revenues information.

Motion Passed

- 15. Banman Developments (Legendary) Inc. – Request for Extension of Draft Approval – East of Wharncliffe Road South at Legendary Drive (39T-02502)

Motion made by Councillor B. Polhill to Approve that, on the recommendation of the Director of Development Planning and the Managing Director of the Development Approvals Business Unit, the following actions be taken with respect to the application of Banman Developments (Legendary) Inc. relating to the property located east of Wharncliffe Road South at Legendary Drive:

- (a) the Approval Authority BE REQUESTED to approve a two (2) year extension to Draft Plan Approval, submitted by Legend Developments Ltd., certified on June 24, 2003 by Murray Fraser, FKS Surveying Ltd., Drawing No. c-draftplan-sk3, SUBJECT TO the revised conditions contained in the ~~attached~~ Appendix “39T-02502-1”; and,
- (b) the Applicant BE ADVISED that the Director of Development Finance has projected the ~~attached~~ claims and revenues information.

Motion made by Councillor J.B. Swan and seconded by Councillor J.P. Bryant to Amend clause 15 in part (a) by replacing the number two (2), with the number three (3).

Motion Passed

The motion to adopt clause 15, as amended, is put.

Motion Passed

Clause 15, as amended, reads as follows:

That, on the recommendation of the Director of Development Planning and the Managing Director of the Development Approvals Business Unit, the following actions be taken with respect to the application of Banman Developments (Legendary) Inc. relating to the property located east of Wharncliffe Road South at Legendary Drive:

- (a) the Approval Authority BE REQUESTED to approve a three (3) year extension to Draft Plan Approval, submitted by Legend Developments Ltd., certified on June 24, 2003 by Murray Fraser, FKS Surveying Ltd., Drawing No. c-draftplan-sk3, SUBJECT TO the revised conditions contained in the ~~attached~~ Appendix “39T-02502-1”; and,
- (b) the Applicant BE ADVISED that the Director of Development Finance has projected the ~~attached~~ claims and revenues information.

- 16. Sign and Canopy By-law Amendments – Construction Signs and Real Estate Signs

Motion made by Councillor B. Polhill to Approve that, notwithstanding the recommendation of the Director of Building Controls, the request to amend and enforce the Sign & Canopy By-law for Construction and Real Estate Advertising Signs BE DEFERRED to a future public participation meeting of the Built and Natural Environment Committee.

Motion Passed

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

17. ecoMobility Program

Motion made by Councillor B. Polhill to Approve that, on the recommendation of the Transportation Advisory Committee, the Civic Administration BE ASKED to explore funding opportunities to implement transit priority measures through Transport Canada's ecoMobility Program, a program that is part of the Government of Canada's ecoTransport strategy to address greenhouse gas emissions and air pollution from transportation sources; it being noted that the Transportation Advisory Committee held a general discussion with respect to this matter.

Motion Passed

18. Special Provisions – Cedarhollow Developments Limited and Auburn Homes Inc. – Cedarhollow Subdivision – Phase 2 (39T-03518)

Motion made by Councillor B. Polhill refer clause 18 to the 25th Report of the Built and Natural Environment Committee.

Motion Passed

19. EMCO Corporation – 1100 and 1108 Dundas Street (OZ-7918)

Motion made by Councillor B. Polhill to Approve that, notwithstanding the recommendation of the Director of Land Use Planning and City Planner, the application of EMCO Corporation relating to the property located at 1100 and 1108 Dundas Street BE REFERRED back to staff to facilitate the request of the applicant for:

- (a) an amendment to the Official Plan to add a Specific Area Policy (Chapter 10 policy) for the existing building at 1100 Dundas Street for office space, excluding medical/dental office, to a maximum of 2,508 square metres (27,000 square feet); and for the existing building at 1108 Dundas Street for office space, excluding medical/dental office, to a maximum of 6,224 square metres (67,000 square feet) and to include a limited amount of commercial uses including convenience stores, financial institutions, restaurants and personal service establishments not exceeding a total of 1,000 square metres (10,764 square feet); and,
- (b) to amend the Zoning By-law from a General Industrial (GI1) Zone to a General Industrial Special Provision (GI1() Zone for the existing building at 1100 Dundas Street for office space, excluding medical/dental office, to a maximum of 2,508 square metres (27,000 square feet); and for the existing building at 1108 Dundas Street for office space, excluding medical/dental office, to a maximum of 6,224 square metres (67,000 square feet) and convenience store, financial institution, restaurant and personal service establishment not exceeding a total of 1,000 square metres (10,764 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:

- B. Billings, on behalf of the applicant – expressing appreciation for the handling of the application by the Civic Administration; advising that the issue is with the amount of floor area recommended; indicating that EMCO needs to remain viable and contribute to the community; advising that EMCO's primary tenant left in 2010 and that EMCO requires 30,00 square feet for office space; and indicating that EMCO met with its neighbours on June 28, 2011 and there were no concerns expressed with what EMCO is recommending.

Motion made by Councillor P. Hubert and seconded by Councillor J.P. Bryant to Amend clause 19 by deleting the words, "facilitate the request of the applicant for:."; and replace with the words, "consider, and further consult with the applicant regarding future possibilities".

Motion to amend Failed

The motion to adopt clause 19 is put.

Motion Passed on a recorded vote, the Members voting as follows:

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

NAYS: M. Brown, P. Hubert, J.P. Bryant (3)

20. Emerging Issues Regarding Office Development Policies

Motion made by Councillor B. Polhill to Approve that, on the recommendation of the Director of Land use Planning and City Planner, Planning Staff BE DIRECTED to initiate a review of the provisions of the Z.-1 Zoning By-law to ensure that the Official Plan's office policies are being clearly and effectively implemented; it being noted that the Built and Natural Environment Committee heard a verbal presentation from S. Farhi, Farhi Holdings Corporation, with respect to this matter.

Motion Passed

21. 1830150 Ontario Limited – 580 Fanshawe Park Road East (Z-7917)

Motion made by Councillor B. Polhill to Approve that, on the recommendation of the Director of Land Use Planning and City Planner, based on the application of 1830150 Ontario Limited relating to the property located at 580 Fanshawe Park Road East,

- (a) the ~~attached~~, revised, proposed by-law BE INTRODUCED at the Municipal Council meeting on October 3, 2011 to amend Zoning By-law No. Z.-1 to change the zoning of the subject lands FROM an Automobile Service Station (SS2) Zone which automotive uses, restricted TO a Holding Community Shopping Area Special Provision (h-5*h-11*h*103-CSA3(_)) Zone which permits commercial retail and service uses that serve the community and/or surrounding neighbourhoods, a reduced number of parking spaces of 43 stalls whereas 67 are required, a reduced front yard setback of 0.0 metres from the ultimate road allowance whereas 10 metres is required, a reduced lot depth of 38.1 metres whereas 50 is required, reduced loading spaces to 0 whereas 1 is required, reduced distance of parking area located next to an ultimate road allowance to 0m whereas 3m is required, reduced distance of a parking area next to any side yard to 0m whereas 3m is required, reduced distance of a parking area next to a rear yard to 0m whereas 3m is required, reduced distance between a drive-through lane located in the interior side yard and the property line to 0m whereas 3m is required; it being noted that the holding (h-103) has been added to ensure that urban design is addressed at site plan; it being also noted that the holding (h-11) has been added to ensure the access arrangements are addressed at site plan; it being further noted that the addition of the holding (h-11) will also ensure the orderly development of lands and the adequate provision of municipal services, the (h-11) symbol shall not be deleted until a development agreement and the associated site plan, which provides for appropriate access arrangements to the satisfaction of Council, is entered into with the City of London;
- (b) the site plan application BE CONSIDERED at a public participation meeting, with all members of the condominium corporation located at 567 Fanshawe Park Road East being notified; and,
- (c) the Civic Administration BE DIRECTED to review the traffic patterns at the intersection of Fanshawe Park Road East and Adelaide Street;

it being noted that the Built and Natural Environment Committee received communications from the following with respect to this matter:

- the Urban Design Peer Review Panel Members, dated September 21, 2011; and,
- A. Soufan, York Developments, dated September 24, 2011;

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

- D. Young, Stantec Consulting, representing the applicant – see ~~attached~~ presentation.
- A. Soufan, York Developments, applicant – advising that there will be two garbage bins back-to-back and that the garbage will be picked up during non-peak hours; advising that if two garbage pick-ups are needed, one will occur in the morning and one will occur in the evening; indicating that the garbage truck will use the drive-thru lane; and advising that merchandise will be loaded and unloaded with a hand cart.
- J. Eakins, 21 – 567 Fanshawe Park Road East – advising that he lives in the condominiums across from the subject site; expressing concern with respect to traffic volume and the number of accidents in the area; enquiring as to how loading and unloading of merchandise and garbage pickup will be handled; indicating that there are

a lot of variance requests; and expressing concern with the increase in traffic volume if this request is approved.

- J. Cousins, Manager, Tim Horton's, 564 Fanshawe Park Road East – advising that the Tim Horton's at 564 Fanshawe Park Road East has operated at that location for 8 years; advising that the 0% setback does not allow for landscaping and garbage pickup; advising that Tim Horton's has a self-enclosed garbage area for their store and that one garbage container won't work for four businesses; expressing concern with the elimination of the loading area; indicating that when he adds up the number of parking spaces, he only counts 22; expressing concern with people parking in the Tim Horton's parking lot and walking over to the other businesses; indicating that the application for site plan approval has not been applied for.
- President, Condominium Corporation, 567 Fanshawe Park Road East – indicating that he is the President of the Condominium Corporation; advising that he was not notified of the possible amendments and has had less than a week to review the proposal; advising that he does not agree that the application concurs with the Official Plan; expressing concerns with public safety; indicating that he hasn't seen a traffic study; advising that the picture of the proposed buildings is beautiful and it is a great idea looking south onto Fanshawe Park Road but it is a recipe for disaster; expressing concern with the amount of traffic and recommending that Council visit the area at either 8:00 a.m. or 5:00 p.m.

Motion Passed

22. 1209571 Ontario Limited – 485, 495, 503, 517 and 519 York Street (OZ-7941)

Motion made by Councillor B. Polhill to refer consideration of clause 22 to the 24th Report of the Built and Natural Environment Committee.

Motion Passed

23. University of Western Ontario Student Union Late Night Shuttle Service

Motion made by Councillor B. Polhill to Approve that, on the recommendation of the Acting Director of Roads & Transportation, the following actions be taken with respect to facilitating the use of existing bus stops on the east side of Richmond Street between York Street and Oxford Street East for a proposed late night (midnight to 3:00am) shuttle service that is to be operated Fridays, Saturdays and Sundays:

- (a) the ~~attached~~ proposed by-law (Appendix "A") BE INTRODUCED at the Municipal Council meeting to be held on October 3, 2011 for the purpose of amending the Traffic and Parking By-law (P.S. 111); and,
- (b) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with the by-law amendment noted in part (a) above.

Motion Passed

24. Thames Valley Parkway Extension on Westdel Bourne Road Allowance at Kains Road

Motion made by Councillor B. Polhill to Refer clause 24 back to the Civic Administration for additional consultation with area property owners with respect to the path access points and the existing pathway policies.

Motion Passed

Clause 24, as referred back to Civic Administration, reads as follows:

That, on the recommendation of the Executive Director of Planning and Environmental Services, the revised Thames Valley Parkway extension on the West del Bourne road allowance at Kains Road project BE COMPLETED; it being noted that the revision is a narrower (2m wide) asphalt pathway along the east side of the existing trees and enhanced landscape buffering for adjacent neighbours who request it.

25. Farhi Holdings Inc. – Demolition Request – 764 Waterloo Street

Motion made by Councillor B. Polhill to Approve that, on the recommendation of the Director, Land Use Planning and City Planner, with the advice of the Heritage Planner, the request for the demolition of the designated heritage property at 764 Waterloo Street BE APPROVED, SUBJECT TO:

- (a) the consideration of the site plan application at a public participation meeting, with members of the community being notified;
- (b) the owner of the subject property working with the City and the neighbours to ensure that the property is remediated properly;
- (c) as required by the Ontario Heritage Act, consultation with the London Advisory Committee on Heritage occur related to the drawings for the proposed dwelling to be constructed at this location, if a demolition permit is issued;
- (d) landscaping to buffer the empty lot from the residential district to the north, until an approved redevelopment proposal is in place; and,
- (e) a site plan application for the neighbouring property located at 754 Waterloo Street.

Motion made by Councillor J.B. Swan and seconded by Councillor B. Polhill to Amend in part (a) by adding the words “for both 764 and 754 Waterloo Street” after the words “site plan application” and amend part (b) by adding to the end, the following words, “and that the property owner immediately south of the subject property be included in the circulation for the public participation meeting associated with the site plan process;”.

Motion Passed

The motion to adopt clause 25, as amended, is put.

Motion Passed

Clause 25, as amended, reads as follows:

that, on the recommendation of the Director, Land Use Planning and City Planner, with the advice of the Heritage Planner, the request for the demolition of the designated heritage property at 764 Waterloo Street BE APPROVED, SUBJECT TO:

- (a) the consideration of the site plan application for both 764 and 754 Waterloo Street at a public participation meeting, with members of the community being notified;
- (b) the owner of the subject property working with the City and the neighbours to ensure that the property is remediated properly and that the property owner immediately south of the subject property be included in the circulation for the public participation meeting associated with the site plan process;
- (c) as required by the Ontario Heritage Act, consultation with the London Advisory Committee on Heritage occur related to the drawings for the proposed dwelling to be constructed at this location, if a demolition permit is issued;
- (d) landscaping to buffer the empty lot from the residential district to the north, until an approved redevelopment proposal is in place; and,
- (e) a site plan application for the neighbouring property located at 754 Waterloo Street;

it being noted that the Built and Natural Environment Committee received the following communications from the following, opposed to this matter:

- E. V. Newman, 875 Hellmuth Avenue, dated September 26, 2011;
- B. K. Richter, 875 H75 Hellmuth Avenue, dated September 26, 2011;
- D. G. Kennedy, 1016 Wellington Street, dated September 25, 2011;
- G. Hinton, by e-mail, dated September 25, 2011;
- K. Dube, 784 Hellmuth Avenue, dated September 25, 2011;
- A. Strong, 772 Hellmuth Avenue, dated September 25, 2011;

- J. Thompson, 766 Hellmuth Avenue, dated September 25, 2011;
- N. Thompson, 287 St. James Street, dated September 25, 2011;
- J. & D. Goldman, by e-mail, dated September 24, 2011;
- M. Loft, 784 Wellington Street, dated September 26, 2011;
- I. Haldane, 890 Waterloo Street, dated September 24, 2011;
- M. Parks, Chair, Bishop Hellmuth Community Association, dated September 26, 2011;
- M. White, by e-mail, dated September 26, 2011;
- T. Kane-Callender, 779 Waterloo Street, dated September 26, 2011; and,
- D. Crockett, Integrated Vice-President, Facilities Management, St. Joseph's Health Care;

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

- S. Farhi, Farhi Holdings Inc., applicant – advising that he has a track record of preserving heritage properties; indicating that he owns over 100 buildings in the City of London; indicating that it is a lovely neighbourhood that people should be proud of; and advising that he hired an engineer to examine the building.
- M. Ference, NA Engineering Associates Inc. – advising that she was asked by the applicant to go through the building in January, 2011; advising that the home had not been heated or taken care of; advising that they took a cursory look at the first, second and basement levels; advising that the roof has leaked for a number of years, the lath and plaster are coming down there is damage done to the floor joists, the building was used as a business, the interior has been reworked, the basement may have been used as an apartment, the mantels from the fireplace have been ripped out, there are holes in the walls, the mechanical and electrical services have been damaged, the foundation is a multi-brick foundation and there was evidence of water and ice coming through the foundation and there is mold; advising that she looked at the exterior of the building when the snow melted and there are a lot of cracks in the mortar joints and the chimney; expressing concern with the evidence of people breaking in and causing further damage; advising that animals have been getting in as there are animal carcasses and skeletons; indicating that the building has been neglected for years; suggesting that the renovations may not have been completed; noting there are bricks missing and the property is dangerous.
- M. Parks, Bishop Hellmuth Community Association – see ~~attached~~ presentation.
- E. Newman, 875 Hellmuth Avenue – advising that due to the lateness of the hour, neighbours with children are unable to attend; advising that they were attracted to the neighbourhood by the architecture; advising that each house has a unique history; indicating that once a house is destroyed, the heritage is gone; and requesting that if the house is demolished, that whatever is built in its place resembles the building that is there now.
- A. Marcotullio, 766 Waterloo Street – expressing support for the demolition; advising that he is the former owner of the property and that the building has been boarded up for a decade and a half; advising that the building poses a threat to his family; and advising that people break in, in the middle of the night.
- C. Scott-Barre, 774 Hellmuth Avenue – advising that she is the fourth generation of her family to live in her home; advising that she was active in the designation of the Bishop Hellmuth Heritage Conservation District; advising that she has toured the building at 764 Waterloo Street and that the house is sorely neglected; advising that there has been nothing done to preserve the dignity of the heritage house; advising that the neighbourhood is blessed with some of the most beautiful heritage features in the city; advising that the municipality does not have a stellar record of preservation; and asking the Committee to make a decision they can be proud of; and indicating that the building has not been secured.
- P. Dillon, 876 Hellmuth Avenue – advising that he has lived in his house for 20 years; advising that he had extensive renovations done to his property and he knows about the costs and potential of renovating a heritage property; indicating that it is too early to prejudge by allowing demolition at this time; indicating that demolition should not be allowed until a definitive site plan has been received; expressing considerable fear that the next sign will have a Tim Horton's sign over it; advising that there is the potential for a domino effect up the block; advising that he doesn't begrudge Mr. Farhi for what he does; asking to hold Mr. Farhi to his pledge to preserve heritage property and that if the building can't be preserved, to get public input.
- B. Richter, 875 Hellmuth Avenue – advising that he moved to London one year ago and bought specifically in a Heritage Conservation District; advising that he chose the Bishop Hellmuth Heritage Conservation District as there are no newer buildings in the District; noting that they didn't chose the West Woodfield Heritage Conservation District

as it has some newer buildings that are not in keeping with the District; indicating that he thought the character and density of the neighbourhood were protected; indicating that the neighbourhood hasn't had much chance to discuss this matter; suggesting that the developer should have knocked on doors in the neighbourhood; indicating that there are a number of vacant commercial properties in the Richmond Street and Oxford Street area and creating more commercial space will create more of a problem.

- J. Colvin, 859 Waterloo Street – advising that he purchased the property at 861 Waterloo Street, which was in bad shape; advising that he had to replace the chimney, and the eaves trough and soffit on one side; indicating that he invites people to see what can be done; and asking Council to think carefully before allowing people to demolish their homes.
- J. Chapman, 103 Elmwood Avenue – advising that there is no land assembly happening here and that engineers are licensed and are not hired to say what you want them to say.
- M. Pundaky, Farhi Holdings Inc. – indicating that he walks through the properties that Mr. Farhi purchases; indicating that people are making assumptions about the future and future development; advising that the property has been neglected for 16 years; advising that the utilities have been turned off for 6 years; advising that their main concern is the structure and the health and safety of the neighbours; indicating that they have cut the landscaping to deter vandalism; and indicating that City restrictions, by-laws and the building code do not allow them to build whatever they want.
- G. Brumitt, Farhi Holdings Inc. – advising that she has managed various properties during her career, including Ontario Realty Corporation properties; advising that the property is beyond saving; recommending that the Building Division and Planning Division determine what the impact is on the neighbourhood; and suggesting that because certain aspects of the property are worthy of heritage doesn't mean that the entire property is worth saving.
- S. Trosow, 43 Mayfair Drive – expressing opposition to the application; expressing frustration at watching people being attacked; advising that property owners that allow their properties to fall into disrepair should not be rewarded; indicating that the developer should have been fined; and requesting the applicant to come in with a site plan after working with the neighbourhood.

26. Infrastructure Ontario (Formerly Ontario Realty Corporation) – London Psychiatric Hospital Lands Secondary Plan (O-7668)

Motion made by Councillor B. Polhill to Approve that, on the recommendation of the Director of Land Use Planning and City Planner, the following actions be taken with respect to the application of Infrastructure Ontario (formerly Ontario Realty Corporation), for an Official Plan Amendment to change existing land use designations and to adopt a Secondary Plan, integrated with a Municipal Class Environmental Assessment (EA) Study, Schedule "B" for Storm/Drainage and Stormwater Management (SWM) Servicing Works, for the London Psychiatric Hospital Lands, municipally described as 840 and 850 Highbury Avenue North and 1414 and 1340 Dundas Street, and lands without a municipal address located east of 850 Highbury Avenue North and bounded by the Canadian Pacific and Canadian National Railways:

- (a) the Psychiatric Hospital Lands Municipal EA Study, Schedule "B" for Storm/Drainage and SWM Servicing Works (Stantec, September 14, 2011), ~~attached~~ hereto as Appendix "B", BE ACCEPTED; it being noted that the required control of the estimated peak flows and velocities that would determine the size of the proposed Storm/Drainage and SWM Servicing Works have been deferred to the functional design stage as identified by the Ministry of the Environment (MOE);
- (b) using an integrated approach, combining the *Planning Act* and the *Environmental Assessment Act* processes, the proposed by-law ~~attached~~ hereto as Appendix "A" BE INTRODUCED at the Municipal Council meeting on October 3, 2011 to:
 - (i) amend Chapter 20 - Secondary Plans, by adding "London Psychiatric Hospital Secondary Plan" to the list of Secondary Plans adopted by Council in Section 20.2 i) of the Official Plan for the City of London;
 - (ii) amend Chapter 20 – Secondary Plans, by adding Section 20.4 – London Psychiatric Hospital Secondary Plan, to the Official Plan for the City of London;
 - (iii) change the designation of the subject lands on Schedule A – Land Use, FROM the "Regional Facility" and "Light Industrial" designations, TO the "Multi-family, High Density Residential", "Multi-family, Medium Density Residential", "Office/Residential", "Regional Facility" and "Open Space" designations;
 - (iv) amend Schedule B1 – Natural Heritage Features, to delineate an "Unevaluated

- Wetland”;
- (v) amend Schedule C – Transportation Corridors, to add the Secondary Collector Road Network; and,
- (vi) amend Schedule D – Planning Areas, to add “Secondary Plans” to the legend, change “Planning Area Name” in the legend to “Planning Area\Secondary Plan Name” and delineate a new Planning Area to the map entitled “London Psychiatric Hospital”;
- (c) the request to amend the Official Plan to change the designation of the subject lands FROM the “Regional Facility” and “Light Industrial” designations, TO the “Multi-family, Medium Density Residential”, “Live-Work”, “Mixed Use”, “Main Street Commercial Corridor”, “Office Area”, “Regional and Community Facility”, “Open Space – Parkland”, “Open Space – Heritage”, “Open Space – Environmental”, and “Open Space – Stormwater Management” designations, and to add Secondary Plan policies to the Official Plan to guide the redevelopment of the subject lands, and provide new schedules to address such matters as secondary plan designations, neighbourhood areas, building heights, street hierarchy, pedestrian and cycling routes, cultural heritage framework, urban design areas and priorities, BE REFUSED for the following reasons:
- (i) text changes to the proposed Secondary Plan were required to address the resolution of such key issues as the conservation of cultural heritage, parkland dedication, the transportation system and network, and permitted land uses and urban design and land use control criteria;
- (ii) City staff have recommended a two-tier land use designation approach, which employs land use designations existing in the Official Plan and introduces new land use designations at the Secondary Plan level, that are to be read in conjunction with the existing Official Plan schedules and text;
- (iii) minor changes to the schedules in the proposed Secondary Plan were required to reconfigure the designation boundaries; modify the road, pedestrian and cycling networks, modify building heights, add permitted traffic turning movements, expand the cultural heritage framework to include trees on both sides of the curvilinear road, identify a significant vista, establish the areas of influence for noise and vibration adjacent to an existing industrial use, and identify the preferred solution for storm/drainage and stormwater management servicing works; and,
- (iv) text changes are recommended to the proposed Secondary Plan to create a standard format for all future Secondary Plans, to create new land use designations at the Secondary Plan level, and to use a policy format and terminology that is more consistent with the City of London Official Plan;

it being noted that the Built and Natural Environment Committee received a communication dated September 14, 2011 from V. Labreche, Labreche Patterson & Associates Inc., with respect to this matter;

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

- B. Malpass, Elmwood Lawn Bowling Club, 14 – 284 Wonderland Road South - advising that he has attended all of the meetings; indicating that lawn bowling has been carried on by the Fairmont Bowling Club at this site for over 90 years; advising that they hold local and national lawn bowling tournaments; advising that their members range in age from 17 to 90; indicating that bowlers that attend tournaments stay in hotels and eat at area restaurants; indicating that the Bowling Club installed new flood lights, and new greens in the last year; expressing opposition to the designation for their location as they would have to find a new location; advising that the Elmwood Lawn Bowling Club is hosting the 2012 Ontario Pairs Tournament; indicating that they have a large investment in their facilities and that they wish to remain at the same location; advising that moving their facilities to the north will cost several hundred thousand dollars; indicating that he has not been contacted by the Civic Administration or MHBC and requesting that their location not be moved.
- W. Wake, 597 Kildare Road – expressing pleasure with the protection of the six chimneys to accommodate the chimney swifts; advising that the chimney swifts are protected both provincially and federally; and indicating that the largest reason for the chimney swift decline is the lack of food as they eat insects from wetlands and environmentally significant areas.
- B. Thompson, 196 Ryan Avenue – expressing support for the plan and indicating that it has taken into consideration the neighbourhoods around it; requesting that the Open

Space area be developed into a park; requesting that this not be developed piece meal; asking that the Lawn Bowling Club be kept in its current location; and request that the developers build something that is inventive in size, shape and area around the Lawn Bowling Club.

- C. Wiebe, MHBC Planning – advising that this process has taken almost 3 years and has been an interesting process; advising that she has been contacted by a cultural heritage expert who is attending a conference in October and asked for permission to tell the conference about this Plan; advising that there has been a lot of collaboration; noting that the surplus will be between \$9,000,000 and \$15,000,000 and will generate a tremendous economic impact to the City; advising that the Lawn Bowling Club is situated close to Dundas Street and the proposal is to shift the Lawn Bowling Club to the central part of the plan and indicating that final decisions have not been made.

Motion Passed

28. Sifton Properties Limited – Portion of 2178 and 2270 Highbury Avenue North (39CD-10513/OZ-7843)

Motion made by Councillor B. Polhill to Approve that, on the recommendation of the Managing Director of Development Approvals Business Unit and Director of Development Planning, the following actions be taken with respect to the application submitted by Sifton Properties Limited relating to the properties located at 2178 & 2270 Highbury Avenue North:

- (a) the request to amend the Official Plan to change the designation of the subject property from “Urban Reserve, Community Growth” and “Agriculture” to “Low Density Residential” and to move the Urban Growth Boundary to include a small portion of the lands within the Urban Growth Area BE REFUSED for the following reasons:
 - (i) expansion of the Urban Growth Boundary is not permitted outside of comprehensive review of the Official Plan;
 - (ii) it is not consistent with the Provincial Policy Statement; and,
 - (iii) it is not consistent with the policies of the Official Plan;
- (b) the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject property from a Open Space (OS5) Zone which permits conservation lands and conservation works and a Residential R1 (R1-4) Zone which permits to a Residential R6 Special Provision (R6-2(___)) Zone to permit cluster housing in the form of single detached dwellings at a maximum density of 15 units per hectare and a maximum height of 10.5 metres with a special provision to permit a reduced interior side yard of 1.2 metres and reduced density of 15 units per hectare, and an Open Space Special Provision (OS1(___)) Zone to permit a public park/trail corridor extension with a special provision for 0 metre lot frontage onto a public road and reduced lot area of 1600 square metres BE REFUSED for the following reasons:
 - (i) is not consistent with the Provincial Policy Statement;
 - (ii) it does not conform with the policies of the Official Plan;
 - (iii) the requested zone would not appropriately implement the proposed lot structure of the associated draft plan submitted by the applicant; and,
 - (iv) it does not maintain the natural heritage linkage to the wetland;
- (c) the Approval Authority BE ADVISED that at the public participation meeting of the Built and Natural Environment Committee held with respect to this matter, the following issues were raised by the public with respect to the following:
 - (i) the proximity to the wetland;
 - (ii) the location being where children play;
 - (iii) the narrow streets; and
 - (iv) the volume of traffic;
- (d) staff BE REQUESTED to review the ESA designation of Block 60, Registered Plan 33M-601 in the upcoming Official Plan update commencing in 2011;

it being noted that the Built and Natural Environment Committee received a communication, dated September 23, 2011, from A. McCloskey, Ministry of Natural Resources, with respect to this matter;

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

- B. Card, Barrister & Solicitor, representing the applicant – requesting that the Council refer the matter back to the Civic Administration to allow presentations from Mr. P. Maschellin, Dr. Epp and Ms. Zunte; advising that the refusal of the application is incorrect; indicating that it is easy for people to look at the land link, but the link doesn't function for the conveying of water because of the bump in the middle; indicating that the linkage identified is unusable; expressing concern with the planning impact; advising that there are 6 bullet points where Staff were able to say good things about the application; the staff report indicates that the proposal provides housing for land that is not needed; advising that in the Ontario Municipal Board decision, Mr. Stephanko said it shouldn't move the Official Plan boundary; indicating that it does not constitute affordable housing, that other projects aren't rejected because they are not affordable housing projects; advising that there are a number of issues that do not seem to be of clear, analytical thought; advising that there are no merits for grounds for rejection; advising that the wetland is to be protected; advising that narrow streets are something that the city favours in order to hamper speed; and requesting the application be sent back until the Council can hear presentations from Mr. P. Maschellin, Dr. Epp and Ms. Zunte.
- Resident, 1562 Privet Place – advising that when they purchased their property two and a half years ago, that the proposition was not listed on the map; indicating that the proposal puts more cars in an area where children play; indicating that the streets are very narrow and that this is a high traffic area; advising that when he sits on his deck, he can see the birds fly to the water; advising that he has seen deer, coyotes and turtles in the direct line of the proposed development; and indicating that 74 houses are being built that use one exit and now 40 more houses are proposed to be built that would use the same exit.
- D. McCluskey, 1524 Privet Place – advising that they bought their property, at a premium, for the proximity to the wetland; indicating that the developer has advertisements on Highbury Avenue listing “back to nature” and now the developer wants to take that away; indicating that you can barely get three cars across and enquiring as to how a fire truck would get down the road.
- A. Hajjar, 1510 Privet Place – advising that he bought their property, at a premium, because of the wetland and the court; indicating that the streets are narrow; advising that if cars are parked on the side of the road, that an ambulance could not pass through; and agreeing with his neighbours comments.

Motion Passed

29. Great Near-Campus Neighbourhoods Planning Amendments

Motion made Councillor J.B. Swan to Approve that the Civic Administration BE ASKED to report back with the amount of resources, the proposed budget and the timelines that are necessary to complete the Great Near-Campus Neighbourhoods Planning Amendments, by the end of the year;

it being noted that the Built and Natural Environment Committee received a communication, dated September 22, 2011, from S. Levin, President, Orchard Park/Sherwood Forest Ratepayers, with respect to this matter.

Motion Passed

30. Cultural Heritage Report South Street Hospital Complex

Motion made by Councillor B. Polhill to Approve that clause 1 of the 10th Report of the London Advisory Committee on Heritage **BE REFERRED** to the Civic Administration for consideration.

Clause 1, as referred, reads as follows:

That the following actions be taken with respect to the Cultural Heritage Report provided by N. Tausky, Heritage Consultant, relating to the buildings in the South Street Hospital Complex; it being noted that the London Advisory Committee on Heritage (LACH) noted Ms. Tausky's report provides a detailed description of the evolution of the South Street campus, clearly establishes the cultural heritage significance of the site, is supported by extensive and detailed research, including relevant photos, and provides a strong case for the retention of aspects of the site to provide a material reference to remind Londoners and visitors of the importance of this site within the development of the community; it being further noted that with the various changes in London's health history occurring at this time (ie. the decommissioning of the LPH site, the move to the Westminster campus and the projected renovations at St. Joseph's Hospital), it is appropriate to consider how to place the South Street complex into the context

of the medical and social history of London:

- (a) the Inventory of Heritage Resources **BE AMENDED** to change the Priorities of the following buildings:
 - (i) Medical School as a Priority 1;
 - (ii) Nurses Residence as a Priority 1; it being noted that the Nurses Residence is the last one in existence;
 - (iii) Colborne Street Building as a Priority 1;
 - (iv) Main Building (North Wing) as a Priority 2; and,
 - (v) War Memorial Children's Hospital as a Priority 1;
- (b) the Inventory of Heritage Resources **BE AMENDED** to include the following properties:
 - (i) the Old Surgical Building as a Priority 1; and,
 - (ii) the Old Isolation Building as a Priority 1;
- (c) the heritage features of the Nurses Residence **BE RETAINED** and **BE INCORPORATED** in the new structure;
- (d) the exterior walls on the east, south and west sides of the buildings **BE RESTORED** to their original condition, with necessary alterations being made to achieve greater accessibility for disabled persons;
- (e) the following **BE RETAINED** and **BE RESTORED**:
 - (i) vestibules in the Nurses' Residence and the former Medical School;
 - (ii) the reception halls in the Nurses' Residence and the former Medical School;
 - (iii) the auditorium in the former Medical School;
 - (iv) the sunrooms in the former War Memorial Children's Hospital;

it being noted that where the lowered ceilings cut across windows, the original ceiling heights should be restored;
- (f) the Colborne Building, on the south side of South Street, **BE PRESERVED**, including the original doors, door and window surrounds and fire protection equipment;
- (g) the art deco features in the North Wing of the Main Building **BE PRESERVED** and **BE INCORPORATED** into a new development;
- (h) the buildings in the South Street Hospital Complex for which conservation is now anticipated or for which conservation may be considered in the future **BE PROTECTED** by:
 - (i) keeping the buildings tenanted;
 - (ii) installing a good security system;
 - (iii) all necessary repairs being completed to prevent water infiltration and to provide adequate ventilation; and,
 - (iv) preventing the removal of any original or significant features of the relevant buildings;
- (i) the Civic Administration and a qualified restoration architect **BE REQUESTED** to prepare a detailed conservation plan for each building to be conserved;
- (j) if any of the buildings listed in part (a), above, are not conserved, the building **BE THOROUGHLY** documented, including complete photographic documentation of the building's older features and with measured drawings that indicate as much as can be discerned of the original layout, where such drawings do not already exist;
- (k) the streetscape, within the study area north of South Street, and any conserved buildings within the study area south of South Street, **BE GIVEN** consideration to designation as a Heritage Cultural Landscape or a Heritage Conservation District; it being noted that the SoHo area has applied to become a Heritage Conservation District;
- (l) a form of interpretation, such as a passive park, a small museum, interpretive signage, commemorative works of art, memorial walls or paving stones, **BE INSTALLED** as a means of commemorating the history and importance of the hospital; it being noted that

- the Thames Valley River Master Plan will be installing plaques along the Thames River;
- (m) the three properties on the north side of South Street and the southwest corner of Colborne Street and South Street **BE CONSERVED**;
 - (n) the entrance pavilion in the yellow brick building **BE CONSERVED**;
 - (o) the Municipal Council **BE ACKNOWLEDGED** for recognizing the significance of this area; and,
 - (p) N. Tausky **BE THANKED** for her excellent work on the Cultural Heritage Report;

it being noted that the London Advisory Committee on Heritage received the comments from its Stewardship Sub-Committee with respect to this matter.

Motion Passed

31. Heritage Property Monitoring Sub-Committee

Motion made by Councillor B. Polhill to Approve that, on the recommendation of the London Advisory Committee on Heritage, the London Fire Fighters' Association **BE REQUESTED** to give consideration to the inclusion of Daniel Sullivan's name to the Firefighters Monument for the following reasons:

- Mr. Sullivan was a firefighter with the Hook and Ladder Company who was killed in the Hyman Tannery fire;
- a state funeral was ordered and paid for by the City of London Fire Department; and,
- Mr. Sullivan is included on the previous Firefighters Monument (erected in 1856, originally located at the former McCormick Building and moved to the Mount Pleasant Cemetery in 1875);

it being noted that the London Advisory Committee on Heritage heard a verbal presentation from J. O'Neil, on behalf of the Heritage Property Monitoring Sub-Committee, with respect to this matter.

Motion Passed

32. Heritage Alteration Permit Application – M. Hyland – 63 Elmwood Avenue East

Motion made by Councillor B. Polhill to Approve that, on the recommendation of the London Advisory Committee on Heritage, with the concurrence of the Director of Land Use Planning and City Planner, with the advice of the Heritage Planner, the Heritage Alteration Permit Application of M. Hyland requesting permission for exterior additions to the heritage property located at 63 Elmwood Avenue East **BE APPROVED**; it being noted that the Heritage Planner has reviewed the proposed additions and has advised that the impact of such alteration on the heritage features of this property is negligible; it being also noted that the London Advisory Committee on Heritage heard a verbal presentation from M. Hyland with respect to this matter.

Motion Passed

Pursuant to section 17.2 of the Council Procedure By-law, Councillor J.P. Bryant requests a separate vote on clause 33.

33. Demolition Application – Farhi Holdings Corporation – 764 Waterloo Street

Motion made by Councillor B. Polhill to Approve that clause 4 of the 10th Report of the London Advisory Committee on Heritage **BE REFERRED** to the public participation meeting relating to the proposed demolition of the property located at 764 Waterloo Street: Clause 4, as referred, reads as follows:

- (a) the Director of Building Controls and Chief Building Official **BE ADVISED** that the London Advisory Committee on Heritage (LACH) does not oppose the demolition of the property located at 764 Waterloo Street; it being noted that the LACH was advised that the Bishop Hellmuth Community Association has not had an opportunity to review and respond to the proposed demolition; it being also noted that there will be a public participation meeting at the Built and Natural Environment Committee at its meeting

held on September 26, 2011, with respect to this matter; and,

- (b) as required by the Ontario Heritage Act, the LACH BE CONSULTED on drawings for the proposed dwelling to be constructed at this location if a demolition permit is issued;

it being noted that the LACH heard verbal presentations with respect to this matter from the following:

- J. Chapman, Jim Chapman Holdings Incorporated;
- N. Aroutzidis, NA Engineering Associates Inc.;
- M. Ferenc, NA Engineering Associates Inc.;
- M. Pundaky, Farhi Holdings Corporation;
- A. Marcotullio, 766 Waterloo Street; and,
- S. Farhi, Farhi Holdings Corporation;

it being also noted that the LACH received the following communications with respect to this matter:

- a communication dated September 13, 2011 from M. Parks, Bishop Hellmuth Community Association;
- a communication dated July 28, 2011 and photographs of the house, from M. Ferenc, NA Engineering Associates Inc.

Motion Passed

34. Statement of Significance – 5 Paddington Avenue

Motion made by Councillor B. Polhill to Approve that, on the recommendation of the London Advisory Committee on Heritage, on the recommendation of the Stewardship Sub-Committee, notice of the Municipal Council's intention to designate the property located at 5 Paddington Avenue to be of cultural, historical and architectural 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.0.18; it being noted that the owner of the subject property (C. & S. Mayberry) has concurred with the above recommendation, with the understanding that the land to be included in the designation will be as shown on the assessment roll.

Motion Passed

35. Statement of Significance – 719-721 Dundas Street

Motion made by B. Polhill to Approve that, on the recommendation of the London Advisory Committee on Heritage, on the recommendation of the Stewardship Sub-Committee, notice of the Municipal Council's intention to designate the property located at 719-721 Dundas Street to be of cultural, historical and architectural 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.0.18; it being noted that the owner of the subject property (S. Langer/Unity Project for Relief of Homelessness in London) has concurred with the above recommendation, with the understanding that the land to be included in the designation will be as shown on the assessment roll.

Motion Passed

36. Demolition by Neglect

Motion made by Councillor B. Polhill to Approve that the Civic Administration BE ASKED to determine how to strengthen the monitoring of heritage buildings to ensure that demolition by neglect does not occur.

Motion Passed

The Chair directs that the following report clauses be noted:

37. Renewable Energy Projects

That the Built and Natural Environment Committee reviewed and received an information report from the City Solicitor with respect to Renewable Energy Projects.

38. Veterans Memorial Parkway Noise Study

That the Built and Natural Environment Committee (BNEC) reviewed and received the following with respect to the Veterans Memorial Parkway Noise Study:

- (a) an information report from the Acting Director of Roads and Transportation; and,
- (b) a communication, dated September 22, 2011, from Councillor W. J. Armstrong; it being noted that the BNEC took no action with respect to the request.

39. Thames River Water Quality

That the Built and Natural Environment reviewed and received an information report from the Director, Wastewater and Treatment, with respect to the Thames River water quality.

40. 6th Report of TAC

That the Built and Natural Environment Committee reviewed and received clauses 2 to 13 of the 6th Report of the Transportation Advisory Committee from its meeting held on September 6, 2011.

41. 10th Report of EEPAC

That the Built and Natural Environment Committee reviewed and received the 10th Report of the Environmental and Ecological Planning Advisory Committee from its meeting held on September 15, 2011.

42. 10th Report of LACH

That the Built and Natural Environment Committee heard a verbal presentation from J. O'Neil, Vice-Chair, London Advisory Committee on Heritage (LACH) and reviewed and received clauses 7 to 18, inclusive, of the 10th Report of the LACH from its meeting held on September 14, 2011. (See Report ~~attached~~.)

43. Disclosure of Pecuniary Interest – Councillor Polhill

That Councillor W. J. Polhill disclosed a pecuniary interest in clause 29 of this report having to do with the Great Near-Campus Neighbourhoods Planning Amendments by indicating that his son is on the Committee of Adjustment.

44. Disclosure of Pecuniary Interest – Councillor D. Brown

That Councillor D. Brown disclosed the following pecuniary interests, with this report:

- (a) clause 4, having to do with the access management and transportation impact assessment guidelines, by indicating that her employer has a contract with the London Transit Commission;
- (b) clause 17, having to do with the 6th Report of the Transportation Advisory Committee, by indicating that her employer has a contract with the London Transit Commission;
- (c) clause 23, having to do with the University of Western Ontario Student Union Late Night Shuttle Service by indicating that her employer may bid on the contract; and,
- (d) clause 24, having to do with the application of 1209571 Ontario Limited relating to the properties located at 485, 495, 503, 517 and 519 York Street by indicating that her employer's place of business is within 250 metres.

45. Disclosure of Pecuniary Interest – Councillor White

That Councillor S. White disclosed a pecuniary interest in clause 41 of this report having to do with clause 8 of the 10th Report of the London Advisory Committee on Heritage relating to Beaufort Street, Irwin Street, Gunn Street and Saunby Street Neighbourhood Planning Options, by indicating that her employer owns property and has an office that Councillor White occasionally works out of, on Gunn Street.

298.

Built and Natural Environment Committee

Councillor Polhill presents the 24th Report

1. 1209571 Ontario Limited – 485, 495, 503, 517 and 519 York Street

Motion made by Councillor B. Polhill to Approve t That, on the recommendation of the Director of Land Use Planning & City Planner, the following actions be taken with respect to the application of 1209571 Ontario Limited relating to the properties located at 485, 495, 503, 517, and 519 York Street:

- (a) the proposed by-law ~~attached~~ hereto as Appendix "A" BE INTRODUCED at the Municipal Council meeting on October 3, 2011 to amend the Official Plan to add a special policy to section 4.4.2.11 of the Official Plan – Specific Auto-Oriented Commercial Corridors – for the lands on the south side of York Street, between Maitland Street and William Street, to permit Service Office uses in addition to the list of permitted uses described in section 4.4.2.4 of the Official Plan; and,
- (b) the proposed by-law ~~attached~~ hereto as Appendix "B" BE INTRODUCED at the Municipal Council meeting on October 3, 2011 to amend Zoning By-law No. Z.-1 (in conformity with the Official Plan, as amended in part (a) above) to change the zoning of the property located at 519 York Street FROM a Restricted Service Commercial (RSC2/RSC4) Zone which permits Animal clinics, Automobile rental establishments, Automobile repair garages, Automobile sales and service establishments, Automobile supply stores; Automotive uses, restricted; Bulk beverage stores, Dry cleaning and laundry depots, Liquor, beer and wine stores, Pharmacies, Convenience stores, Day care centres, Duplicating shops Financial institutions, Florist shops, Personal service establishments TO a Restricted Service Commercial Special Provision (RSC2/RSC4()) Zone to add 'service office' with a maximum gross floor area of 2000 m² to the list of above permitted uses.

Motion Passed

2. Cedar Hollow Developments Limited & Auburn Homes Inc. – Cedarhollow Subdivision, Phase 2

Motion made by Councillor B. Polhill to Approve that, on the recommendation of the Director of Development Planning and the Managing Director, Development Approvals Business Unit, the following actions be taken with respect to entering into a subdivision agreement between The Corporation of the City of London and Cedar Hollow Developments Limited and Auburn Homes Inc. for the subdivisions of land over Part of Lots 4 through 20, both inclusive and Part of Unnamed Roadway, Registered Plan No. 120(c), in the City of London, County of Middlesex, situated on the south side of Fanshawe Park Road East, east of Highbury Avenue North:

- (a) the ~~attached~~ Special Provisions to be contained in a Subdivision Agreement between The Corporation of the City of London and Cedar Hollow Developments Limited and Auburn Homes Inc. for the Cedarhollow Subdivision, (39T-03518) BE APPROVED;
- (b) the Mayor and the City Clerk BE AUTHORIZED to execute this Agreement, any amending agreements and all documents required to fulfill its conditions;
- (c) a maximum amount of \$80,000, for the park pathway and park amenities project being constructed by the Owner on behalf of the City, as noted in Clause (c) of the Special Provisions, noted in part (a), above, BE APPROVED as set out in the Source of Financing Report ~~attached~~ hereto as Schedule "A"; and,
- (d) the applicant BE ADVISED that the Director of Development Finance has estimated the ~~attached~~ Revenues and Claims;

it being noted that the Built and Natural Environment Committee reviewed and received the ~~attached~~ communication dated September 30, 2011 from the Manager, Development Planning, with respect to this matter.

Motion Passed

3. Uplands North Stormwater Management (SWM) Facility B2

Motion made by Councillor B. Polhill to Approve that, on the recommendation of the Director, Wastewater and Treatment, Planning, Environmental and Engineering Services, the following

action BE TAKEN with respect to the award of a contract for the construction of the Uplands North Stormwater Management (SWM) Facility B2 works:

- (a) the bid submitted by C.H. Excavating Ltd., in the amount of \$936,576.47, including contingency, excluding H.S.T., for the construction of the Uplands North SWM Facility B2, BE ACCEPTED; it being pointed out that the bid submitted by C.H. Excavating was the lowest of seven (7) bids received and meets the City's specifications and requirements in all areas;
- (b) AECOM, 250 York Street, Suite 410, London, ON, N6A 6K2 BE INCREASED by \$184,964 to carry out the Inspection and General Construction Administration (\$100,964) and monitoring program (\$84,000) for the adjacent wetland for the Uplands North SWM Facility B2, it being noted that this increases the original upset limit to \$325,283 excluding HST, noting that this firm completed the engineering 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;
- (c) the financing for this work BE APPROVED as set out in the Sources of Financing Report ~~attached~~ hereto as Appendix "A";
- (d) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this work;
- (e) the approval given herein BE CONDITIONAL upon the Corporation receiving all lands required for the Uplands North Stormwater Management Facility B2 from 2047790 Ontario Inc.;
- (f) the approval given herein BE CONDITIONAL upon the Corporation entering into a formal contract with the consultant for the work; and,
- (g) the Mayor and City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations.

Motion Passed

The Chair directs that the following report clause be noted:

4. London Taxi Association - Alternative Proposed Taxi/Limousine Tax By-law

That Councillor D. Brown disclosed a pecuniary interest in clause 1 of this report having to do with the application of 1209571 Ontario Limited relating to the properties located at 485, 495, 503, 517 and 519 York Street by indicating that her employer's place of business is within 250 metres.

299. **Community and Neighbourhoods Committee, continued**

1. London Taxi Association - Alternative Porposed Taxi/Limousine Tax By-law

Motion made by Councillor H. Usher to Approve that the communication, dated September 2011, from the London Taxi Association, with respect to a proposed alternative taxi/limousine by-law, BE REFERRED to the Civic Administration for consideration with the review of the Taxi/Limousine By-law.

Motion Passed

2. Reducing the Cost of Cashing Government of Ontario Cheques and Simplifying Access to Mainstream Financial Services

Motion made by Councillor H. Usher to Approve that, on the recommendation of the Director of Social and Community Support Services, with the concurrence of the Executive Director of Community Services, the following actions be taken with respect to reducing the cost of cashing Government of Ontario cheques and simplifying access to mainstream financial services:

- (a) the policy issues and recommendations, outlined in the Report, dated September 27, 2011, from the Director of Social and Community Support Services, with the concurrence of the Executive Director of Community Services, BE RECEIVED by the

Municipal Council;

- (b) the Mayor BE REQUESTED to write a letter to the Minister of Community and Social Services, providing this report; and:
 - i) advocating for changes within the provincial ministries to simplify and integrate the process for accessing government identification for those on social assistance; and,
 - ii) recommending the development of indemnity agreements between the Province and mainstream financial service providers, similar to what other provinces and the Federal Government have done;
- (c) the Mayor BE REQUESTED to write a letter to the Commission for the Review of Social Assistance, copying this report and the letter noted in (b) above, for their consideration of these actions in their final report to the government in June 2012; it being noted that these recommendations address the Commission's direction to provide improved system integration and to identify areas of federal-provincial interaction related to social assistance; and,
- (d) the Director of Social and Community Support Services BE DIRECTED to:
 - i) continue monitoring actions being taken by the City of Toronto in their review of contracted electronic banking services for those receiving Ontario Works;
 - ii) advocate with senior provincial social services administration for a more comprehensive provincial review of options and actions that support simplified access to mainstream financial services for social assistance recipients; and,
 - iii) continue internal actions with service delivery staff and community agency partners to support access to direct bank deposits and access to mainstream financial services, including access to necessary identification.

Motion Passed

- 3. 339 Commissioners Road West - Property Standards Related Demolition

Motion made by Councillor H. Usher to Approve that, notwithstanding the recommendation of the Director of Building Controls and Chief Building Official, NO ACTION BE TAKEN AT THIS TIME with respect to the proposed by-law to approve the demolition of the building located at 339 Commissioners Road West; it being noted that the property owner has agreed to comply with the demolition order.

Motion Passed

- 4. Request for Expressions of Interest for Partnership in Biogas Utilization

Motion made by Councillor H. Usher to Approve that, on the recommendation of the Director of Environmental Programs and Solid Waste, the following actions be taken with respect to requesting expressions of interest for a partner to develop landfill gas and potentially other biogas feedstock, utilization projects:

- (a) the Civic Administration BE AUTHORIZED to prepare a Request for Expressions of Interest (REOI) for a partner to develop the above-noted projects with the City of London;
- (b) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this matter; and,
- (c) the Civic Administration BE DIRECTED to report back to the appropriate Standing Committee on the outcome of the REOI.

Motion Passed

- 6. Emerald Ash Borer Strategy

Motion made by Councillor H. Usher to Approve that, on the recommendation of the Executive Director of Planning, Environmental and Engineering Services, with the advice of the City

Planner and the Manager of Urban Forestry, the following action be taken with respect to the Emerald Ash Borer Strategy:

- (a) the Emerald Ash Borer Strategy as outlined in the Consultant's report, dated September 2011, entitled "Emerald Ash Borer Strategy", BE ADOPTED;
- (b) the implementation strategy and associated funding as shown in the following table, BE ENDORSED IN PRINCIPLE and BE FORWARDED to the Services Review Committee and Municipal Council for consideration as part of the 2012 Budget process; and,

Table 1. Recommended EAB Management Strategy Program and Costs (in thousands of dollars)

YEAR	Treatment	Removal (Streets and Manicured Mark Areas)	Removal (Wooded Park Areas)	Inventory and Survey (Wooded Park Areas)	Risk Inspections (Wooded Park Areas)	Restoration and Rehabilitation (Wooded Park Areas)	Plant 2:1 (Streets and Manicured Park Areas)	Coordination (Administration, Education)	TOTAL
2012		184	145	50			715	100	1194
2013	109	187	145	50		30	751	100	1372
2014		191	145		20	30	828	100	1314
2015	115	195	145		20	30	828	100	1433
2016		199	145		20	30	869		1263
2017	122	203	145			30	912		1412
2018		207	145			30	1007		1389
2019	130	211	145			30	1005		1521
2020		215	145			30	1056		1446
2021	137	219	145			30	1108		1639
2022									0
2023	146								146
2024									0
2025	155								155
TOTALS	914	2011	1450	100	60	270	9079	400	14284

- (c) the Civic Administration BE DIRECTED to explore potential sources of financing and revenues for this initiative, and assess the impact should Municipal Council advance with a 1:1 vs 3.2 vs. 2:1 planting ratio; and review this information and the financial impacts with the Services Review Committee;

it being noted that the Community Neighbourhoods Committee heard the ~~attached~~ presentation from the Manager of Urban Forestry, with respect to this matter.

Motion Passed

7. London Fire Department - Business Intelligence Program

Motion made by Councillor H. Usher to Approve that, on the recommendation of the Fire Chief of the London Fire Department, with the concurrence of the Executive Director of Community Services, the Manager of Purchasing and Supply and the Chief Technology Officer, the following actions be taken with respect to the Business Intelligence Program;

- (a) the quotation submitted by Intergraph Canada Ltd, 250-7070 Mississauga Road, Mississauga, ON, L5N 7G2, for the supply and installation of London Fire Business Intelligence for Public Safety at their proposed price of \$129,093, HST extra, BE ACCEPTED;
- (b) the quotation submitted by Intergraph Canada Ltd, 250-7070 Mississauga Road, Mississauga, ON, L5N 7G2, for the supply and installation of London Fire Incident Analyst at their proposed price of \$38,000, HST extra, BE ACCEPTED;
- (c) the quotation submitted by Intergraph Canada Ltd, 250-7070 Mississauga Road, Mississauga, ON, L5N 7G2, for Phase 2 of the implementation of London Fire Incident Analyst at their proposed price of \$55,000, HST extra, BE ACCEPTED;
- (d) the financial funding for this purchase can BE ACCOMODATED within the 2011 Fire

Department Budget;

- (e) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this purchase; and,
- (f) the approval hereby given BE CONDITIONAL upon the Corporation entering into a formal contract or having a purchase order, or contract record relating to the subject matter of this approval.

Motion Passed

8. Banana Hurling Incident at the John Labatt Centre

Motion made by Councillor H. Usher to Approve that the ~~attached~~ communication, dated September 26, 2011, from Councillor H. L. Usher, with respect to the recent banana hurling incident at the John Labatt Centre, BE FORWARDED to the London Diversity and Race Relations Advisory Committee, the London Police Services and the London Urban Services Organization (LUSO), requesting that they provide a statement or recommendation to the City of London indicating that such behavior in London is not tolerated; it being noted that the Community and Neighbourhoods Committee heard a verbal delegation from Councillor H. L. Usher, with respect to this matter.

Motion Passed

9. Transgendered Individual Banned From the Trail's End Farmers Market

Motion made by Councillor H. Usher to Approve that the ~~attached~~ communication, dated September 26, 2011, from Councillor H. L. Usher, with respect to the incident whereby a transgendered individual was banned from the Trail's End Farmers Market, BE FORWARDED to the London Diversity and Race Relations Advisory Committee, the London Police Services and the London Urban Services Organization (LUSO), requesting that they provide a statement or recommendation to the City of London indicating that such behavior in London is not tolerated; it being noted that the Community and Neighbourhoods Committee heard a verbal delegation from Councillor H. L. Usher, with respect to this matter..

Motion Passed

The Chair directs that the following report clauses be noted:

10. 6th Report of LHAC

That the Community and Neighbourhoods Committee reviewed and received the 6th Report of the London Housing Advisory Committee from its meeting held on September 14, 2011. (See Report ~~attached~~.)

11. 9th Report of LDRRAC

That the Community and Neighbourhoods Committee reviewed and received the 9th Report of the London Diversity and Race Relations Advisory Committee from its meeting held on September 15, 2011. (See Report ~~attached~~.)

12. Ontario Works Caseload Update for May 2011 to August 2011

That the Community and Neighbourhoods Committee reviewed and received an information report, dated September 27, 2011, from the Director of Social and Community Support Services, with the concurrence of the Executive Director of Community Services, with respect to an update on the Ontario Works caseload for May to August 2011.

13. Ontario Works Participant Profile July 2011

That the Community and Neighbourhoods Committee (CNC) reviewed and received an information report, dated September 27, 2011, from the Director of Social and Community Support Services, with the concurrence of the Executive Director of Community Services, with respect to the Ontario Works participant profile for July 2011; it being noted that the CNC received revised pages 17 and 23 of the above-noted report.

14. Update on Rethink Energy London - Online Citizen Engagement Pilot Project

That the Community and Neighbourhoods Committee reviewed and received an information report, dated September 27, 2011, from the Director, of Environmental Programs and Solid Waste, with respect to an update on the Rethink Energy London, Online Citizen Engagement Pilot Project.

15. Addressing Public Comments and Direction - Expanding the Scope of Animal Welfare Initiatives

That the Community and Neighbourhoods Committee reviewed and received an information report, dated September 27, 2011, from the Director, of Environmental Programs and Solid Waste, with respect to a status update on addressing the public comments and direction for expanding the scope of animal welfare initiatives.

16. June Callwood Outstanding Achievement Award for Voluntarism in Ontario

That the Community and Neighbourhoods Committee reviewed and received a communication, dated August 2011, from the Ministry of Citizenship and Immigration, with respect to the June Callwood Outstanding Achievement Award for Voluntarism in Ontario.

300. **Committee of the Whole**
Councillor M. Brown presents the 28th Report

1. Investment and Economic Prosperity Committee

Motion made by Councillor M. Brown and seconded by Councillor J. B. Swan that pursuant to section 17.3 of the Council Procedure By-law, the actions of the Municipal Council taken at its meeting of September 19, 2011, related to the adoption of clause 11 of the 21st Report of the Finance and Administration Committee, concerning the establishment of the Investment and Economic Prosperity Committee BE RECONSIDERED.

Motion Failed

Motion made by Councillor M. Brown to Approve that the following Council Members BE APPOINTED to the Investment and Economic Prosperity Committee for the term December 1, 2011 to November 30, 2012:

Councillor D. Brown
Councillor M. Brown
Councillor S. Orser
Councillor W. J. Polhill
Councillor J. B. Swan (Chair)
Councillor P. Van Meerbergen

Motion Passed

2. Utility Services Model

Motion made by Councillor M. Brown to Approve that the following actions be taken with respect to the Utility Services Model:

- (a) London Hydro and Civic Administration BE DIRECTED to prepare a draft business structure model that addresses the following:
 - (i) guiding principles;
 - (ii) the public interest;
 - (iii) labour and employment issues;
 - (iv) public engagement;
 - (v) governance structure; and
- (b) the Civic Administration BE DIRECTED to submit the business structure model outlined in (a) above, to a future Committee of the Whole meeting, prior to the end of 2011;

it being noted that the Committee of the Whole heard a verbal delegation and received the ~~attached~~ presentation from Vinay Sharma, Chief Executive Officer, London Hydro and Pat

McNally, Executive Director, Planning, Environmental and Engineering Services with respect to the Utility Service Model.

Motion made by Councillor H. Usher and seconded by Councillor J.B. Swan to Amend clause 2 by adding the following new parts to part (a):

“(vi) relationship with constituents;

(vii) cost implications including the proposed salaries of reporting heads;”.

Motion Passed

Motion made by Councillor M. Brown and seconded by Councillor J.B. Swan to Amend clause 2 by adding the additional part to part (a):

“(viii) all regulatory and process issues;”.

Motion Passed

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

Motion Passed

Clause 2, as amended, reads as follows:

that the following actions be taken with respect to the Utility Services Model:

(a) London Hydro and Civic Administration BE DIRECTED to prepare a draft business structure model that addresses the following:

- (i) guiding principles;
- (ii) the public interest;
- (iii) labour and employment issues;
- (iv) public engagement;
- (v) governance structure;
- (vi) relationship with constituents;
- (vii) cost implications including the proposed salaries of reporting heads; and
- (viii) all regulatory and process issues;

(b) the Civic Administration BE DIRECTED to submit the business structure model outlined in (a) above, to a future Committee of the Whole meeting, prior to the end of 2011;

it being noted that the Committee of the Whole heard a verbal delegation and received the ~~attached~~ presentation from Vinay Sharma, Chief Executive Officer, London Hydro and Pat McNally, Executive Director, Planning, Environmental and Engineering Services with respect to the Utility Service Model.

3. City of London Growth Plan

Motion made by Councillor M. Brown to Approve that the following actions be taken with respect to a City of London Growth Plan:

(a) the Civic Administration BE DIRECTED to prepare a City of London Growth Plan, concurrent with the 2011 Official Plan Review Process, linking it with the economic prosperity strategy and other Master Plans studies being undertaken by the Civic Administration;

(b) the Civic Administration BE DIRECTED to initiate discussions with surrounding municipalities and the province, to solicit participation in the preparation of a Southwestern Ontario Growth Plan; and

(c) prior to initiating the project described in (b) above, the Civic Administration BE DIRECTED to report back on the resource requirements and associated costs of the project and to identify a source of financing to address these costs;

it being noted that the Committee of the Whole heard a verbal delegation and received the ~~attached~~ presentation from John Fleming, Director, Land Use Planning and City Planner with

respect to City of London Growth Plan.

Motion Passed

4. Growth Management Implementation Strategy

Motion made by Councillor M. Brown to Approve That the Civic Administration BE DIRECTED to present the Growth Management Implementation Strategy (GMIS), including key performance indicators, at a Public Participation Meeting to be held at the October 17, 2011 Built and Natural Environment Committee Meeting;

it being noted that the Committee of the Whole heard a verbal delegation and received the ~~attached~~ presentation from David Ailles, Managing Director, Development Approvals Business Unit with respect to the Growth Management Implementation Strategy.

Motion Passed

5. Southwest Area Plan Update

Motion made by Councillor M. Brown to Approve that the following actions be taken with respect to the Southwest Area Plan, noting that references should be to the "Greenway Pollution Control "Plant", as follows:

- (a) the Civic Administration BE DIRECTED to amended Policy 2.6.4.1.(iv) of the Official Plan to:
 - (i) replace references to "Southside Pollution Control Plan" with "ultimate servicing solution";
 - (ii) recognize that interim additional wastewater capacity is available from the Greenway Pollution Control Plant to provide for the development of additional lands in the Southwest Area, in advance of the ultimate servicing solution;
 - (iii) add a policy to identify the trigger for the additional capacity to be made available at the Greenway Pollution Control Plant for additional development, including a requirement that the Growth Management Implementation Strategy be revised to reflect the additional works, and that the works also be identified in the Development Charges update;
- (b) the Civic Administration BE DIRECTED to amend the Servicing Strategy for the Southwest Area Plan to include the following recommended Three Phase Servicing Strategy identified on the ~~attached~~ schedule entitled "Preferred Option Overlay":
 - (i) Phase 1 – Committed Servicing;
 - (ii) Phase 2 – Additional Capacity created at the Greenway Pollution Control Plant;
 - (iii) Phase 3 – Ultimate Servicing Solution/Future Development; and,
- (c) the Civic Administration BE DIRECTED to revise the Southwest Area Plan, to be presented at a Public Participation Meeting in December 2011, to include the following matters:
 - (i) the Three Phase Servicing Strategy referred to in clause (b) above;
 - (ii) ongoing landowner and public consultation;
 - (iii) address and resolve outstanding Council direction (environmental issues, Wharnclyffe/Wonderland/Exeter triangle and Wonderland Gateway/extent and amount of industrial land); and,
 - (iv) refine the Preferred Land Use Plan, including the amount and form of "mixed use development";

it being noted that the Committee of the Whole heard a verbal delegation and received the ~~attached~~ presentation from Gregg Barrett, Manager III, Land Use Planning and Policy with respect to the Southwest Area Plan Update.

Motion Passed

6. Industrial Land Strategy

Motion made by Councillor M. Brown to Approve that the Civic Administration BE DIRECTED to review the recommendations submitted by Robin Panzer with respect to the "Industrial Strategy Update" and report back to a future Committee of the Whole with respect to this

matter;

it being noted the Committee of the Whole heard a verbal delegation and received the ~~attached~~ presentation from Rob Panzer, Consultant to the Chief Administrative Officer, with respect to Industrial Land Strategy.

Motion Passed

The Chair directs that the following report clauses be noted:

7. Accessibility Advisory Committee Resignation

That the Committee of the Whole (CW) received a communication dated September 11, 2011, from Andrew Tankus, resigning his appointment to the Accessibility Advisory Committee. The CW accepted the resignation with regret and asked the Mayor to forward a letter of appreciation to Mr. Tankus.

8. Resignation of Appointment to the Middlesex-London Health Unit

That the Committee of the Whole (CW) referred the resignation of Councillor Swan from the Middlesex-London Health Unit to the September 23, 2011 Committee of the Whole.

9. Recorded Vote - Investment and Economic Prosperity Committee

The Committee of the Whole (CW) held a recorded vote on the appointments to the Investment and Economic Prosperity Committee. The motion carried, the Members voting as follows:

YEAS: Mayor Fontana, Councillors Polhill, Swan, Orser, Henderson, Van Meerbergen, D. Brown and White. (8)

NAYS: Councillors Baechler, M. Brown, Usher and Bryant. (4)

10. Confidential Matters

That the Committee of the Whole move in camera to consider the following:

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

The Committee of the Whole is submitting a confidential report to the Municipal Council regarding this matter. (See Confidential Appendix to the 28th Report of Committee of the Whole enclosed for Council Members only.)

301.

Committee of the Whole

Councillor M. Brown presents the 29th Report

1. Middlesex-London Health Unit - Council Appointment

Motion made by Councillor M. Brown to Approve that the Mayor BE REQUESTED to ask Councillor S. Orser to consider the appointment to the London-Middlesex Health Unit for the term December 1, 2012 to November 30, 2014. The Committee of the Whole accepted Councillor Swan's resignation with regret.

Motion Passed

2. Council's Strategic Plan

Motion made by Councillor M. Brown to Approve that the following actions be taken with respect to the Council's Draft Strategic Plan:

- (a) the Council Draft Strategic Plan as presented to the Committee of the Whole at its meeting on September 20, 2011 BE ACCEPTED IN PRINCIPLE;
- (b) the words "Imagine the Opportunities" contained in the vision statement BE REPLACED with the words "A City of Opportunity";
- (c) the Civic Administration BE DIRECTED to continue to refine the Draft Plan, based on the input received from Members of Council; and
- (d) the Civic Administration BE DIRECTED to present a revised Draft Plan to the October 4, 2011 Committee of the Whole meeting;

it being noted that the Committee of the Whole heard a verbal delegation and received the ~~attached~~ presentation from the Chief Administrative Officer with respect to the Council's Strategic Plan.

Motion Passed

IX DEFERRED MATTERS

X ENQUIRIES

XI EMERGENT MOTIONS

302. **XII BY-LAWS**

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

Motion made by Councillor J.B. Swan and seconded by Councillor S. Orser to Approve first reading of Bill No. 407.

Motion Passed

Motion made by B. Polhill and seconded by Councillor P. Van Meerbergen to Approve second reading of Bill No. 407.

Motion Passed

Motion made by Councillor H.L. Usher and seconded by Councillor B. Polhill to Approve third reading and enactment of Bill No. 407.

Motion Passed

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

Bill No. 407, By-law No. PS-111-	A by-law to amend By-law PS-111 entitled, "A by-law to regulate traffic and the parking of motor vehicles in the City of London." (23/23/BNEC)
----------------------------------	--

Motion made by Councillor P. Van Meerbergen and seconded by Councillor S. Orser to Introduce the following Bills:

- Bill No. 398, By-law No. A.- A by-law to confirm the proceedings of the Council Meeting held on the 3rd day of October, 2011. (City Clerk)
- Bill No. 400, By-law No. A.- A by-law to authorize and approve a Licence Agreement between Summit Professional Baseball LLC and The Corporation of the City of London; and to authorize the Executive Director of Community Services, or designate, to execute the Agreement. (5/16/CNC)
- Bill No. 401, By-law No. A.- A by-law to ratify, confirm and approve various agreements between Hewlett-Packard Financial Services Canada Company (HPFS) and The Corporation of the City of London for the leasing of computer equipment; and to authorize the Mayor and City Clerk to execute the agreements. (6/14/FAC)
- Bill No. 402, By-law No. A-39- A by-law to amend By-law A-39 entitled, "A by-law respecting the Civic Administration" to change the titles of "Chief Administrative Officer" and "Deputy Chief Administrative Officer" to "City Manager" and "Deputy City Manager", respectively. (7/23/FAC)
- Bill No. 403, By-law No. C.P.- A by-law to exempt from Part Lot Control, lands located north of Shore Road, east of Westdel Bourne, being part of Block 6 on Registered Plan No. 33M-429, in the City of London and County of Middlesex. (10/16/PC-2001)
- Bill No. 404, By-law No. C.P.-1284(rp)- A by-law to amend the Official Plan for the City of London, 1989 Relating to lands located at 840 and 850 Highbury Avenue North and 1414 and 1340 Dundas Street, and lands without municipal address east of 850 Highbury Avenue North and bounded by the Canadian Pacific and Canadian National Railways, in the City of London. (26/23/BNEC)
- Bill No. 406, By-law No. PS-111- A by-law to amend By-law PS-111 entitled, "A by-law to regulate traffic and the parking of motor vehicles in the City of London." (2/23/BNEC)
- Bill No. 408, 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 Lawson Road, east of Sandbar Street; and As part of Reeves Avenue, east of Sandbar Street) (Chief Surveyor)
- Bill No. 409, By-law No. Z.-1-112044 A by-law to amend By-law No. Z.-1 to rezone an area of land located at 580 Fanshawe Park Road East. (21/23/BNEC)
- Bill No. 411 By-law No. A.-6725-285 A by-law to authorize an Agreement of Purchase and Sale between The Corporation of the City of London and Ross Holdings of London Limited, for the disposition of property located at 1851 Pension Lane, and to authorize the Mayor and City Clerk to execute the Agreement. (2/30/CW)
- Bill No. 413 By-law No. C.P.-1284(rq)-287 A by-law to amend the Official Plan for the City of London, 1989 relating 485, 495, 503, 517 and 519 York Street. (1/24/BNEC)
- Bill No. 414 By-law No. Z.-1-112045 A by-law to amend By-law No. Z.-1 to rezone an area of land located at 519 York Street. (1/24/BNEC)

Motion made by Councillor D. Brown and seconded by Councillor P. Hubert to Approve first reading of Bill No. 398 and Bill No.'s 400 to 414, excluding Bill No. 405 and 412.

Motion Passed

Motion made by Councillor B. Polhill and seconded by Councillor D. Brown to Approve second reading of Bill No. 398 and Bill No.'s 400 to 414, excluding Bill No. 405 and 412.

Motion Passed

Motion made by Councillor H.L. Usher and seconded by Councillor P. Hubert to Approve third reading and enactment of Bill No. 398 and Bill No.'s 400 to 414, excluding Bill No. 405 and 412.

Motion Passed

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

- | | |
|--|--|
| Bill No. 398, By-law No. A.- | A by-law to confirm the proceedings of the Council Meeting held on the 3rd day of October, 2011. (City Clerk) |
| Bill No. 400, By-law No. A.- | A by-law to authorize and approve a Licence Agreement between Summit Professional Baseball LLC and The Corporation of the City of London; and to authorize the Executive Director of Community Services, or designate, to execute the Agreement. (5/16/CNC) |
| Bill No. 401, By-law No. A.- | A by-law to ratify, confirm and approve various agreements between Hewlett-Packard Financial Services Canada Company (HPFS) and The Corporation of the City of London for the leasing of computer equipment; and to authorize the Mayor and City Clerk to execute the agreements. (6/14/FAC) |
| Bill No. 402, By-law No. A-39- | A by-law to amend By-law A-39 entitled, "A by-law respecting the Civic Administration" to change the titles of "Chief Administrative Officer" and "Deputy Chief Administrative Officer" to "City Manager" and "Deputy City Manager", respectively. (7/23/FAC) |
| Bill No. 403, By-law No. C.P.- | A by-law to exempt from Part Lot Control, lands located north of Shore Road, east of Westdel Bourne, being part of Block 6 on Registered Plan No. 33M-429, in the City of London and County of Middlesex. (10/16/PC-2001) |
| Bill No. 404, By-law No. C.P.-1284(rp)- | A by-law to amend the Official Plan for the City of London, 1989 Relating to lands located at 840 and 850 Highbury Avenue North and 1414 and 1340 Dundas Street, and lands without municipal address east of 850 Highbury Avenue North and bounded by the Canadian Pacific and Canadian National Railways, in the City of London. (26/23/BNEC) |
| Bill No. 406, By-law No. PS-111- | A by-law to amend By-law PS-111 entitled, "A by-law to regulate traffic and the parking of motor vehicles in the City of London." (2/23/BNEC) |
| Bill No. 408, 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 Lawson Road, east of Sandbar Street; and As part of Reeves Avenue, east of Sandbar Street) (Chief Surveyor) |
| Bill No. 409, By-law No. Z.-1-112044 | A by-law to amend By-law No. Z.-1 to rezone an area of land located at 580 Fanshawe Park Road East. (21/23/BNEC) |
| Bill No. 411
By-law No. A.-6725-285 | A by-law to authorize an Agreement of Purchase and Sale between The Corporation of the City of London and Ross Holdings of London Limited, for the disposition of property located at 1851 Pension Lane, and to authorize the Mayor and City Clerk to execute the Agreement. (2/30/CW) |
| Bill No. 413
By-law No. C.P.-1284(rq)-287 | A by-law to amend the Official Plan for the City of London, 1989 relating 485, 495, 503, 517 and 519 York Street. (1/24/BNEC) |

Bill No. 414
By-law No. Z.-1-
112045

A by-law to amend By-law No. Z.-1 to rezone an area of land
located at 519 York Street. (1/24/BNEC)

XIII COMMITTEE OF THE WHOLE, IN CAMERA

MOTION FOR IN CAMERA SESSION

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

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

- d) A matter pertaining to a proposed or pending acquisition of land by the municipality related to the proposed Business Enterprise Centre/Centre for Commercialization of Digital Interactive Game Technology.
- e) A matter pertaining to litigation commenced by Zerin Development Corporation in the Ontario Superior Court of Justice bearing Court File No. 07-CV346265PD3 in respect of lands municipally located at 303 Commissioners Road West; advice that is subject to solicitor-client privilege, including communications necessary for that purpose regarding litigation commenced by Zerin Development Corporation in the Ontario Superior Court of Justice bearing Court File No. 07-CV346265PD3 in respect of lands municipally located at 303 Commissioners Road West; and for the purpose of giving directions to employees of the municipality.
- f) A matter pertaining to advice subject to solicitor-client privilege concerning reporting relationships and the delivery of legal services
- g) A matter pertaining to employee matters including personal information about identifiable individuals, including municipal employees, labour relations 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.
- h) A matter pertaining to instructions and directions to officers and employees of the Corporation pertaining to a proposed acquisition or disposition of land; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; reports or advice or recommendations of officers and employees of the Corporation pertaining to a proposed or pending acquisition or disposition of land; commercial and financial information supplied in confidence pertaining to the proposed acquisition or disposition the disclosure of which could reasonably be expected to, prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of the Corporation, result in similar information no longer being supplied to the Corporation where it is in the public interest that similar information continue to be so supplied, and result in undue loss or gain to any person, group, committee or financial institution or agency; commercial, information relating to the proposed acquisition or disposition that belongs to the Corporation that has monetary value or potential monetary value; information concerning the proposed acquisition or disposition whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or its competitive position; information concerning the proposed acquisition or disposition whose disclosure could reasonably be expected to be

injurious to the financial interests of the Corporation; and instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the Corporation concerning the proposed acquisition or disposition.

Motion Passed

The Council rises and goes into Committee of the Whole, in camera, at 9:38 p.m. with all Members present except Councillors Armstrong, Baechler and Branscombe.

At 9:58 p.m. all staff leave, except C. Saunders, J.A. Fielding, B. Westlake-Power, V. McAlea Major, J.P. Barber and M. Hayward.

The Committee rises and Council resumes in regular session at 10:36 p.m.

303.

Committee of the Whole

Councillor P. Hubert presents the 30th Report

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

Also Present: J.A. Fielding, P. Johnson, T. Dobbie, M. Hayward, P. McNally, V. McAlea Major, J.P. Barber, G.T. Hopcroft, T. Johnson, J. Fleming, J. Braam and B. Warner

1. Property Acquisition – Offer from Prosperity Developments Inc. – 1315 Bradley Avenue West

Motion made by Councillor P. Hubert to Approve That, on the recommendation of the Managing Director - Corporate Assets and the Manager, Parks Planning and Design, on the advice of the Manager Realty Services, the following actions be taken:

- (a) the offer submitted by Prosperity Developments Inc. to sell to the City land municipally known as 1315 Bradley Avenue, located on the south side of Bradley Avenue, further described as Concession 2, Part Lot 18, Parts 2 and 3, Reference Plan 33R-17488, in the City of London, containing an area of approximately 9.44 acres (3.822 hectares), for the purpose of a woodlot acquisition, for the sum of \$52,000.00, BE ACCEPTED, subject to the following condition:
 - (i) the City agreeing to accept title to the subject property subject to a storm sewer easement in favour of the Vendor;
- (b) future additional operating costs of \$3,000.00, BE APPROVED, as a first priority commitment from available assessment growth in 2012, subject to final budget approval;
- (c) the financing for this acquisition BE APPROVED as set out in the Source of Financing Report attached hereto as Appendix "A".

Motion Passed

2. Failed Municipal Tax Sale Property – 1851 Pension Lane

Motion made by Councillor P. Hubert to Approve That, on the recommendation of the Managing Director - Corporate Assets, on the advice of the Manager Realty Services, with respect to the property described as Plan 155, Part Lot 6, Reference Plan 33R-7611, Part of Part 4, municipally known as 1851 Pension Lane, the Civic Administration BE AUTHORIZED to take the following actions in accordance with the Council approved policy for the procedures for properties which do not sell at Municipal Tax Sales:

- (a) VEST the property described as Plan 155, Part Lot 6, Reference Plan 33R-7611, Part of Part 4;
- (b) the subject property BE DECLARED SURPLUS; and
- (c) the offer submitted by Ross Holdings of London Limited to purchase the subject property from the City, for the sum of \$151,000.00, BE ACCEPTED.

Motion Passed

Motion made by and seconded by to Approve that pursuant to Section 17.4 of the Council Procedure By-law, leave be given for discussion and debate and the making of a substantive motion with respect to clauses 1 and 2 of the 30th Report of the Committee of the Whole.

1. Property Acquisition – Offer from Prosperity Developments Inc. – 1315 Bradley Avenue West

Motion made by Councillor P. Hubert to Approve That, on the recommendation of the Managing Director - Corporate Assets and the Manager, Parks Planning and Design, on the advice of the Manager Realty Services, the following actions be taken:

- (a) the offer submitted by Prosperity Developments Inc. to sell to the City land municipally known as 1315 Bradley Avenue, located on the south side of Bradley Avenue, further described as Concession 2, Part Lot 18, Parts 2 and 3, Reference Plan 33R-17488, in the City of London, containing an area of approximately 9.44 acres (3.822 hectares), for the purpose of a woodlot acquisition, for the sum of \$52,000.00, BE ACCEPTED, subject to the following condition:
 - (i) the City agreeing to accept title to the subject property subject to a storm sewer easement in favour of the Vendor;
- (b) future additional operating costs of \$3,000.00, BE APPROVED, as a first priority commitment from available assessment growth in 2012, subject to final budget approval;
- (c) the financing for this acquisition BE APPROVED as set out in the Source of Financing Report attached hereto as Appendix "A".

2. Failed Municipal Tax Sale Property – 1851 Pension Lane

Motion made by Councillor P. Hubert to Approve That, on the recommendation of the Managing Director - Corporate Assets, on the advice of the Manager Realty Services, with respect to the property described as Plan 155, Part Lot 6, Reference Plan 33R-7611, Part of Part 4, municipally known as 1851 Pension Lane, the Civic Administration BE AUTHORIZED to take the following actions in accordance with the Council approved policy for the procedures for properties which do not sell at Municipal Tax Sales:

- (a) VEST the property described as Plan 155, Part Lot 6, Reference Plan 33R-7611, Part of Part 4;
- (b) the subject property BE DECLARED SURPLUS; and
- (c) the offer submitted by Ross Holdings of London Limited to purchase the subject property from the City, for the sum of \$151,000.00, BE ACCEPTED.

Motion Passed

Motion made by Councillor Hubert to Approve the following recommendations:

1. That, on the recommendation of the Managing Director - Corporate Assets and the Manager, Parks Planning and Design, on the advice of the Manager Realty Services, the following actions be taken:

- (a) the offer submitted by Prosperity Developments Inc. to sell to the City land municipally known as 1315 Bradley Avenue, located on the south side of Bradley Avenue, further described as Concession 2, Part Lot 18, Parts 2 and 3, Reference Plan 33R-17488, in the City of London, containing an area of approximately 9.44 acres (3.822 hectares), for the purpose of a woodlot acquisition, for the sum of \$52,000.00, BE ACCEPTED, subject to the following condition:
 - (i) the City agreeing to accept title to the subject property subject to a storm sewer easement in favour of the Vendor;
- (b) future additional operating costs of \$3,000.00, BE APPROVED, as a first priority commitment from available assessment growth in 2012, subject to final budget approval;

- (c) the financing for this acquisition BE APPROVED as set out in the Source of Financing Report ~~attached~~ hereto as Appendix "A".

2. That, on the recommendation of the Managing Director - Corporate Assets, on the advice of the Manager Realty Services, with respect to the property described as Plan 155, Part Lot 6, Reference Plan 33R-7611, Part of Part 4, municipally known as 1851 Pension Lane, the Civic Administration BE AUTHORIZED to take the following actions in accordance with the Council approved policy for the procedures for properties which do not sell at Municipal Tax Sales:

- (a) VEST the property described as Plan 155, Part Lot 6, Reference Plan 33R-7611, Part of Part 4;
- (b) the subject property BE DECLARED SURPLUS; and
- (c) the offer submitted by Ross Holdings of London Limited to purchase the subject property from the City, for the sum of \$151,000.00, BE ACCEPTED.

Motion made by Councillor P. Hubert and seconded by Councillor J.B. Swan to Introduce the following Bills:

Bill No. 412	A by-law to authorize an Agreement of Purchase and Sale between The Corporation of the City of London and Prosperity Developments Inc., for the acquisition of property located at 1315 Bradley Avenue West, for the consideration of \$52,000.00 and to authorize the Mayor and City Clerk to execute the Agreement. (1/30/CW)
By-law No. A.-6726-286	

Motion made by Councillor P. Hubert and seconded by Councillor S. Orser to Approve first reading of Bill No. 412.

Motion Passed

Motion made by P. Hubert and seconded by Councillor D. Brown to Approve second reading of Bill No. 412.

Motion Passed

Motion made by Councillor H.L. Usher and seconded by Councillor B. Polhill to Approve third reading and enactment of Bill No. 412.

Motion Passed

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

Bill No. 412	A by-law to authorize an Agreement of Purchase and Sale between The Corporation of the City of London and Prosperity Developments Inc., for the acquisition of property located at 1315 Bradley Avenue West, for the consideration of \$52,000.00 and to authorize the Mayor and City Clerk to execute the Agreement. (1/30/CW)
By-law No. A.-6726-286	

304. **XIV ADJOURNMENT**

Motion moved by Councillor J.P. Bryant and seconded by Councillor P. Hubert to Adjourn.

Motion Passed

The meeting adjourned at 10:39 p.m.

Joe Fontana, Mayor

Catharine Saunders, City Clerk