



London
C A N A D A

COUNCIL MINUTES 13TH MEETING

June 26 and 27, 2012

The Council meets in Regular Session in the Council Chambers these days commencing at 5:00 p.m. on June 26, 2012.

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

ALSO PRESENT: T. Dobbie, J. Braam, B. Coxhead, J. Edward, J.M. Fleming, E. Gamble, M. Hayward, G.T. Hopcroft, J. Kobarda, G. Kotsifas, V. McAlea Major, D. O'Brien, M. Ribera, L. Rowe, M. Turner, B. Warner, B. Westlake-Power and P. White.

At the beginning of the Meeting all Members are present.

I RECOGNITIONS

1. The Honourable Deb Matthews, S. Truppe, MP, His Worship the Mayor and City Council honours Mr. Mitchell A. Baran with a Lifetime Achievement Award for his significant contributions to the City of London and his impact on the development of the community. The award recognizes his generous philanthropy and his support and stimulation of London's economy.

II DISCLOSURES OF PECUNIARY INTEREST

Councillor P. Hubert discloses a pecuniary interest in clause 3 of the 19th Report of the Finance and Administrative Services Committee having to do with the 2011 Compliance Report in accordance with the Procurement of Goods and Services Policy, by indicating that he is the Executive Director of a social services agency that has a Purchase of Service Agreement with the City of London. Councillor P. Hubert further discloses a pecuniary interest in clause 10 of the 9th Report of the Community Services Committee having to do with a Request for Proposal for Ontario Works employment assistant services, by indicating that he is the Executive Director of a local social services agency which provides this service. Councillor P. Hubert also discloses a pecuniary interest in Bill 309 pertaining to Ontario Works, by indicating that he is the Executive Director of a local social services agency which has a purchase of service agreement with Ontario Works.

Councillor B. Polhill discloses a pecuniary interest in clause 11 of the 17th Report of the Planning and Environment Committee having to do with the Notice of Application by the City of London for the properties located at 585, 613, 687 and 604-650 Sovereign Road, and related Bill No.s 285 and 304, by indicating that his business is in the circulation area for the Notice.

Councillor D. Brown discloses a pecuniary interest in clause 4 of the 6th Report of the Public Safety Committee, and related Bill No. 287, having to do with proposed amendments to the Taxi/Limousine By-law, by indicating that her employer operates a taxi business. Councillor D. Brown further discloses a pecuniary interest in clauses 15 and 16 of the 11th Report of the Civic Works Committee having to do with the removal of London Transit buses from Dundas Street and the London 2030 Transportation Master Plan, respectively, by indicating that her employer has a contract with London Transit.

Councillor J.L. Baechler discloses a pecuniary interest in clause 4 of the 11th Report of the Civic Works Committee, and related Bill No. 286, having to do with a by-law for the abandonment of identified sections of the Stanton Municipal Drain, by indicating that she has a business that operates out of an adjacent property.

III CONFIRMATION AND SIGNING OF THE MINUTES OF THE TWELFTH MEETING HELD ON JUNE 12, 2012

Motion made by Councillor P. Van Meerbergen and seconded by Councillor P. Hubert to

Approve the Minutes of the 12th Meeting held on June 12, 2012.

Motion Passed

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

IV REVIEW OF CONFIDENTIAL MATTERS TO BE CONSIDERED IN PUBLIC

None.

V COMMUNICATIONS AND PETITIONS

Motion made by Councillor B. Polhill and seconded by Councillor D. Brown to Approve that the communications listed under Part V of the Agenda be referred for considered in conjunction with the related report clauses.

Motion Passed

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

1. A. Sturaitis, E-mail - Properties located at 412-416 and 420-424 Rectory Street and 814-822 King Street (OZ-8013) (Refer to the Planning and Environment Committee Stage for Consideration with Clause 10 of the 17th Report of the Planning and Environment Committee.)
2. Trails in Environmentally Significant Areas (Refer to the Planning and Environment Committee Stage for Consideration with Clause 13 of the 17th Report of the Planning and Environment Committee.)
 - a) G. Kreek, 771 Westbury Court;
 - b) P. Sergautis, Box 143, Arva
 - c) (ADDED) J. Kennedy, London Development Institute; and
 - d) (ADDED) G. Faul, Lambeth Community Association
3. (ADDED) A. Soufan, York Developments - Southwest Area Plan (Refer to the Planning and Environment Committee Stage for Consideration with Clause 7 of the 17th Report of the Planning and Environment Committee.)
4. (ADDED) B.R. Card, Barrister & Solicitor - Near-Campus Neighbourhoods Planning Amendments (OZ-7663) (Refer to the Planning and Environment Committee Stage for Consideration with Clause 12 of the 17th Report of the Planning and Environment Committee.)
5. (ADDED) Amplified Sound and Hours of Operation of Special Events (Refer to the Community Services Committee Stage for Consideration with Clause 4 of the 9th Report of the Community Services Committee.)
 - a) C. Murphy, By E-mail;
 - b) N. Marothy, By E-mail;
 - c) S. Toth, By E-mail;
 - d) J. Recker, Carve Design & Communications;
 - e) J. Adams, 520 Talbot Street; and
 - f) K. Elliott-McMillan, By E-mail
6. (ADDED) J. MacDonald, Executive Director, Downtown London and R.T. Usher, Chair, L.D.B.A. - Removal of Buses from Dundas Street (Refer to the Civic

Works Committee Stage for Consideration with Clause 15 of the 11th Report of the Civic Works Committee.)

VI MOTIONS OF WHICH NOTICE IS GIVEN

None.

VII ADDED REPORTS

1. 11th Report of the Strategic Priorities and Policy Committee
2. 11th Report of the Investment and Economic Prosperity Committee

VIII REPORTS

Motion made by Councillor N. Branscombe and seconded by Councillor B. Polhill to Approve that pursuant to section to section 7.3 of the Council Procedure By-law, the order of business be changed to permit consideration of the 11th Report of the Investment and Economic Prosperity Committee to be heard before the 17th Report of the Planning and Environment Committee.

Motion Passed

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

11th Report of the Investment and Economic Prosperity Committee
Councillor J.B. Swan presents.

Motion made by Councillor J.B. Swan to Approve clauses 1 to 3.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Culture Days Funding for 2012

That the following actions be taken with respect to the Creative City Fund Granting Program and London's Culture Days Weekend Celebration:

- a) on the recommendation of the Manager of Culture and Municipal Policy, the Creative City Fund Granting Program BE DISBANDED and the 2012 funding of \$75,000 from this granting program be placed into the operating budget of the Culture Office, to be spent on the implementation strategies identified in London's Cultural Prosperity Plan once it is created; it being noted that the Investment and Economic Prosperity Committee received the ~~attached~~ communication from the Manager of Culture and Municipal Policy; and
 - b) on the recommendation of the Creative City Committee, London's Culture Days Weekend Celebration BE PROVIDED with \$50,000 in existing funding in 2012 from the Culture Office budget
3. Naming Rights - Downtown Entertainment and Sports Centre

That, on the recommendation of the Deputy City Treasurer, the name change for the downtown entertainment and sports centre located at 99 Dundas Street, from the John Labatt Centre to Budweiser Gardens, BE APPROVED; it being noted that the Investment and Economic Prosperity Committee reviewed the ~~attached~~ report from the Deputy City Treasurer.

The motion to adopt clause 3 is put.

Motion Passed

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

NAYS: J.L. Baechler, P. Hubert, D.G. Henderson (3)

The motion to adopt clauses 1 and 2 is put.

Motion Passed

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

17th Report of the Planning and Environment Committee
Councillor B. Polhill Presents

Motion made by Councillor B. Polhill to Approve clauses 1 to 7.

1. Disclosures of Pecuniary Interest

That it BE NOTED that Councillor Polhill disclosed a pecuniary interest in clause 11 of this Report having to do with the Notice of Application by the City of London for the properties located at 585, 613, 687 and 604-650 Sovereign Road, by indicating that his business is in the circulation area for this Notice.

2. 6th Report of the Advisory Committee on the Environment

That the 6th Report of the Advisory Committee on the Environment from its meeting held on June 6, 2012, BE RECEIVED.

3. Properties located at 909 Southdale Road West and 3045 Pomeroy Lane (H-8057)

That, on the recommendation of the Senior Planner, Development Services, based on the application of Old Oak Properties Limited, relating to the properties located at 909 Southdale Road West and 3045 Pomeroy Lane, the ~~attached~~ proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on June 26, 2012, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a Holding Residential R9 Bonus (h-5•h-53•h-55•h-56•R9-7•H40•B-16) Zone, TO a Residential R9 Bonus (R9-7•H40•B-16) Zone, to remove the holding provisions. (2012-D11-06)

4. Hyde Park Meadows Subdivision - 1128 Fanshawe Park Road West (39T-02509)

That, notwithstanding the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the request from Drewlo Holdings Inc. for the property located at 1128 Fanshawe Park Road West:

- a) the Approval Authority BE ADVISED that the Municipal Council supports granting a 3 year extension of the draft plan of subdivision, submitted by Drewlo Holdings Inc. (File No. 39T-02509), prepared by Whitney Engineering Inc. (Drawing No. draftplan_3.DWG, dated March 11, 2002 and revised April 2003) and certified by Bruce Baker, O.L.S., as red-line amended, which shows a total of 10 single detached residential blocks, five (5) multi-family residential blocks, one (1) walkway block, and several reserve blocks served by a westerly extension of Blackacres Boulevard and two (2) new internal roads SUBJECT TO the revised conditions contained in the ~~attached~~ Appendix "39T-02509", save and except condition 60; and,
- b) Civic Administration BE REQUESTED to work with the applicant to revise condition 60 to the satisfaction of the Approval Authority in order to permit the development of all single detached residential blocks subject to the inclusion of an appropriate clause in the subdivision agreement to address the timely construction of Dalmagarry Road;

it being noted that the Planning and Environment Committee reviewed and received a communication, dated June 18, 2012 from G. Bikas, Manager, Land Development, Drewlo Holdings Inc. and heard verbal presentations from G. Bikas, Drewlo Holdings Inc. and K. McIntosh, Whitney Engineering, with respect to this matter. (2012-D26-02)

5. Secondary Dwelling Unit Policies and Provisions

That, on the recommendation of the Director of Land Use Planning and City Planner:

- a) the Civic Administration BE DIRECTED to prepare a draft Official Plan amendment to implement secondary dwelling units policies in conformity with recent changes to the Planning Act;
- b) the Civic Administration BE DIRECTED to prepare a draft Zoning By-law amendment to implement secondary dwelling units regulations to conform to the Official Plan; and,
- c) the Civic Administration BE DIRECTED to ensure that the entire apartment is not located in a basement, in conjunction with the Building Code. (2012-D11-09)

6. City of London Growth Projections - 2011-2041

That, on the recommendation of the Director of Land Use Planning and City Planner, the draft report, dated June 7, 2012, prepared by Altus Group Economic Consulting entitled "Employment, Population, Housing and Non-Residential Construction Projections, City of London, Ontario, 2011 Update" BE CIRCULATED for comments from members of the public through the ReThink London process; it being noted that the draft projections report contains growth forecasts that will be used as the basis for the Industrial Lands Development Strategy, ReThink London Growth Plan and the 2014 Development Charges Study. (2012-D18-00)

7. Southwest Area Plan

That, notwithstanding the recommendation of the Director, Land Use Planning and City Planner, in response to Council's request for further review and evaluation of the South West Area Plan preferred land use plan, phasing and servicing strategy, transportation network, and natural heritage features, the following actions be taken:

- a) the draft Southwest Area Secondary Plan (June 2012) BE RECEIVED for information and circulated to members of the public, landowners and stakeholder groups for input; it being noted that the June 2012 draft Secondary Plan will be available and posted in advance of the community meeting, scheduled for June 27, 2012, at the Lambeth Community Centre;
- b) the Official Plan Amendment to adopt the Southwest Area Secondary Plan BE CONSIDERED at a public participation meeting of Planning and Environment Committee to be scheduled for October, 2012;
- c) the Civic Administration BE DIRECTED to include an "enterprise designation" along the Wonderland Road corridor, from Bradley Road to Exeter Road, that would allow for, and encourage, a broad range and mix of commercial, residential, office, and institutional uses with an emphasis on ensuring quality urban design; and,
- d) the Civic Administration BE DIRECTED to consider the inclusion of implementation policies in the Southwest Area Plan, or portions thereof, through the use of flexible or performance zoning that emphasizes urban design and is more flexible with respect to land use regulations;

it being noted that the Planning and Environment Committee reviewed and received the following communications:

- a communication, dated June 14, 2012, from Dennis H. Wood, Wood Bull, LLP;
- a communication from Ali Soufan, York Developments; and,
- the ~~attached~~ communication, dated June 18, 2012, from Shmuel Farhi, Farhi Holdings Corporation. (2012-D11-09)

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

Pursuant to section 17.2 of the Council Procedure By-law, Councillor J.P. Bryant calls for a separate vote on clause 7.

At 6:06 PM Councillor Orser leaves the meeting.

At 6:10 PM Councillor Orser enters the meeting.

Motion made by Councillor P. Van Meerbergen and seconded by Councillor D.G. Henderson to Approve the removal of the reference to residential and institutional in part c) of clause 7.

Motion Failed

YEAS: J.F. Fontana, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher (5)

NAYS: B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, J.P. Bryant, S.E. White (10)

Motion made by Councillor B. Polhill and seconded by Councillor J.B. Swan to Approve amending clause 7 to clarify that the changes suggested in parts c) and d) would also be subject to the public participation meeting.

Motion Passed

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

NAYS: H.L. Usher (1)

Motion made by Councillor B. Polhill and seconded by Councillor J.B. Swan to Approve Clause 7, as amended.

Motion Passed

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

NAYS: J.P. Bryant (1)

Clause 7, as amended reads as follows:

“That, notwithstanding the recommendation of the Director, Land Use Planning and City Planner, in response to Council’s request for further review and evaluation of the South West Area Plan preferred land use plan, phasing and servicing strategy, transportation network, and natural heritage features, the following actions be taken:

- a) the draft Southwest Area Secondary Plan (June 2012) BE RECEIVED for information and circulated to members of the public, landowners and stakeholder groups for input; it being noted that the June 2012 draft Secondary Plan will be available and posted in advance of the community meeting, scheduled for June 27, 2012, at the Lambeth Community Centre; and,
- b) the Official Plan Amendment to adopt the Southwest Area Secondary Plan BE CONSIDERED at a public participation meeting of the Planning and Environment Committee to be scheduled for October, 2012;
- c) the Civic Administration BE DIRECTED to consider including, within the Official Plan Amendment noted in b), above, an “enterprise designation” along the Wonderland Road corridor, from Bradley Road to Exeter Road, that would allow for, and encourage, a broad range and mix of commercial, residential, office, and institutional uses with an emphasis on ensuring quality urban design; and,
- d) the Civic Administration BE DIRECTED to consider including, within the Official Plan Amendment noted in b), above, implementation policies in the Southwest Area Plan, or portions thereof, through the use of flexible or performance zoning that emphasizes urban design and is more flexible with respect to land use regulations;

it being noted that the Planning and Environment Committee reviewed and

received the following communications:

- a communication, dated June 14, 2012, from Dennis H. Wood, Wood Bull, LLP;
- a communication from Ali Soufan, York Developments; and,
- the ~~attached~~ communication, dated June 18, 2012, from Shmuel Farhi, Farhi Holdings Corporation. (2012-D11-09)”

The motion to adopt clause 4 is put.

Motion Passed

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

NAYS: J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D. Brown, H.L. Usher, J.P. Bryant (7)

The motion to adopt clauses 1, 2, 3, 5 and 6 is put.

Motion Passed

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

Motion made by Councillor S. Orser and seconded by Councillor B. Polhill to Approve that pursuant to section to section 7.3 of the Council Procedure By-law, the order of business be changed to permit consideration of clause 4 of the 20th Report of the Finance and Administrative Services Committee at this time.

Motion Passed

20th Report of the Finance and Administrative Services Committee
Councillor P. Hubert Presents

4. Sound and Light Show for the World Figure Skating Championships

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

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

it being noted that the Finance and Administrative Services Committee received a Municipal Council resolution dated March 21, 2012 from the City Clerk with respect to this matter.

Motion made by Councillor P. Hubert and seconded by Councillor D. Brown to Approve that clause 4 BE AMENDED in line 2 of part b) by deleting the word “to” and by replacing it with the words “that will”.

Motion Passed

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

The motion to Approve clause 4a) is put.

Motion Passed

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

NAYS: W.J. Armstrong, M. Brown, D.G. Henderson, P. Van Meerbergen (4)

The motion to Approve clause 4b), as amended, is put.

Motion Passed

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

NAYS: W.J. Armstrong, M. Brown (2)

Motion made by Councillor P. Hubert and seconded by Councillor P. Van Meerbergen to recess.

Motion Passed

The Council recesses at 7:15 PM and reconvenes at 7:55 PM with Mayor J.F. Fontana in the Chair and all Members present except Councillors D.G. Henderson, S. Orser, J.B Swan, P. Van Meerbergen and S.E. White.

Motion made by Councillor J.L. Baechler and seconded by Councillor P. Hubert to Approve that pursuant to section to section 7.3 of the Council Procedure By-law, the order of business be changed to permit consideration of clause 4 of the 6th Report of the Public Safety Committee at this time.

Motion Passed

Councillor D.G. Henderson enters the meeting at 7:58 PM.

6th Report of the Public Safety Committee
Councillor P. Hubert Presents

4. Housekeeping Amendments - Taxi/Limousine By-law

That the following actions be taken with respect to the proposed by-law amendments to By-law L-129-51, Taxi/Limousine By-law:

- a) the ~~attached~~ proposed by-law to amend By-law L-129-51, Taxi/Limousine By-law BE INTRODUCED at the Municipal Council meeting on June 26, 2012; it being noted that the by-law amendment addresses typographical errors and provides for an extension to the compliance date for camera installations; and,
- b) the additional concerns brought forward at the Public Participation Meeting with respect to this matter BE REFERRED to Civic Administration for consideration;

it being noted that the Public Safety Committee heard a presentation from the Manager of Licensing and Municipal Law Enforcement Services, 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;

- J. R. Donnelly, Vice President, Aboutown, 1 Bathurst Street – providing comments as outlined in the ~~attached~~ submission.
- J. Donnelly, Sr., Aboutown, 1 Bathurst Street – providing comments as outlined in the ~~attached~~ submission.
- D. Veer Saini – providing comments as outlined in the ~~attached~~

- submission.
- A. Hammoud – providing comments as outlined in the attached submission.
 - B. Howell, London Taxi Association – expressing opposition to the installation of cameras as no convictions have resulted from this action; noting that the requirement to submit information regarding fares is an invasion of privacy, and the limitation on the number of hours is unrealistic; noting he has met with O. Katolyk to discuss these items and has indicated that if the by-law could be reviewed, they would be willing to withdraw the court challenge and is looking for some guidance from the committee.
 - A. Hassan, Yellow London Taxi – indicating he has been in this profession for 16 years and expressing concerns with the by-law review, its transparency, accountability, consultation expenses, and noting not enough information was gathered from the industry itself and that the by-law is a discriminatory one.
 - R. Amini, President, London Taxi Association – indicating that the industry concerns and issues are not being heard and that penalties for 6 demerit points, in 3 years is unrealistic and that there are too many restrictions.
 - D. Riley – expressing concern with the disclosure of income and the hours of work suggesting 14 hours on and 10 off is preferable; indicating that this industry is dangerous and hard to make a living; noting hope that council will listen to their concerns and use common sense when considering amendments and noting the by-law directly affects the drivers.
 - S. Sava, Driver – indicating this is a tough by-law and the industry is has many challenges including public aggravation; noting large expenses make it hard to make a living and stating that the alternative for these drivers could be to stop driving and go on welfare.
 - D. McCann – requesting that staff listen to the drivers and owners.
 - M. Rahi – stating that expenses in the industry are large, close to \$3,500/month; and noting it requires a lot of hard work to make a living.
 - K. Bahsa – indicating that there is abuse of the law, as vehicle for hire licence numbers don't match.
 - S. Al Fuady – stating he sees enemies, not assistance from the City and asking for reconsideration of the by-law.
 - H Mohammed, Driver – indicating he has been a driver for 10 years and that this by-law is the only business by-law; suggesting it is not practical or acceptable, and requesting a review; expressing concern with having to report all tickets and accidents and suggesting that 6 demerit points is too low, advising that most drivers are highly educated.
 - M. Hassin – indicating the City should have a law professor and City legal review the by-law.
 - Hassan - indicating he has been a driver for 8 years and expressing concern with demerit points resulting in the loss of employment; stating this is the worst by-law he has ever seen and targets immigrants and minorities that have come to Canada to be safe; stating the industry employs well-educated immigrants not able to find employment in their chosen occupation; and requesting that the by-law be reconsidered with thought for the families affected indicating no one gives these employees a chance and they are doing the dirtiest jobs.
 - F. Bander - advising he is an Owner/Operator; stating that it would be more beneficial to the drivers to let the City take ownership of all the plates, cars, insurance, and employ the drivers at a minimum wage of \$5.00 to \$7.00; stating that he cannot afford the cost to replace vehicles to meet the standards, that the system in Canada is not working and noting the drivers are the sole provider for their families.
 - F. Saler - indicating he is a driver and sharing a story about his young son who thinks City Hall hates his father.
 - J. Nazargahi – indicating that he was an Engineering student at UWO who returned to Canada to reside to make a better life for his family; advising that the by-law is not logical and does not help the industry; stating that the industry assists with community safety by taking home people unfit to drive and reporting criminal activity.
 - R. Ashakassate – advising that there was no consultation with the industry when the by-law was being written.

- M. Ali – requesting the by-law be rewritten with consultation from the driver/owners. (2012-G05-00)

Motion made by Councillor P. Hubert and seconded by Councillor J.L. Baechler to Approve that clause 4 be amended by inserting the word “revised” before the word “proposed”, and by replacing the original proposed by-law with the ~~attached~~ revised by-law which reflects a change to part 7 so that it reads as follows:

“7. Section 3.1(r) of Schedule B of by-law L-129-51 is hereby amended by deleting the words “unless it meets” and by replacing them with the words “without it meeting”.

Councillor J.B. Swan enters the meeting at 8:01 PM.

Councillors P. Van Meerbergen and S.E. White enter the meeting at 8:03 PM

Motion Passed

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

RECUSED: D. Brown (1)

Motion made by Councillor P. Hubert and seconded by Councillor J.L. Baechler to Approve clause 4, as amended.

At 8:03 PM His Worship the Mayor places Councilor M. Brown in the Chair and takes a seat at the Council Board.

At 8:06 PM His Worship the Mayor resumes the Chair and Councillor M. Brown takes his seat at the Council Board.

At 8:07 PM Councillor S. Orser enters the meeting.

Motion Passed

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

NAYS: S. Orser

RECUSED: D. Brown (1)

Motion made by Councillor D.G. Henderson and seconded by Councillor S. Orser to Approve that pursuant to section 7.3 of the Council Procedure By-law, the order of business be changed to permit consideration of clause 2 of the 11th Report of the Strategic Priorities and Policy Committee at this time.

Motion Passed

11th Report of the Strategic Priorities and Policy Committee
Councillor J.B. Swan Presents

Motion made by Councillor D. Brown and seconded by Councillor B. Polhill to Approve a 2013 Draft Budget starting at 0% over the 2012 Budget.

At 8:25 PM Councillor S. Orser leaves the meeting.

At 8:38 PM Mayor J.F. Fontana places Councillor P. Hubert in the Chair and takes a seat at the Council Board.

Motion made by Councillor N. Branscombe and seconded by Councillor J.L. Baechler to Approve and that the 0% be achieved without drawing from reserve funds.

At 8:50 PM Mayor J.F. Fontana returns to the Chair and Councillor P. Hubert takes his seat at the Council Board.

The motion to Approve that the 0% be achieved without drawing from reserve funds is put.

Motion Failed

YEAS: W.J. Armstrong, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, H.L. Usher, J.P. Bryant (7)

NAYS: J.F. Fontana, B. Polhill, J.B. Swan, D.G. Henderson, P. Van Meerbergen, D. Brown, S.E. White (7)

The motion to Approve a 2013 Draft Budget starting at 0% over the 2012 Budget is put.

Motion Failed

YEAS: J.F. Fontana, B. Polhill, J.B. Swan, D.G. Henderson, P. Van Meerbergen, D. Brown, S.E. White (7)

NAYS: W.J. Armstrong, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, H.L. Usher, J.P. Bryant (7)

Motion made by Councillor J.B. Swan and seconded by Councillor S.E. White to Approve that further consideration of clause 2 of the 11th Report of the Strategic Priorities and Policy Committee BE DEFERRED to the next Council meeting.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, M. Brown, D.G. Henderson, P. Van Meerbergen, D. Brown, S.E. White (9)

NAYS: J.L. Baechler, N. Branscombe, P. Hubert, H.L. Usher, J.P. Bryant (5)

17th Report of the Planning and Environment Committee (continued)
Councillor B. Polhill Presents

Motion made by Councillor B. Polhill to Approve clauses 8 to 10.

8. Property located at 1875 Wharnccliffe Road South (TZ-8045)

That, on the recommendation of the Director, Land Use Planning and City Planner, based on the application of Andy Marshall, relating to the property located at 1875 Wharnccliffe Road South, the ~~attached~~ proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on June 26, 2012, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to extend the Temporary (T-52) Zone to permit a golf driving range and accessory uses, including a 140 m² golf pro shop and a 93 m² golf training facility within an existing building, for a further three (3) year period;

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

9. 188-190 Dundas Street

That, on the recommendation of the Director of Land Use Planning and City Planner, with the advice of the Heritage Planner, the Director, Building Controls and Chief Building Officer BE ADVISED that Municipal Council does not object to the demolition of the circa 1960's single storey, cement block and wood construction walls at the rear of the buildings located at 188-190 Dundas Street;

it being pointed out that there were no oral submissions made at the public participation meeting held in connection with this matter. (2012-D10-00)

10. Properties located at 412-416 and 420-424 Rectory Street and 814-822 King Street (OZ-8013)

That, on the recommendation of the Director, Land Use Planning and City Planner, the following actions be taken with respect to the application of the Western Fair Association relating to the properties located at 412-416 and 420-424 Rectory Street and 814-822 King Street:

- a) the ~~attached~~, revised, proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on June 26, 2012 to amend the Official Plan to change the designation of the subject lands FROM a Multi-Family Medium Density Residential designation, TO a Regional Facility designation, to permit a surface parking lot accessory to the Western Fair;
- b) the ~~attached~~, revised, proposed by-law BE INTRODUCED at the Municipal Council meeting to held on June 26, 2012 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan, as amended in part a), above), to change the zoning of the subject property FROM a Residential R9/Restricted Office (R9-1.H13/RO2) Zone, which permits apartments buildings, lodging house class 2, senior citizens apartments buildings, handicapped persons apartment buildings, continuum-of-care facilities, clinics, medical/dental offices, medical/dental laboratories and offices, TO a Holding Regional Facility Special Provision (h-()RF(2)) Zone, to permit a surface parking lot accessory to the Western Fair; and,
- c) the following design objectives be addressed through an application to lift the h-() holding provision:
 - i) enhanced landscaping along King Street and Rectory Street to visually enhance the site and the pedestrian environment;
 - ii) architectural features such as low walls, gazebos, and decorative pavement to visually enhance the development and to distinguish the pedestrian environment from the vehicular environment;
 - iii) design which is sympathetic to, and supportive of the adjacent residential uses to the west; and,
 - iv) tree retention as per the Arborist Report, conducted by Logic and Urban Forestry correspondence;

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

- Benita Senkevics, Monteith Brown Planning Consultants – expressing support for the Civic Administration’s report; advising that the Western Fair District is evolving and adding to the economy; indicating that the proposed enhancements include knee high walls along Rectory Street, enhanced landscaping, wood privacy fences, and making King Street and Rectory Street a pedestrian friendly intersection.
- Arti Sanichara, Patton Cormier & Associates, on behalf of Allan Terletzki, 418 Rectory Street – advising that her client takes no position on the merits of the proposed parking lot; indicating that there has been no justifiable planning reasons given to change the zoning of her clients property; advising that her client has a legal non-conforming business at this location; advising that the Western Fair Association and her client are not in active negotiations; advising that there are drainage issues at the back of the lot as the shop is below grade; and requesting that the current zoning remain.
- Gary Browning, 35A – 59 Ridout Street South – advising that this area is going to become prime real estate; indicating that if Western Fair needs more parking, it should go underground; indicating that this is an uninspiring use of land; and indicating that this will destroy the streetscape.
- Sandy Levin, 59 Longbow Road – requesting the amount of property tax revenue on these lands; advising that, approximately 10 years ago, the City experienced a loss of revenue to allow the Western Fair to expand its parking lot; and advising that the loss of the properties included in the current application would be assessed as a loss as the Western Fair Association does not pay property tax.
- Jay McGuffin, Monteith Brown Planning Consultants – advising that the applicant has no concerns with retracting the property located at 418 Rectory Street to assist the application process; advising that this area is separate from the bus rapid transit corridor; and advising that instead of looking at lost assessment, people should focus on the revenue generated, the employment provided and the positive sense of community generated by the Western Fair Association. (2012-D11-08)

Pursuant to section 17.2 of the Council Procedure By-law, Councillor J.L. Baechler calls for a separate vote on clause 10.

The motion to Approve clauses 8 and 9 is put.

Motion Passed

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

The motion to Approve clause 10 is put.

Motion Passed

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

NAYS: J.L. Baechler, N. Branscombe (2)

11. Properties located at 585, 613, 687 and 604-650 Sovereign Road (OZ-8034)

Motion made by Councillor S.E. White to Approve that, on the recommendation of the Director, Land Use Planning and City Planner, the following actions be taken with respect to the applications of the City of London relating to the properties located at 585, 613, 687 and 604-650 Sovereign Road:

- a) the ~~attached~~ proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on June 26, 2012, to amend the Official Plan by:
 - i) amending Schedule "A" Land Use to change the designation of 585, 613 and 687 Sovereign Road FROM an Open Space designation TO a Light Industrial designation, to permit Light Industrial uses, including uses permitted by the existing zoning;
 - ii) amending Schedule B-1 - Natural Heritage Features TO delete "Woodlands" designation from 585, 613 and 687 Sovereign Road;
 - iii) amending Schedule "A" Land Use to change the designation of 604-650 Sovereign Road FROM Light Industrial TO Open Space to allow for passive recreational uses, including woodlands; and,
 - iv) amending Schedule B-1 - Natural Heritage Features, TO delete "Unevaluated Vegetation Patch" designation and TO add "Woodlands" designation to 604-650 Sovereign Road: and,
- b) the ~~attached~~ proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on June 26, 2012, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan, as amended in part a), above), to:
 - i) change the zoning of 585 and 613 Sovereign Road FROM a Light Industrial (LI2/LI7) Zone, which permits manufacturing uses TO a Holding Light Industrial (h-h-(_)*LI2/LI7) Zone, which permits manufacturing uses and requires that site plan approval be obtained, a development agreement be entered into and a tree management plan be prepared and all mitigation measures, including measures that support the revegetation plan of the lands on the east side at 604-650 Sovereign Road, are implemented to the satisfaction of the Municipal Council; and,
 - ii) change the zoning of 604-650 Sovereign Road FROM a Light Industrial (LI1) Zone, which permits manufacturing uses TO an Open Space (OS5) Zone, to allow for passive recreational uses, including woodlands;

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

- Dean Sheppard, on behalf of the Environmental and Ecological Planning Advisory Committee (EEPAC) – requesting the Committee send a clear message of how highly regarded the remaining 7.8% of the woodlands in the City are; indicating that the City should value its woodlands; advising that the EEPAC supports the Civic Administration’s recommendations; requesting that a high quality replanting plan be adopted; indicating that it takes decades to replace the woodlands being cut; enquiring as to how long Londoners have to wait to replace this loss in function; comparing the loss to a person having their house burn down and asking how long they would have to wait to have their house replaced; advising that EEPAC submits comments to the Council; noting that not all of their recommendations are going to be adopted; advising that two of the EEPAC recommendations are adopted in part c) on page 222 of the June 18, 2012 Planning and Environment Committee Agenda; advising that there is only partial funding for the plan; advising that a high quality replanting plan would include these items; and enquiring as to why extra funding would have to come from other budgets or the community.
- Sandy Levin, 59 Longbow Road – advising that this is an opportunity for the proponent and the City to celebrate the new woodland; and advising that it is unclear if the City is using this opportunity to celebrate both the expansion of the business and the new woodlot. (2012-D11-02)

Motion made by Councillor S.E. White and seconded by Councillor D.G. Henderson to Approve amending clause 11 by deleting clause 11 in its entirety and replacing it with the following:

“11. That, on the recommendation of the Director, Land Use Planning and City Planner, the following actions be taken with respect to the application of the City of London relating to the property located at 585, 613, 687 and 604-650 Sovereign Road:

- a) the ~~attached~~ proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on June 26, 2012 to amend the Official Plan to:
 - i) amend Schedule “A” Land Use to change the designation of 585, 613 and 687 Sovereign Road FROM an Open Space designation TO a Light Industrial designation, to permit Light Industrial uses including uses permitted by the existing zoning;
 - ii) amend Schedule B-1- Natural Heritage Features TO delete “Woodlands” from 585, 613 and 687 Sovereign Road;
 - iii) amend Schedule “A” Land Use to change the designation of 604-650 Sovereign Road FROM Light Industrial TO Open Space to allow for passive recreational uses including woodlands;
 - iv) amend Schedule B-1- Natural Heritage Features, TO delete “Unevaluated Vegetation Patch” and TO add “Woodlands?? to 604-650 Sovereign Road; and,
- b) the ~~attached~~ proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on June 26, 2012 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan, as amended in part a), above), to:
 - i) change the zoning of 585 and 613 Sovereign Road FROM a Light Industrial (LI2/LI7) Zone which permits manufacturing uses TO a Holding Light Industrial (h-h-(_)*LI2/LI7) Zone, which permits manufacturing uses and requires that site plan approval be obtained, a development agreement be entered into and a tree management plan is prepared and all mitigation measures, including measures that support the revegetation plan of the lands on the east side at 604-650 Sovereign Road, are implemented to the satisfaction of the Municipal Council; and,
 - ii) change the zoning of 604-650 Sovereign Road FROM a Light Industrial (LI1) Zone, which permits manufacturing uses TO an Open Space (OS5) Zone, to allow for passive recreational uses including woodlands;
- c) the Site Plan Approval Authority BE REQUESTED to consider the following design issues through the site plan process:

- i) the east elevation include a masonry base; and upper storey windows in the arrangement shown on the west elevation (attached figure 4);
 - ii) the existing natural vegetation be retained as much as possible on the east and north property frontages and to be included into site landscaping; and,
 - iii) densely planted trees implementing the required tree management plan supplements site landscaping in areas where existing mature vegetation is removed on the north and east property frontages;
- d) Parks Planning and Design staff BE DIRECTED to allocate \$15,000 towards the City led Forest Management Plan, including implementing the re-vegetation of the lands at 604-650 Sovereign Road; and,
- e) the Civic Administration BE DIRECTED to initiate an Official Plan and Zoning By-law amendment for the lands at 3841 Cheese Factory Road FROM Light Industrial uses TO Open Space uses resulting in the designation of approximately 4.6ha of existing wooded lands in a City of London owned industrial subdivision;

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

- Dean Sheppard, on behalf of the Environmental and Ecological Planning Advisory Committee (EEPAC) – requesting the Committee send a clear message of how highly regarded the remaining 7.8% of the woodlands in the City are; indicating that the City should value its woodlands; advising that the EEPAC supports the Civic Administration's recommendations; requesting that a high quality replanting plan be adopted; indicating that it takes decades to replace the woodlands being cut; enquiring as to how long Londoners have to wait to replace this loss in function; comparing the loss to a person having their house burn down and asking how long they would have to wait to have their house replaced; advising that EEPAC submits comments to the Council; noting that not all of their recommendations are going to be adopted; advising that two of the EEPAC recommendations are adopted in part c) on page 222 of the June 18, 2012 Planning and Environment Committee Agenda; advising that there is only partial funding for the plan; advising that a high quality replanting plan would include these items; and enquiring as to why extra funding would have to come from other budgets or the community.
- Sandy Levin, 59 Longbow Road – advising that this is an opportunity for the proponent and the City to celebrate the new woodland; and advising that it is unclear if the City is using this opportunity to celebrate both the expansion of the business and the new woodlot. (2012-D11-02)."

Motion Passed

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

RECUSED: B. Polhill (1)

Motion made by Councillor S.E. White and seconded by Councillor J.B. Swan to Approve Clause 11, as amended.

Motion Passed

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

RECUSED: B. Polhill (1)

12. Near-Campus Neighbourhoods Planning Amendments (OZ-7663)

Motion made by Councillor B. Polhill to Approve that, notwithstanding the recommendation of the Director, Land Use Planning and City Planner, the application of The City of London relating to the area of land generally bounded by Fanshawe Park Road/Thames River (North Branch)/Kilally Road to the north, Aldersbrook

Road/Wonderland Road to the west, the Thames River (South Branch)/Dundas Street to the South, and Clark Road to the east, **BE REFERRED** back to the Civic Administration to undertake further consultation with the public, the Town and Gown Committee and to report back to the Planning and Environment Committee in the Fall, 2012;

it being noted that the Planning and Environment Committee reviewed and received the following communications:

- a communication, dated June 6, 2012, from T.D. Jones, 440 Lawson Road; and,
- a communication, dated June 11, 2012, from S. Levin, 59 Longbow Road.

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

- Sandy Levin, on behalf of the Orchard Park Sherwood Forest Ratepayers - see ~~attached~~ presentation.
- Michelle Doornbosch, Zelinka Priamo Limited – requesting that this matter be referred back to the Civic Administration for further consideration; expressing serious concerns with respect to the sign policy positions taken in the Civic Administration's report as it adversely affects some of her clients; and indicating that there is currently a significant process to be undertaken for residential intensification.
- Jim Kennedy, London Development Institute – see ~~attached~~ presentation.
- Glenn Matthews, University of Western Ontario Housing – expressing support for the Civic Administration's report that was released in 2008; and providing the ~~attached~~ communication, dated June 15, 2012, from Gitta Kulczycki, Vice-President, Resources & Operations, Western.
- Alicia Lee, University Students Council – advising that students contribute to the vitality of the City; indicating that there are numerous student volunteers in the City; requesting that the number of bedrooms in each unit be limited to three; expressing support for the creation of an appeals body; advising that she would like to see students contribute on the appeals body; advising that the students would like to work with the Civic Administration on the creation of a by-law relating to the near-campus neighbourhoods; enquiring as to where students would go if they had a concern about the standards of their dwelling; and enquiring as to whether or not this issue will be discussed at the Town and Gown Committee.
- James Corcoran, 43 Gunn Street, on behalf of BIGS – advising that this is consistent with the goals and objectives of other policies in the City; advising that it would encourage people to live in these areas; and advising that without the by-law, area residents have experienced rows and rows of 10 bedroom duplex dwellings. (2012-D11-02)

Motion Failed

YEAS: M. Brown (1)

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

Motion made by Councillor B. Polhill and seconded by Councillor N. Branscombe to Approve that, on the recommendation of the Director, Land Use Planning and City Planner, the following actions be taken with respect to the application of The City of London relating to the adoption of new policies and changes to the Zoning By-law for a specific area of land generally bounded by Fanshawe Park Road/Thames River (North Branch)/Kilally Road to the north, Aldersbrook Road/Wonderland Road to the west, the Thames River (South Branch)/Dundas Street to the South, and Clarke Road to the east as well as City-wide changes to various zoning regulations:

- (a) the proposed by-law ~~attached~~ hereto as Appendix "A" BE INTRODUCED at the Municipal Council meeting on July 24, 2012 to amend the Official Plan by adding a new special policy to Chapter 3 – Residential Land Use Designations – to designate the lands that will be identified as the Near-Campus Neighbourhoods Area and adopt the vision, goals, and policies to guide land use development in this area;
- (b) the proposed by-law ~~attached~~ hereto as Appendix "B" BE INTRODUCED at the Municipal Council meeting on July 24, 2012 to amend Zoning By-law No. Z.-1 (in

conformity with the Official Plan, as amended in part (a) above) to modify or add various zoning definitions, modify the general provisions, and modify the zoning regulations for lands zoned Residential R1, Residential R2, and Residential R3 Zone; and,

- (c) the Administrations of Fanshawe College and Western University of Canada and Municipal Staff BE REQUESTED to meet with representatives from the Province to discuss the potential for legislative changes to assist with planning in near-campus neighbourhoods.

Motion Passed

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

Motion made by Councillor N. Branscombe and seconded by Councillor B. Polhill to Approve adding a new part d) to clause 12 as follows:

- “d) the Civic Administration BE DIRECTED to report back to the Planning and Environment Committee in the Fall, 2012 with respect to the consultation that was undertaken, as well as the rental licensing ratio/cap.”

Motion Passed

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

NAYS: D.G. Henderson (1)

Motion made by Councillor B. Polhill to Approve Clauses 13 to 15

13. Trails in Environmentally Significant Areas

That, on the recommendation of the Director of Land Use Planning and City Planner, the following actions be taken with respect to the new Planning and Design Standards for Trails in Environmentally Significant Areas (ESAs):

- a) the Planning and Design Standards for Trails in Environmentally Significant Areas, dated June 4, 2012, as submitted by Parks Planning and Design with Schollen & Company Inc. and North-South Environmental, BE APPROVED as a planning and design tool for use in the development of trail master plans and/or Conservation Master Plans for ESAs; it being noted that the word “may” be amended to read “shall” on page 5 of the Standards relating to “Process - public consultation”;
- b) an ESA Trails Advisory Group BE ESTABLISHED representing all user groups with diverse membership, including the Thames Valley Trail Association, to comment on any trail related issues in ESAs that were not addressed or contemplated in the most current Conservation Master Plans;
- c) the moratorium placed on the use of asphalt trails in ESAs (November 2009) BE LIFTED, as the new Planning and Design Standards for Trails in Environmentally Significant Areas document will provide the direction for any use of asphalt in ESAs;
- d) the recommended restriction on dogs within the most environmentally sensitive areas of ESAs BE REFERRED to a separate public process for a potential amendment of the Parks and Recreation By-law;
- e) the Planning and Design Standards for Trails in Environmentally Significant Areas BE REVIEWED by the ESA Trails Advisory Group after further application in finalizing the Coves ESA Conservation Master Plan (CMP) and developing the Meadowlily CMP, in order to provide any technical changes that would result in greater clarity of intent and purpose of the Standards, it being noted that the Standards should conform to Provincial and National standards;
- f) the Civic Administration BE DIRECTED to report back in September, 2012 on the status of the application of the new Trails Standard for current and proposed ESA planning projects;

- g) the Civic Administration BE DIRECTED to investigate an expanded role for the planned ESA Trails Advisory Team and report back on the potential structure for an "Advisory Committee on ESA's", and;
- h) the ESA Trails Advisory Group BE THANKED for their time and effort in making their submissions to the City;

it being noted that the Planning and Environment Committee reviewed and received the following communications:

- a communication from Maureen McGauley, Thames Valley Trail Association;
- a communication from Ravi Gupta, Thames Valley Trail Association Webmaster and former member of the Environmental and Ecological Planning Advisory Committee;
- a communication from Judy Kwasnica, 706-665 Windermere Road;
- a communication from Shauna Dagnone and Bruce Adair, 675 Eagletrace Drive;
- a communication from David Wake, by e-mail;
- a communication from Wendy and David Nicolle, 1585 Hillside Drive;
- a communication from David Potten, President, Thames Valley Trail Association;
- a communication, dated June 15, 2012, from Sandy Levin, 59 Longbow Road; and,
- a communication dated June 16, 2012, from Gary Smith, Friends of Meadowlily Woods Community Association;

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

- Gary Smith, Friends of Meadowlily Woods – see ~~attached~~ presentation.
- Sandy Levin, 59 Longbow Road – advising that not everyone was at the table which leads to some misinterpretation of the work the Civic Administration is proposing; indicating that work should be completed to protect environmentally significant areas and to avoid negative impacts and degradation; advising that it is a step in the right direction to protect the environmentally significant areas; noting that this approach is consistent with the Official Plan; enquiring as to what will happen when environmentally significant areas become public lands; recommending that the Civic Administration take the appropriate planning measures to ensure that inappropriate development does not occur; requesting that a part h) be added to the Civic Administration's recommendation, which would read "the Civic Administration be requested to bring back trail standards in five years"; and recommending the budgeting of sufficient funds for implementing signage, by-law enforcement, ongoing public consultation and monitoring.
- Dean Sheppard, on behalf of the Environmental and Ecological Planning Advisory Committee (EEPAC) - advising that EEPAC has been involved in this process for over two years; commending the Parks Planning staff for keeping this project moving forward; advising that this is an excellent best practice standard that Londoner's can be proud of; advising that it clarifies and strengthens London's approach; advising that the new standards are more transparent and play an important role in keeping people engaged; expressing concern with respect to trail closures; and noting that some trails will be closed, some trails will be rerouted; however, there will always be trails in environmentally significant areas.
- Dave Wake, 597 Kildare Road – see ~~attached~~ presentation.
- Dave Potten, President, Thames Valley Trails Association - advising that the Civic Administration should be careful with the wording in the standards as it relates to trail closures; advising that when the existing group moves on, another group will take its place; advising that the Thames Valley Trail is a heritage trail and will have its 40th anniversary next year; noting that the trail is 110 kms that runs through three environmentally significant areas; also noting that the network is connected to provincial and national grids; advising that there will be negative financial repercussions to the Thames Valley Trail Association as they produce trail guides; indicating that the City held two meetings on the Medway Trail; advising that there are a lot of barriers going up around the city, but there is no funding for trails; recommending that the Civic Administration look at the long-term Nature Reserve designation in the proposed standards, as no trails are allowed, which is unfortunate; expressing surprise that the Medway Trail has been granted Nature Reserve classification; advising that it is not out of the realm of possibility that in 20 to 30 years, all environmentally significant areas end up with a Nature Reserve designation; advising that trails have a social value, that they allow people to increase their physical activity and provide an educational experience; noting that social values are important; also noting that he has heard tonight that the environment is more important; advising that he walks in the

environmentally significant areas on a regular basis; indicating that the Thames Valley Trail Association participates in the "In Motion" program, noting that they have free Saturday morning walks; also noting that it is hard to walk in the environmentally significant areas when they are closed; advising that if you shut down the existing trails, it harms the environmentally significant areas in the long run; advising that given the news today, trail closures are not the way to proceed; and requesting that the Civic Administration fine-tune the standards to protect the trail networks.

- A. Caveney, on behalf of Nature London - expressing appreciation to the Civic Administration for incorporating the public comments into the standards; advising that the document reflects a compromise on both sides; and expressing support for the Civic Administration's recommendations.
- Wendy Agathos, 2112 Valley Run Boulevard - indicating that after sitting in the meeting for four hours, she thought she would provide her comments; advising that so many other cities have successfully integrated trails in environmentally significant areas; advising that she has been to Holland many times and 90% of the roadways have bicycle pathways beside the road; challenging everyone with small children to try to navigate London's trail system; advising that many of her neighbours do not believe that speaking at these meetings does any good; indicating that she likes to see London being progressive; and supporting Dave Potten's comments.
- Tom McClenaghan, Friends of the Coves Subwatershed - advising that a declining quality of life revolves around the condition of the Coves; advising that the trail standard document is an incredible step forward; advising that a report was commissioned on the Coves Sub-Watershed in 2000 and was accepted as a guideline document in 2004; indicating that the Coves Conservation Master Plan is about to commence; indicating that the Coves is a unique environmentally significant area; advising that the Coves has a rich cultural heritage and that Londoners are interested in cultural heritage; and advising that the Friends of the Coves have produced a documentary that will be provided to all of the Council members.
- Jeffrey Young, 1831 Louise Boulevard - indicating that the proposed restrictions are biased; advising that he is an avid cyclist; indicating that he took his family to Brampton on their easy cycling trail; noting that the trail connects different areas of the city without the fear of motor vehicle traffic; advising that Brampton is able to make this happen which prompted their first visit and will prompt their future visits; enquiring as to whether or not London can join their ranks; and advising that closing the trails will make it more fun for people to figure out why the environmentally significant areas are closed.
- G. Browning, 35A – 59 Ridout Street - advising that it seems like it is a fight between cycling infrastructure and trails in environmentally significant areas; indicating that the public needs to be educated on cycling infrastructure on the streets; and expressing support for the Civic Administration's recommendations.
- Craig Linton, 1 McKenzie Avenue - advising that he uses the Thames Valley Trail System all the time; expressing concern that the standards will prohibit the Thames Valley corridor plan; and advising that if environmentally significant areas are appropriate, the planning will be logical.
- Jason Jordan, - advising that he is a hiker and enjoys the trails.
- S. Potten - advising that the Thames Valley Trails Association was not invited to participate on the original advisory group; wondering if that wouldn't be logical that they be part of the original group; and advising that the advisory group was done covertly and under the table. (2012-E04-00)

14. Property located at 339 Westminster Avenue

That communication, dated June 5, 2012, from Philip Edward Brent, Barrister and Solicitor, with respect to the possible installation of a methadone clinic located at 339 Westminster Avenue BE NOTED. (2012-C06-00/D11-00)

15. 7th Report of the London Advisory Committee on Heritage

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

- a) the Heritage Alteration Permit application of J. Spriet / T. Johnson, requesting permission for an addition to the designated heritage building located at 270 St. James Street BE APPROVED; it being noted that the Heritage Planner has reviewed the proposed addition to the garage and has advised that the impact of such alteration on the heritage features of the property, identified in the Reasons for Designation, are negligible;

- b) the Heritage Alteration Permit application of F. Dick / K. Townsend, requesting permission for the following alterations to the designated heritage building located at 618 Wellington Street BE APPROVED;
- i) the replacement of all windows;
 - ii) the removal of the current tile floor and the installation of a concrete floor on the front veranda; and,
 - iii) the removal of the wooden steps to the front veranda and the installation of concrete steps, with a railing;
- it being noted that the Heritage Planner has reviewed the proposed window alterations and has advised that the impact of such alterations on the heritage features of the building, identified in the reasons for designation, is negligible; it being further noted that the London Advisory Committee on Heritage heard verbal presentations from P. Malloy and F. Dick, with respect to this matter;
- c) the Heritage Alteration Permit Application of M. Parks requesting permission for repairs to the designated heritage building located at 798 Hellmuth Avenue BE APPROVED; it being noted that the Heritage Planner has reviewed the proposed repairs and has advised that the impact of such alteration on the heritage features of the building, identified in the reasons for designation, is negligible; it being further noted that the London Advisory Committee on Heritage heard a verbal presentation from M. Parks, with respect to this matter;
- d) the Heritage Planner BE ADVISED that the London Advisory Committee on Heritage has no objection to the removal of the single-story rear concrete block walls on the properties located at 188-190 Dundas Street; and,
- e) that clauses 5 through 15, inclusive, of the 7th Report of the London Advisory Committee on Heritage, BE RECEIVED AND NOTED.

Motion Passed

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

18th Report of the Planning and Environment Committee
Councillor B. Polhill Presents

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

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Properties located at 725 and 751 Fanshawe Park Road West (H-8050)

That, on the recommendation of the Senior Planner of Development Services, based on the application of Decade Group relating to the property located at 725 & 751 Fanshawe Park Road West, the ~~attached~~ proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on June 26, 2012, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a Holding Neighbourhood Shopping Area (h•h-54•h-89•NSA3) Zone TO a Neighbourhood Shopping Area (NSA3) Zone, to remove the holding provisions.

Motion Passed

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

9th Report of the Community Services Committee
Councillor M. Brown Presents

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

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Provincial Budget 2012 and Implications to Discretionary Benefits

That, on the recommendation of the Director of Social and Community Support Services, the report dated June 19, 2012, with respect to the implications of the 2012 Provincial Budget on discretionary benefits, BE RECEIVED.

3. Council for London Seniors, Age-Friendly London Conference

That the presentation of the Council for London Seniors with respect to past achievements of the Council and the proposed 2013 Age-Friendly London Conference BE RECEIVED; it being noted that the Community Services Committee received a presentation from M. Sherrit and S. Wittal, Council for London Seniors with respect to this matter.

Motion Passed

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

4. Amplified Sound and Hours of Operation of Special Events

Motion made by Councillor H.L. Usher to Approve that the following actions be taken with respect to amplified sound and hours of operation of major events, with respect to Section 13.0 in the Special Events Policies and Procedures Manual:

- a) the Allowable Sound/Decibel Levels at Special Events BE REVISED to allow for a grace limit of +/- 3 decibels to the existing maximum limits of 90 decibels beyond 30m; and,
- b) the Allowable Hours of Operation at Special Events BE REVISED to permit a fifteen-minute grace period to the existing end time limit of 11:00 PM;

it being noted that the above-noted revisions would allow some flexibility that may be needed due to unforeseen circumstances at events;

it being further noted that the Community Services Committee received communications from the following, with respect to this matter:

- J.B. Young, Operations Manager, Fanshawe Student Union;
- P. Woodford and J. Ball, 606 Waterloo Street;
- B. Porter, Home County Folk League;
- M. Ratcliffe and R. Millard, By E-mail;
- W. Dickinson, Planning Chair, Woodfield Community Association;
- L. White, 113 Central Avenue;
- W. Russell, 285 Simcoe Street;
- S. Olivastri, 141 Central Avenue;
- C. Joles, 1022 Waterloo Street;
- D. Pellarin, by E-mail;
- S. Kopp, By E-mail;
- P. Stone, Member of the Woodfield Community Association;
- J. Howard and G. Hillis, 80 Thornton Avenue;
- S. Curtis-Norcross, 29 Becher Street;
- B. Exley, 1014 Wellington Street;
- C. Engelmeyer, 17 Willingdon Ave.;
- G. Clatworthy, 650 Waterloo Street;
- P. Nesbitt-Larking, 787 Hellmuth Avenue; and,
- J. F. Vance, 767 Colborne Street;

it being pointed out that at the public participation meeting held in connection with this matter, the following individuals made a presentation in connection therewith:

- J.B. Young – representing Fanshawe Student Union, noting preference for Option B for decibel level; noting that Fanshawe has never been fined for events; stating that student life has changed, therefore they would like to see the hours extended; stating that students don't go out until 9:30 or 10 PM and therefore aren't able to support the festivals; noting support for a midnight end time.
- B. Porter, Home County Music and Art Festival – expressing preference for Option A for hours of operation, to respect needs of residents; noting their programming starts at noon, in order to meet needs of community; stating they are mindful of volunteers, however they would like a short grace period to facilitate technical glitches or encores; noting support for sound level Option C, in order to better reflect the peaks and valleys of live music productions; noting they aim to remain within the permissible decibel range; advising the Festival has only been charged once, in 2011; and advising that sound crews always watches decibel levels during the performances.
- B. Exley – 1014 Wellington Street – indicating a preference for Option A, or lower; stating that in recent years people living within 5km of events have heard the stage show; explaining that the effect of increasing decibel levels is incremental; noting the impacts on people's health at various locations and levels; noting support for the hours of operation proposed in Option A and suggesting that residential development Downtown will be affected if hours are extended; asking for protection of quality of community particularly as an increasing number of residents are older in age; stating it's important to respect the minority; and advising of past personal involvement in music festivals across Canada and internationally.
- P. Woodford, 606 Waterloo Street – echoing the previous comments; noting they all love the festivals in the Downtown, but want to continue to enjoy their own properties and homes; stating that the issue is really divisive and unnecessary; and asking to keep to Options A.
- M. Ratcliffe – expressing agreement with previous comments made; noting that Rock the Park – exceeded the limits 38 times in 2011, where Sunfest 10 times last year – and asking what assurances are there that any new limits will not be exceeded even if thresholds increase?
- C. Engelmeyer, 17 Willingdon Avenue – noting that if changes are imposed, it is suggested that a concert venue be developed away from the downtown/residential.
- K. Bice, 2 Leslie Street – providing the ~~attached~~ submission; noting concern with on-going review of existing rules; and expressing support for Option A – in both cases.
- K. Rablyn, 311 Hyman Street – live Downtown and enjoy doing so; stating that more families are moving to the Downtown area; expressing support for the continued vibrancy of downtown; noting to increase sound or hours, will negatively impact existing demographics of the Downtown; stating they don't want the Downtown to be strictly a party-town; and supporting the proposed Option A in both cases, as Council should maintain these rules in recognition of existing residents and their efforts to keep the Downtown strong; and suggesting Council look to other larger cities, like Vancouver.
- D. Bale, 776 Colbourne Street – noting the location of the residences of all members of City Council and suggesting they don't personally need to be concerned about Downtown noise.
- D. Wood, resident of Centennial House – expressing surprise with previous comments; speaking as a classical musician, noting experience of the history of study of music; suggesting the discussion is missing the notation about acoustics – music/sound waves; and noting a need to measure in more than one place, and more than one time.
- M. Lavoie, 4 Rogers Avenue – stating that they love all the festivals, the way they are; asking for some compromise with respect to encores; noting that Rock the Park has safety concerns with respect to the crowds and available exits with this event, including ambulance access due to parking; expressing concern by the comparison to Bayfest, because the facilities are not at all similar; suggesting consideration to allow later hours on weekends, but not on weekdays; noting Rock the Park infractions totaling 38 in 2011, so what will happen if rules are increased;

noting concern about security of personal property and the security outside of the park for this event; questioning the benefits of these festivals is and suggesting that Bethany's Hope should pass the hat in the Black Friars area, rather than extending the hours; stating that the attendees of Rock the Park would not be the same clientele for museums, tourism, etc; and extending an invitation to Council Members to attend their home, to experience the situation in person.

- J. Martin, Dufferin Avenue – discussing acoustics and that there is no mention as to the resolve of the ideas presented; advising that the bandshell in Victoria Park doesn't function acoustically, it needs baffles to produce good sound; suggesting the City of Toronto has some experience, and baffles could assist with the proper type of resonance in a smaller area; noting concern with respect to being awakened from REM sleep; and suggesting a need for consideration for the residents.
- B. Waite, 520 Wellington Street – noting it was only a few years ago that the decision was made that 11 PM, would be acceptable for both residents and festival-goers – it was co-operation; questioning why the issue is being raised again as the residents are not happy; expressing concerned with increased alcohol consumption, noting the of Fleming Drive incident which resulted in great cost and the poor image of London internationally; suggesting this resurrected idea should be forgotten and expressing support for Option A, recently implemented should be supported.
- A. Caxaj, Sunfest – expressing concern with the conservative image of London, outside of London, that there are too many regulations and impediments; noted Sunfest has 360 days of hard work to prepare for the festival each year; stressing the importance of arts in this community; noting a large portion of the community that is not represented here, and some of the festivals recognize this and celebrate it; advising he would support an increase in the decibel levels to allow for flexibility and would like additional time for flexibility due to delays, etc; advising that in other countries there are festivals that go all night long and there are really very few festivals that would be affected.
- O. Hobson, 45 Evergreen Avenue – noting the curfew in Victoria Park of 10 PM for non-offensive activities; advising of the problems of 'guests' to Downtown – which is all part of Downtown living; asking noise be limited to a reasonable level, while you're visiting; suggesting that if these regulations are to be extended, Council should also consider lifting the curfew for all residents who may want to enjoy the parks after 10 PM.
- I. Hesketh, 836 Waterloo Street – expressing the view as contained in as per the ~~attached~~ submission.
- J. O'Neil, 356 William Street – indicating that he lives Downtown, and accepts all the noise; expressing concern with raising the limit, because there will be more infractions, noting a comparison to speeding; suggesting the City look at how the law is applied, as there should be some flexibility; noting if the noise (or music) is not appealing, there are different effects, and it is much more profound; asking that the hours be extended in order to have the flexibility to enjoy the festivals for those who don't have flexible work hours; noting he's a member of the Royal Astronomical Society and would like additional hours in the park for this activity.
- B. Dunn, 34 Empress Avenue – indicating that he has resided for 20 years in the neighbourhood and is very active in the neighbourhood (with City Councillors and staff too); good neighbourhoods make good cities and that more people are coming Downtown, and taking pride in the neighbourhoods; expressing concern that these sudden changes may undo the good progress and co-operation of the past; noting that musical tastes are varied; advising he supports festivals and the existing rules, but would support some flexibility (with peaks and valleys) with the enforcement of the existing policies to accommodate potential issues that may arise; noting he doesn't want to take money from charities, but there are lots of private companies making money from these events; and suggesting the existing policy has good balance.
- B. Bosack, 587 Dufferin Avenue – congratulating Sunfest for the many wonderful acts they bring to London; noting that he has stopped attending some festivals due to the noise, noting it's so loud, it is difficult to converse and he knows others who feel the same way; stating that

when music is so loud, it becomes noise and is offensive and a pollutant and the City needs to reduce pollution; and noting this is an opportunity for Council to take a really progressive position and should reduce noise levels across the City.

- S. Boersen, Huron Street – stating she can hear the music, even though she doesn't live in the Downtown; stating that she attends Rock the Park regularly, but doesn't ask about decibel levels (or hours) when buying a ticket, but rather goes to see a specific artist; expressing concern with comparisons to other noise, such as lawnmowers and is skeptical that by-laws will keep people away; and noting it is perhaps time to look at relocating Rock the Park to another venue that won't interfere with the livability of Downtown.
- D. Carson, Picton Street – stating many points have already been covered and noted; suggesting we are not talking about just 3 festivals, there are events almost every weekend all summer long and many events throughout the year; noting he moved Downtown about 8 years ago, when the rules were established for noise levels and hours of operation and would consider leaving the Downtown if extensions are granted; and stating it's not fair for residents to have to endure additional conditions, support rules remaining same
- Y. King, 67 Sherwood Avenue – expressing concern that they can hear the noise from home in Old North from Downtown and they have been advised of safe levels of music/noise in personal workplace; suggesting that a good song doesn't get any better if it's played loud; stating they feel bad for those living Downtown as they know what it's like being close to Downtown; noting the experience of small towns in Europe and suggesting the potential for London, Ontario is going down the drain; and questioning if we are trying to attract people for 4 days, or for permanent residences;
- R. Thompson, 1437 Killaly – stating she can hear festivals at her home.
- Adelaide/Huron Resident – supporting the previous comments, suggesting the current limits be maintained.
- J. Small, 64 Sherwood Avenue - suggesting the proposed changes will ensure London, Ontario will never be a world-class city; noting that they wanted to live Downtown when relocated here, but now wouldn't want to live Downtown; expressing sympathy for those who live Downtown; noting the by-laws are already generous as only Sarnia and Windsor go later than 11 PM, and then it is only on weekends; further noting Hamilton has increased decibels, and it is restricted to one venue location; advising of the World Health Organization report of 1980, and concern with noise levels and affects on people trying to sleep; noting other municipalities have "destination" festivals and Victoria Park is not an appropriate venue; and suggesting a balance with existing policy.
- J. Rivera, 520 Wellington Street – stating that what impresses him is not just the festivals, but the walkability of the whole Downtown; noting the need to enforce all existing by-laws; and suggesting you have to give up your whole summer if you're a Downtown resident.
- J. Adams, 1401 Talbot Street – noting he gets up at 5 AM everyday and he has window open all year; noting he has had no issues with the noise, but the status quo is preferred for that reason; expressing respect for different opinions and challenges, may support another Option that would encourage additional residents in the Downtown; suggesting Council go beyond what the presented options are, need a more nuanced approach with room for exceptions; and noting there are many different viewpoints.

Motion made by Councillor H.L. Usher to Approve an amendment to part a) to add after the words "beyond 30m" the words "for no more than 10 seconds per crescendo".

Motion made by Councillor M. Brown and seconded by Councillor J.L. Baechler to Approve an amendment to the proposed amendment to part a) to allow a maximum of 5 crescendos/peaks per performance with a ceiling of 90 decibels

At 9:50 Mayor J.F. Fontana places Councillor P. Hubert in the Chair and takes a seat at the Council board.

Councillor J. Baechler moves, seconded by Councillor N. Branscombe that Councillor J.P. Bryant be permitted to speak beyond 5 minutes.

Motion Passed

At 9:56 PM Mayor J.F. Fontana returns to the Chair and Councillor P. Hubert takes his seat at the Council Board.

The motion to amend the proposed amendment to part a) to allow a maximum of 5 crescendos/peaks per performance with a ceiling of 90 decibels is put.

Motion Passed

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

NAYS: W.J. Armstrong, D.G. Henderson, H.L. Usher, J.P. Bryant (4)

Motion made by Councillor M. Brown and seconded by Councillor B. Polhill to Approve the addition of new parts c) and d) as follows:

- c) the Manager of Special Events, or delegate, BE AUTHORIZED to extend the hours of amplified sound for Special Event beyond 11:00 PM, subject to any of the following conditions:
- a rain delay occurred on the day of the Special Event for which an extension was granted;
 - a power failure delay occurred on the day of the Special Event for which an extension was granted;
 - other uncontrollable circumstances occurred on the day of the Special Event for which an extension was granted; and
 - any extension granted shall not go beyond 45 minutes on any single night, or cumulative throughout the festival; and
- d) the Civic Administration BE DIRECTED to prepare a by-law to implement the recommended revisions to the Special Events Policies and Procedures Manual, as set out in parts a), b) and c), above, for introduction at a future Council meeting.”

The motion to adopt clause 4b) is put.

Motion Passed

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

NAYS: J.P. Bryant (1)

The motion to adopt clause 4c) is put.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, M. Brown, P. Hubert, P. Van Meerbergen, J.P. Bryant, S.E. White (9)

NAYS: J.L. Baechler, N. Branscombe, D.G. Henderson, D. Brown, H.L. Usher (5)

The motion to adopt clause 4d) is put.

Motion Passed

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

NAYS: N. Branscombe, D.G. Henderson, J.P. Bryant (3)

Councillor D. Brown leaves the meeting at 10:11 PM.

Motion made by Councillor M. Brown to Approve clauses 5 to 9.

5. Endorsement of the Toronto Charter for Physical Activity

That the following actions be taken with respect to the international Charter for Physical Activity, as launched at the City of Toronto:

- a) the above-noted Chartered BE ENDORSED by the City of London; it being noted that various Advisory Committees of the City are also making the recommendation for support; and,
- b) the principles and framework of the Charter BE CONSIDERED by Civic Administration in future endeavours;

it being noted that the Community Services Committee received a presentation from B. McCall, M. Albanese and G. Pollett, Middlesex-London Health Unit, with respect to this matter.

6. Park Planning and Development

That the request of Councillor M. Brown, with respect to the current process and requirements with respect to the development and construction of new parks, in newly developed areas BE REFERRED to the Civic Administration, with a report back at a future meeting of the Community Services Committee.

7. Recommendations for Proposals Under Investment in Affordable Housing Program

That, on the recommendation of the Director of Municipal Housing, the following actions be taken with respect to the project proposals received under the Investment in Affordable Housing Program RFP12-06:

- a) the following BE APPROVED:
 - i) London Affordable Housing Foundation receive a municipal allocation of \$55,000 per unit for twenty five (25) IAH units, plus \$5,000 per unit for four (4) accessible units, for a total municipal allocation of \$1,395,000 and a federal/provincial allocation of \$60,000 per unit for a project located at 1641 Huron Street;
 - ii) Skinner Association Group receive a municipal allocation of \$55,000 per unit for twenty seven (27) IAH units, plus \$5,000 per unit for five (5) accessible units, for a total municipal allocation of \$1,510,000 and a federal/provincial allocation of \$60,000 per unit for a project located at 129 Riverside Drive;
 - iii) Deaf Blind Ontario Services receive a municipal allocation of \$38,000 per unit for four (4) IAH units, plus \$5,000 per unit for four (4) accessible units, for a total municipal allocation of \$172,000 and a federal/provincial allocation of \$60,000 per unit for a project located at 1166 Sandbar Street;
 - iv) 1822039 Ontario Ltd. receive a federal/provincial allocation of \$60,000 per unit for a six (6) IAH unit project located at 159 Main Street, Glencoe;
 - v) the City of London forward the above-noted project proposals to the Province for program funding approval under the Investment in Affordable Housing Program;
 - vi) the Sources of Financing Report, included in the original staff report, for the total municipal allocation of \$3,077,000;
- b) in accordance with Municipal Housing Facilities By-Law No A.-5814-11, the bylaws, attached as Appendixes A, B, C and D, BE INTRODUCED at the Municipal Council meeting on June 26, 2012 to:
 - i) authorize a Municipal Contribution Agreement substantially in the form of an agreement appended to the by-laws and to the satisfaction of the City Solicitor for each of the above-noted proponents; and
 - ii) authorize the Mayor and the City Clerk to execute the said Agreements.

8. Purchase of Service Agreement with Investing in Children

That, on the recommendation of the Director of Neighbourhood and Children's Services, the ~~attached~~ proposed bylaw (Schedule "A") BE INTRODUCED at the Municipal Council meeting of June 26, 2012, to:

- a) approve a Purchase of Service Agreement between The Corporation of the City of London and Investing in Children Inc., 205 Oxford St. E., Suite 206 London, ON, N6A 5G6 for the Project Management and Development Services for the implementation of strategies developed by the Implementation/Working groups of the Child and Youth Network for a period of twelve months with an option to renew for a maximum of two one-year terms;
- b) to delegate to the Director of Neighbourhood and Children's Services the authority to authorize and approve such further and other documents that may be required in furtherance of the Agreement;
- c) delegate to the Director of Neighbourhood and Children's Services the authority to execute the Agreement in (a) above;

it being noted that funding to support this contract was approved in the 2012 budget as a component of the implementation of the Child and Youth Agenda.

9. License Agreement – Ontario Senior Games Association (London District 30)

That, on the recommendation of the Director of Neighbourhood and Children's Services, the proposed draft by-law (Appendix A) BE INTRODUCED at the Municipal Council meeting of June 26, 2012 to:

- a) approve the agreement with the Ontario Senior Games Association (London District 30) for permission to use portions of the Carling Heights Optimist Community Centre, Kiwanis Seniors' Community Centre, North London Optimist Community Centre, Stronach Community Recreation Centre Stadium, and Springbank Park for the purpose of hosting an annual winter and summer senior games competition; and,
- b) authorize the Mayor and Clerk to execute the Agreement in a) above.

Motion Passed

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

10. RFP 12-07 Request for Proposal Ontario Works Employment Assistance Services

Motion made by Councillor M. Brown to Approve that, on the recommendation of the Director of Social and Community Support Services; the following actions be taken with respect to RFP 12-07, Ontario Works Employment Assistance Services:

- a) the Director of Social and Community Support Services BE AUTHORIZED to negotiate and enter into contracts for a three (3) year period, with an option to extend the contract for two (2) additional one year periods as follows:

ESSENTIAL EMPLOYMENT SERVICES

- i) Goodwill Industries, Ontario Great Lakes, 255 Horton Street, London, ON N6B 1L1;
- ii) Hutton House Association for Adults with Disabilities, 654 Wonderland Road N, London, ON N6H 3E5;
- iii) Leads Employment Services London Inc., 171 Queens Avenue, Suite 410, London, ON N6A 5J7;
- iv) Nokee Kwe, 1069 Wellington Road S., Unit 104, London, ON N6E 2H6;
- v) Pathways Skill Development & Placement Centre, 210 Dundas St., 2nd Floor, London, ON N6A 5J3;
- vi) WIL Counselling and Training for Employment, 141 Dundas Street, 4th Floor.,

- vii) London, ON N6A 1G3; and Youth Opportunities Unlimited, 141 Dundas Street, 2nd Floor, London, ON N6A 1G3.

SKILLS TRAINING DIRECTLY LINKED TO EMPLOYMENT

- i) Goodwill Industries, Ontario Great Lakes, 255 Horton Street, London, ON N6B 1L1;
- ii) Pathways Skill Development & Placement Centre, 210 Dundas St., 2nd Floor, London, ON N6A 5J3;
- iii) Rehabilitation Foundation for the Disabled (known as March of Dimes), 920 Commissioners Rd. East, London, ON N5Z 3J1; and,
- iv) Youth Opportunities Unlimited, 141 Dundas Street, 2nd Floor, London, ON N6A 1G3.

SELF EMPLOYMENT DEVELOPMENT SERVICES

- i) The London Community Small Business Centre, 316 Rectory Street, 3rd Floor, London, ON N5W 3V9.

SPECIALIZED INDIVIDUAL SUPPORT

- i) Collège Boréal, 355 Wellington St, Unit 279, London, ON N6A 3N7;
 - ii) Daya Counselling Centre, 141 Dundas Street, 6th Floor, London, ON N6A 1G3;
 - iii) Goodwill Industries, Ontario Great Lakes, 255 Horton Street, London, ON N6B 1L1;
 - iv) Literacy Link South Central, 255 Horton Street, 3rd Floor, London, ON N6B 1L1; and
 - v) LUSO Community Services, 1193 Oxford Street East, Unit 2, London, ON N5Y 3M2; and,
- b) the Civic Administration BE AUTHORIZED to undertake all administrative acts which are necessary in connection with this award; and
 - c) the approvals hereby given BE CONDITIONAL upon the Corporation entering into a formal contract or issuing a purchase order, related to this matter.

Motion Passed

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

RECUSED: P. Hubert (1)

Councillor D. Brown enters the meeting at 10:14 PM.

19th Report of the Finance and Administrative Services Committee (continued)
Councillor P. Hubert Presents

Motion made by Councillor P. Hubert to Approve clauses 1 and 2.

1. Disclosures of Pecuniary Interest

That it BE NOTED that Councillor P. Hubert disclosed a pecuniary interest in clause 3 of this Report having to do with the 2011 Compliance Report in accordance with the Procurement of Goods and Services Policy, by indicating that he is the Executive Director of a social services agency that has a Purchase of Service Agreement with the City of London.

2. WattsWorth Analysis Inc. – Single Source

That, on the recommendation of the Acting Executive Director of Planning, Environmental & Engineering Services and City Engineer, the following actions be taken:

- a) the proposal submitted by WattsWorth Analysis Inc., 555 Southdale Road East, Suite 201, London, Ontario N6E 1A2 for electricity and natural gas procurement strategy advice and related services at their proposed price of \$3,800 per month, HST extra BE ACCEPTED;
- b) 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;
- c) Civic Administration BE AUTHORIZED to undertake all the administrative acts that are

necessary in connection with this purchase; and

it being noted that due to the Single Source of this service, it will be included on the exemption list in section 9 of the Procurement of Goods and Services Policy Schedule B – Goods and /or Services NOT Subject to this Policy.

Motion Passed

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

3. 2011 Compliance Report in Accordance with the Procurement of Goods and Services Policy

Motion made by Councillor J.L. Baechler to Approve that, on the recommendation of the City Treasurer, Chief Financial Officer, the following actions be taken:

- a) the administrative contract awards, as per Section 8.11 (b) of the Procurement of Goods and Services Policy, which are greater than \$10,000 and less than \$50,000 without a purchase order, decentralized from Purchasing and Supply, that have been reported to the Manager of Purchasing and Supply and have been reviewed for compliance to the Procurement of Goods and Services Policy, BE RECEIVED for information (Appendix "A" to the staff report dated June 18, 2012);
- b) as per the Procurement of Goods and Services Policy, Section 8.11 (c), an annual report of total payments required where a supplier has invoiced the City a cumulative total value of \$100,000 or more in a calendar year, BE RECEIVED for information (Appendix "B" to the staff report dated June 18, 2012); and
- c) the administrative contract awards for Professional Consulting Services with an aggregate total greater than \$100,000, as per Section 15.1 (g) of the Procurement of Goods and Services Policy, decentralized from Purchasing and Supply that have been reported to the Manager of Purchasing and Supply and have been reviewed for compliance to the Procurement of Goods and Services Policy, BE RECEIVED for information (Appendix "C" to the staff report dated June 18, 2012).

Motion Passed

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

RECUSED: P. Hubert (1)

Motion made by Councillor P. Hubert to Approve clauses 4 to 9.

4. Designation of an Improvement Area Under Section 204 of the *Municipal Act, 2001* - Argyle Business Improvement Area (BIA)

That, on the recommendation of the City Treasurer, Chief Financial Officer, the Civic Administration **BE DIRECTED** to give notice of Municipal Council's intent to pass the ~~attached~~ proposed by-law (Appendix "A"), to establish an Argyle Business Improvement Area, in accordance with section 210 of the *Municipal Act, 2001*. (2012-D07-00)

5. Letter of Agreement - Provincial Dedicated Gas Tax Funds for Public Transportation Program

That, on the recommendation of the City Treasurer, Chief Financial Officer, the ~~attached~~ proposed by-law (Appendix "A") **BE INTRODUCED** at the Municipal Council meeting to be held on June 26, 2012 to authorize the Mayor and the City Treasurer, Chief Financial Officer to execute a Letter of Agreement between the Province of Ontario and the City of London with respect to the Dedicated Gas Tax Funds for Public Transportation Program. (2012-F16-00)

6. Annual Meeting Calendar

That, on the recommendation of the City Clerk, the Municipal Council's annual meeting

calendar **BE AMENDED** as follows:

<u>Committee</u>	<u>Original Meeting Date</u>	<u>Revised Meeting Date</u>
Finance and Administrative Services Committee	August 22 – 1:00 PM	August 20 – 1:00 PM
Planning & Environment Committee	August 22 – 4:00 PM	August 20 – 4:00 PM
Civic Works Committee	August 22 – 4:00 PM	August 21 – 4:00 PM
Community Services Committee (2012-G02-00)	August 22 – 7:00 PM	August 21 – 7:00 PM

7. City of London Website Modernization - Single Source

That, on the recommendation of the Managing Director, Corporate Communications and the Chief Technology Officer, the following actions be taken related to the City of London Website Modernization project:

- a) the Civic Administration **BE AUTHORIZED** to enter into negotiations for a consulting services contract with Infusion Inc. of 276 King Street West, 4th Floor, Toronto, ON, M5V 1J2 to build and implement a SharePoint platform that will result in a new, modern City of London website;
- b) the Sources of Financing **BE APPROVED** as detailed in Appendix “C” of the associated staff report dated June 18, 2012;
- c) the Civic Administration **BE AUTHORIZED** to undertake all the necessary administrative acts in connection with this matter, including the execution of an Agreement; and
- d) the approval of clause b) above **BE CONDITIONAL** upon the Corporation negotiating prices, terms and conditions with Infusion Inc. to the satisfaction of the Chief Technology Officer and the Manager of Purchasing and Supply.

8. Declare Property Surplus and Sale - Portion of Southeast Corner of Empress Avenue and Wharncliffe Road North

That, on the recommendation of the Managing Director - Corporate Assets, on the advice of the Manager Realty Services, with respect to a portion of the City-owned vacant land on the southeast corner of Empress Avenue and Wharncliffe Road North, measuring approximately 4 metres X 12 metres, containing an area of approximately 45 square metres (480 square feet), being Part 1, Reference Plan 33R-18266, as shown on Schedule “A”, the following actions be taken:

- a) the subject property **BE DECLARED** surplus;
- b) the offer from Ian Lave, the owner of the adjacent property, to purchase the subject lands from the City, for the sum of \$2,900.00 **BE ACCEPTED**; and
- c) the ~~attached~~ proposed by-law **BE INTRODUCED** at the Municipal Council meeting to be held on June 26, 2012 to approve the sale and to authorize the Mayor and the City Clerk to execute the Agreement of Purchase and Sale. (2012-L15-01)

9. Tender 12-64 - Elevator Maintenance Services

That on the recommendation of the Managing Director - Corporate Assets, the following actions be taken with respect to Tender 12-64:

- a) the bid submitted by Schindler Elevator Corporation, 4056 Meadowbrook Pl., Unit 115, London, Ontario N6L 1E2 **BE ACCEPTED**, at their tender price of \$548,366.40, HST extra, for a five (5)-year period, it being noted that Schindler Elevator Corporation submitted the lowest bid and meets the City’s terms, conditions and specifications of Tender 12-64;

- b) the Civic Administration **BE AUTHORIZED** to undertake all the administrative acts that are necessary in connection with this contract; and
- c) approval hereby given **BE CONDITIONAL** upon the Corporation entering into a formal contract or having a purchase order relating to the subject matter of this approval. (2012-A09-07)

Pursuant to section 17.2 of the Council Procedure By-law, Councillor D. Brown calls for a separate vote on clause 5.

The motion to Approve clause 5 is put.

Motion Passed

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

RECUSED: D. Brown (1)

Motion made by Councillor J.L. Baechler and seconded by Councillor N. Branscombe to Approve the addition of new clauses 7e) and 7f) as follows:

- “e) the Chief Technology Officer **BE REQUESTED** to engage members of the technical community with expertise in technology to provide feedback at the alpha and beta release stages, in addition to other opportunities as necessary; and
- f) the following actions be taken with respect to a technical advisory group:
 - i) a technical advisory group **BE ESTABLISHED** to provide feedback with respect to various aspects of technologies; it being understood that this would not be an advisory committee of Council, but an advisory group providing advice directly to the Chief Technology Officer;
 - ii) the Chief Technology Officer **BE REQUESTED** to report back on how the technical advisory committee could work, which should include a means for engaging youth.”

Motion made by Councillor S.E. White and seconded by Councillor D.G. Henderson to Approve that clause 7 **BE REFERRED** back to the Civic Administration for the purposes of conducting a tender.

Motion Failed

YEAS: J.F. Fontana, D.G. Henderson, P. Van Meerbergen, S.E. White (4)

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

The motion to Approve the addition of new clauses 7e) and 7f) is put.

Motion Passed

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

Motion made by Councillor P. Hubert and seconded by Councillor D. Brown to Approve Clause 7, as amended.

Motion Passed

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

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

The motion to Approve clauses 4, 6, 8 and 9 is put.

Motion Passed

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

Motion made by Councillor P. Hubert and seconded by Councillor B. Polhill to Approve that pursuant to section 2.4 of the Council Procedure By-law, section 11.10 of the said by-law be suspended for the purpose of permitting the meeting to proceed beyond 11:00 PM.

Motion Passed

Motion made by Councillor P. Hubert and seconded by Councillor J.L. Baechler to Approve that consideration of clause 16 BE DEFERRED until after the in camera session.

Motion Passed

Councillor S.E. White leaves the meeting.

Motion made by Councillor P. Hubert to Approve clauses 10 to 15

10. Long-Term Infrastructure Plan - Federation of Canadian Municipalities (FCM) Campaign "Target 2014: Building Our Future"

That, on the recommendation of the Director of Intergovernmental and Community Liaison, the Federation of Canadian Municipalities' Campaign for a long-term federal plan for municipal infrastructure funding: Target 2014: Building our Future **BE SUPPORTED** and the following resolution **BE ADOPTED**:

Development of a new long-term federal plan for municipal infrastructure funding

WHEREAS the Building Canada Plan and a number of important federal-provincial transfer agreements vital to Canada's cities and communities, will expire in March 2014;

AND WHEREAS federal investments over the last few years have helped to slow the decline of our cities and communities, and the Government of Canada has committed to develop a new long-term plan for municipal infrastructure funding in consultation with municipal and provincial/territorial governments;

AND WHEREAS a seamless transition from the Building Canada Plan to a new long-term plan is necessary to ensure that municipalities can continue planning their capital spending effectively;

AND WHEREAS the Federation of Canadian Municipalities (FCM) has launched a campaign to ensure that the new plan reflects municipal priorities across the country and asks its member municipalities to pass a Council resolution supporting the campaign;

AND WHEREAS the City of London has continuing infrastructure needs, such as roads, bridges, water and wastewater, that can only be met with through the kind of long-term planning and investment made possible by a national plan;

AND THEREFORE BE IT RESOLVED that The Corporation of the City of London endorse the FCM campaign and urge the Minister of Transport, Infrastructure and Communities to work with FCM and cities and communities to ensure the new long-term infrastructure plan meets the core infrastructure needs of cities and communities;

AND BE IT FURTHER RESOLVED that The Corporation of the City of London urge the Minister of Transport, Infrastructure and Communities to ensure that the new long-term infrastructure plan is fully in place when existing programs expire in 2014 and prior to adoption of 2014 municipal budgets;

AND BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Minister of Transport, Infrastructure and Communities, to the Ontario Minister of Municipal Affairs and Housing, to MPs Preston, Holder, Truppe and Mathyssen, MPPs Bentley, Matthews, Armstrong and Yurek, the Ontario Minister of Infrastructure, the Federation of Canadian Municipalities and the Association of Municipalities of Ontario. (2012-F12-00)

11. Team London Trade Mission to China - April 2012

That, on the recommendation of the Director of Intergovernmental and Community Liaison, the following report on the Team London Trade Mission to China April 2012 **BE RECEIVED** for information.

12. Tax Adjustment Agenda

That the recommendations in the Tax Adjustment Agenda dated June 18, 2012 **BE APPROVED**; it being noted that at the public hearing associated with this matter there were no members of the public in attendance that wished to speak to the Finance and Administrative Services Committee.

13. Argyle Business Improvement Association Funding Agreement

That the ~~attached~~ proposed by-law regarding a grant agreement between The Corporation of the City of London and the Argyle Business Improvement Association **BE INTRODUCED** at the Municipal Council meeting to be held on June 26, 2012 to:

- a) approve the grant agreement attached as Schedule "A" to the by-law; and
- b) authorize the Mayor and the City Clerk to execute the agreement noted in a), above;

it being noted that the grant will be funded by the City's approved 2012 budget. (2012-F12-00)

14. Resignation from the Middlesex-London Board of Health

That the communication dated May 18, 2012, from Patricia Coderre, resigning her appointment to the Middlesex-London Board of Health, effective Friday, December 14, 2012, **BE ACCEPTED** and the City Clerk **BE REQUESTED** to advertise for applications for the upcoming vacancy. (2012-G03-00)

15. Request for Designation of Rock the Road 10K as a Municipally Significant Event

That the Rock the Road 10K to be held in London, Ontario on Sunday, August 19, 2012 **BE DESIGNATED** as a municipally-significant event.

Motion Passed

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

20th Report of the Finance and Administrative Services Committee (continued)
Councillor P. Hubert Presents

Motion made by Councillor P. Hubert to Approve clauses 1, 2 and 4.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Electrical Power Procurement – Lake Huron Primary Water Supply

Recommendation: That, on the recommendation of the Acting Executive Director, Planning, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to electrical power procurement for the Lake Huron Primary Water Supply System:

- a) the provision of a guarantee to the Independent Electricity System Operator on behalf of the Lake Huron Primary Water Supply System **BE CONFIRMED** by the City of London, in its capacity as Administering Municipality for the Lake Huron Primary Water Supply System in accordance with the Transfer Order issued by the Minister of the Environment on September 15, 2000; and

- b) the Mayor and the City Clerk **BE AUTHORIZED** to execute the ~~attached~~ revised guarantee agreement with the Independent Electricity System Operator on behalf of the Lake Huron Primary Water Supply System Board of Management, by the Council for the City of London in its capacity as Administering Municipality for the Lake Huron Primary Water Supply System.

3. In Camera Scheduled Item

That it BE NOTED that the Finance and Administrative Services Committee met in camera from 2:05 PM to 3:22 PM with respect to a confidential matter pertaining to personal information about identifiable individuals including municipal employees, with respect to employment-related matters; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; 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.

Motion Passed

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

Motion made by Councillor D. Brown and seconded by Councillor P. Hubert to recess for five minutes.

Motion Passed

The Council recesses at 10:47 PM and resumes in regular session at 10:58 PM with Mayor J.F. Fontana in the Chair and all Members present except Councillor S. Orser.

Motion made by Councillor P. Hubert and seconded by Councillor M. Brown to Approve the reconsideration of clauses 4 and 9 of the 19th Report of the Finance and Administrative Services Committee, in order to consider the proposed amendments as contained on the Amendment Sheet.

Motion Passed

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

Motion made by Councillor J.L. Baechler and seconded by Councillor J.B. Swan to Approve that clause 4 be amended by inserting the word "revised" before the word "proposed" and by replacing the original proposed by-law with the a revised by-law which replaces the word "fronting" with the word "abutting" in section 2.1 of the by-law.

Motion Passed

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

Motion made by Councillor P. Hubert and seconded by Councillor J.B. Swan to Approve that clause 9 BE AMENDED in part a) by deleting the words "HST extra" and by replacing them with the words "HST included".

Motion Passed

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

Councillor P. Van Meerbergen leaves the meeting.

Motion made by Councillor B. Polhill and seconded by Councillor D. Brown to Approve clauses 4 and 9 of the 19th Report of the Finance and Administrative Services Committee, as

amended.

Motion Passed

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

Councillor P. Van Meerbergen enters the meeting.

11th Report of the Civic Works Committee (continued)
Councillor H.L. Presents

Motion made by Councillor H.L. Usher to Approve clauses 1 to 10.

1. Disclosures of Pecuniary Interest

That it BE NOTED that Councillor J.L. Baechler disclosed a pecuniary interest in clause 4 of this Report having to do with a by-law for the abandonment of identified sections of the 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, by indicating that she has a business that operates out of an adjacent property.

2. 7th Report of the Transportation Advisory Committee

That the 7th Report of the Transportation Advisory Committee from its meeting held on June 5, 2012, BE RECEIVED.

3. Phasing of Stormwater Management Facilities

That, on the recommendation of the Acting Executive Director, Planning, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the proposed modifications that were previously reported to the Planning and Environment Committee on February 6, 2012, for the recommended Phasing of Stormwater Management (SWM) Facilities:

- a) Fox Hollow SWM Facility #1, south cell and woodlot berms, **BE CONSTRUCTED** in 2012, at an estimated cost of \$3,800,000 (including land for both cells, construction, engineering and contingency), and that the north cell **BE ADDED** to the GMIS for 2016, at an estimated cost of \$1,900,000 (excluding land and including construction, construction administration and contingency), subject to the conditions identified in the ~~attached~~ Appendix 'A';
- b) Fox Hollow SWM Facility #3, and the north/south channel, **BE CONSTRUCTED** in one phase in 2013, at an estimated total cost of \$4,700,000 (including land, construction, engineering and contingency), subject to the conditions identified in the ~~attached~~ Appendix 'A';
- c) Tributary 'C' - Riverbend SWM Facility A and Riverbend SWM Facility G (north of Oxford Street), **BE CONSTRUCTED** as one phase in 2013 at the previously-reported estimated total cost of \$4,300,000 (including estimated land, construction, engineering and contingency costs), subject to the conditions identified in the ~~attached~~ Appendix 'A', upon completion and acceptance of the Municipal Class Environmental Assessment (EA), Schedule 'C', for Storm/Drainage and SWM Transportation and Sanitary Trunk Servicing Works for Tributary 'C' Drainage Area within the Downstream Thames Subwatershed, and subject to land dedication to the City by the landowners and City Council's approved land development applications in the Riverbend Area;
- d) Tributary 'C' - Riverbend SWM Facility F, **BE CONSTRUCTED** in 2016 as one phase, at an estimated total cost of \$2,600,000 (including estimated land, construction, engineering and contingency costs), subject to the conditions identified in the ~~attached~~ Appendix 'A', land dedication to the City by the landowners and upon completion and acceptance of the Municipal Class Environmental Assessment (EA), Schedule 'C', for Storm/Drainage and SWM Transportation and Sanitary Trunk Servicing Works for Tributary 'C' Drainage Area within the Downstream Thames Subwatershed, subject to City Council's approved land development applications in the Riverbend Area; and,
- e) Hyde Park SWM Facility #4 and the Stanton Drain remediation project south of

Fanshawe Park Road, **BE CONSTRUCTED** in 2012, in accordance with the approved functional plan, at an estimated cost of \$7,400,000 (including construction, engineering and contingency) and the Stanton Drain remediation project north of Fanshawe Park Road West and culvert crossing of Fanshawe Park Road West **BE ADDED** to the GMIS for 2016, at an estimated cost of \$820,000 (including construction, contract administration and contingency); it being noted that the land is purchased but land costs are not included in the estimate, as the land for this facility was purchased through the Urban Works Reserve Fund.

4. By-Law of Abandonment for Identified Sections of the Stanton Municipal Drain

That, on the recommendation of the Acting Executive Director, Planning, Environmental and Engineering Services and City Engineer, the ~~attached~~ proposed by-law (Appendix 'A'), **BE INTRODUCED** at the Municipal Council meeting to be held on June 26, 2012, to provide for the abandonment of the identified sections of the 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 discharging to the Thames River, as identified in the ~~attached~~ Appendix 'B'.

5. Services Agreement Between Partner Municipalities and the Ontario Clean Water Agency for the Contracted Operations at the Elgin-Middlesex Pumping Station

That, on the recommendation of the Acting Executive Director, Planning, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the Services Agreement between partner Municipalities and the Ontario Clean Water Agency for the contracted operations at the Elgin-Middlesex Pumping Station:

- a) the ~~attached~~ proposed By-law (Appendix 'A') **BE INTRODUCED** at the Municipal Council meeting to be held on June 26, 2012, to approve a Services Agreement between the Ontario Clean Water Agency and The Corporation of the City of London, Aylmer Area Secondary Water Supply System Board of Management, and the St. Thomas Area Secondary Water Supply System Board of Management for the operation, maintenance, and management of the Elgin-Middlesex Pumping Station;
- b) the Mayor and the City Clerk **BE AUTHORIZED** to execute the Agreement, substantially in the form attached to this by-law, and satisfactory to the City Solicitor, and all documents required to fulfill its conditions; and,
- c) the Civic Administration **BE AUTHORIZED** to undertake all the administrative acts that are necessary in connection with this Agreement;

it being noted that the Boards of Management for both Secondary Water Supply Systems are concurrently passing similar by-laws in order to enter into the Services Agreement, and that their staff have reported on the need to undertake a strategic assessment of the cost apportionments relative to the service to be provided on behalf of each owner once planned improvements have been completed and the Services Agreement with the Ontario Clean Water Agency is implemented.

6. Contract Award: 2012 Pavement Markings for Various Locations

That, on the recommendation of the Acting Executive Director, Planning, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the contract award for the 2012 pavement markings project for various locations (TS1264-11, T51254-11, TS1 739-11):

- a) the bid submitted by Acculine Pavement Markings, 381 Pomona Avenue, Burlington, ON, L7N 1T6, at its tendered price of \$192,200.90, excluding H.S.T., for the 2012 pavement markings for various locations, **BE ACCEPTED**; it being noted that this is a Single Source procurement as identified in section 14.4 a) of the City of London Procurement of Goods and Services Policy;
- b) the financing for this project **BE APPROVED** as set out in the Sources of Financing Report included as Appendix 'A' to the associated staff report, dated June 19, 2012;
- c) the Civic Administration **BE AUTHORIZED** to undertake all the administrative acts that are necessary in connection with this project;

- d) the approval hereby **BE CONDITIONAL** upon the Corporation entering into a formal contract and issuing purchase order(s) for the material to be supplied and the work to be done relating to this project; and,
- e) the Mayor and the City Clerk **BE AUTHORIZED** to execute any contract or other documents, if required, to give effect to the above recommendations.

7. Contract Award: Stirling Bridge Rehabilitation Project (Tender 12-42)

That, on the recommendation of the Acting Executive Director, Planning, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the contract award for the Stirling Bridge Rehabilitation Project (TS1763-11):

- a) the bid submitted by J-ARR Excavating Limited, 31 Exeter Road, London, ON, N6L 1B6, at its tendered price of \$218,039.25, excluding H.S.T., for the Stirling Bridge Rehabilitation Project, **BE ACCEPTED**; it being noted that this bid was the lowest of nine (9) bids received and meets the City's specifications and requirements in all areas; it being further noted that there is no anticipated additional operating costs to the Planning, Environmental and Engineering Services budget in 2013 and subsequent years associated with approval of this tender;
- b) the financing for this project **BE APPROVED** as set out in the Sources of Financing Report included as Appendix 'A' to the associated staff report, dated June 19, 2012;
- c) the Civic Administration **BE AUTHORIZED** to undertake all the administrative acts that are necessary in connection with this project;
- d) the approval hereby **BE CONDITIONAL** upon the Corporation entering into a formal contract or issuing a purchase order for the material to be supplied and the work to be done relating to this project (Tender 12-42); and,
- e) the Mayor and the City Clerk **BE AUTHORIZED** to execute any contract or other documents, if required, to give effect to these recommendations.

8. 2012 Cathodic Protection Program (EW3765-12) (Tender 12-48)

That, on the recommendation of the Acting Executive Director, Planning, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the 2012 Cathodic Protection Program:

- a) the bid submitted by Global Cathodic Protection Inc., 2212 Taunton Road, Hampton, ON, LOB 1J0, was the lowest of two (2) bids received at its tendered price of \$309,221.00, excluding H.S.T., for the 2012 Cathodic Protection Program, **BE ACCEPTED**; it being noted that this is the first year of a three-year annual contract, where at the sole discretion of the City of London, a subsequent term may be approved for two (2) additional one (1) calendar years to November 1, 2014 where the option shall be fully completed and ended;
- b) the financing for this project **BE APPROVED** as set out in the Sources of Financing Report included as Appendix 'A' to the associated staff report, dated June 19, 2012;
- c) the Civic Administration **BE AUTHORIZED** to undertake all the administrative acts that are necessary in connection with this project;
- d) the approval hereby **BE CONDITIONAL** upon the Corporation entering into a formal contract or issuing a purchase order for the work to be done and the materials to be supplied on this project; and,
- e) the Mayor and the City Clerk **BE AUTHORIZED** to execute any contract or other documents, if required, to give effect to these recommendations; and,

it being further noted that there are no anticipated additional annual operating costs to the Environmental and Engineering Services budget in 2012 and subsequent years associated with the approval of this project, and it is anticipated that this project will actually provide a savings to Water Operations by decreasing the amount of maintenance required on these cathodically-protected sections of watermains. The Operations will then be able to focus their resources on distribution system challenges including watermain flushing, valve maintenance,

and lead service replacements elsewhere in the City.

9. Contract Award: 2012 Warranted Sidewalk Program (Tender 12-67)

That, on the recommendation of the Acting Executive Director, Planning, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the contract award for the 2012 Warranted Sidewalk Program (TS1165-12, TS1254-11, TS1650-12 & TS1739-11):

- a) the bid submitted by Ro-Buck Contracting Ltd., 2326 Fanshawe Park Road East, London, ON, N5X 4A2, at its tendered price of \$344,947.75, excluding H.S.T., for the 2012 Warranted Sidewalk Program, **BE ACCEPTED**; it being noted that the bid submitted by Ro-Buck Contracting Ltd. was the lowest of five (5) bids received and meets the City's specifications and requirements in all areas; it being further noted that there is an additional annual operating cost of \$1,540.00 to the Planning, Environmental and Engineering Services Department budget in 2013 and subsequent years associated with approval of this tender;
- b) the financing for this project **BE APPROVED** as set out in the Sources of Financing Report included as Appendix 'A' to the associated staff report, dated June 19, 2012;
- c) the Civic Administration **BE AUTHORIZED** to undertake all the administrative acts that are necessary in connection with this project;
- d) the approval hereby **BE CONDITIONAL** upon the Corporation entering into a formal contract or issuing a purchase order for the material to be supplied and the work to be done relating to this project (Tender 12-67); and,
- e) the Mayor and the City Clerk **BE AUTHORIZED** to execute any contract or other documents, if required, to give effect to these recommendations.

10. Contract Award: 2012 Arterial Road Rehabilitation - Contract B (Tender 12-68)

That, on the recommendation of the Acting Executive Director, Planning, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the contract award for the 2012 Arterial Road Rehabilitation, Contract B (TS1446-12):

- a) the bid submitted by Coco Paving Inc., 1865 Clarke Road, London, ON, N5X 3Z6, at its tendered price of \$1,548,000.00, excluding H.S.T., for the 2012 Arterial Road Rehabilitation, Contract B, **BE ACCEPTED**; it being noted that the bid submitted by Coco Paving Inc. was the lowest of two (2) bids received and meets the City's specifications and requirements in all areas; it being further noted that there are no anticipated additional operating costs to the Planning and Environmental and Engineering Services Department budget in 2013 and subsequent years associated with approval of this tender;
- b) the financing for this project **BE APPROVED** as set out in the Sources of Financing Report included as Appendix 'A' to the associated staff report, dated June 19, 2012;
- c) the Civic Administration **BE AUTHORIZED** to undertake all the administrative acts that are necessary in connection with this project;
- d) the approval hereby **BE CONDITIONAL** upon the Corporation entering into a formal contract or issuing a purchase order for the material to be supplied and the work to be done relating to this project (Tender 12-68); and,
- e) the Mayor and the City Clerk **BE AUTHORIZED** to execute any contract or other documents, if required, to give effect to these recommendations.

Councillor J.L. Baechler calls for a separate vote on clause 4.

The motion to Approve clause 4 is put.

Motion Passed

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

(13)

RECUSED: J.L. Baechler (1)

The motion to Approve clauses 1 to10, except clause 4, is put.

Motion Passed

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

Motion made by Councillor H.L. Usher to Approve clauses 11 to 15.

11. Construction of Glanworth Municipal Drain (Tender 12-74)

That, on the recommendation of the Acting Executive Director, Planning, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the construction of the Glanworth Municipal Drain:

- a) the bid submitted by VanBree Drainage and Bulldozing Ltd., 7074 Nauvoo Road, Forest, ON, N0N 1J0, at its tendered price of \$306,545.00, excluding H.S.T., **BE ACCEPTED**; it being noted that the bid submitted by VanBree Drainage and Bulldozing Ltd. was the lowest of three (3) bids received and meets the City's specifications and requirements in all areas;
- b) the financing for the project **BE APPROVED** in accordance with the Sources of Financing Report included as Appendix 'A' to the associated staff report, dated June 19, 2012;
- c) the Civic Administration **BE AUTHORIZED** to undertake all of the administrative acts that are necessary in connection with this contract; and,
- d) the approval hereby **BE CONDITIONAL** upon the Corporation entering into a formal contract or issuing purchase orders or a contract record relating to the matters of this approval.

12. Contract Award: 2012 W12A Landfill Gas Collection System Expansion (Tender 12-77)

That, on the recommendation of the Acting Executive Director, Planning, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the expansion of the landfill gas collection system at the W12A Landfill Site, Capital Project SW6040:

- a) the bid submitted by JBL Construction, 2969 Lakeshore Road, Box 429, Brights Grove, ON, N0N 1C0, at its tendered price of \$401,576.70, excluding H.S.T., for the expansion of the W12A Landfill gas collection system and the provisional additional items, **BE ACCEPTED**; it being noted that the bid submitted by JBL Construction was the lowest of nine (9) bids received and meets the City's specifications and requirements in all areas;
- b) the financing for this project **BE APPROVED** as set out in the Sources of Financing Report included as Appendix 'A' to the associated staff report, dated June 19, 2012;
- c) Comcor Environmental Limited **BE AUTHORIZED** to carry out the gas extraction well drilling supervision, resident inspection and contract administration for the said project in accordance with the estimate, on file, at an upset amount of \$49,190, excluding H.S.T.; it being noted that this firm completed the engineering design, based upon the Fee Guideline for Professional Engineering Services, recommended by the Ontario Society of Professional Engineers, and in accordance with Section 15, Clause 15.2(g) of the City of London's Procurement of Goods and Services Policy;
- d) the Civic Administration **BE AUTHORIZED** to undertake all the administrative acts that are necessary in connection with this project;
- e) the approval hereby **BE CONDITIONAL** upon the Corporation entering into a formal contract or issuing a purchase order for the material to be supplied and the work to be done relating to this project (Tender 12-77); and,

- f) the Mayor and the City Clerk **BE AUTHORIZED** to execute any contract or other documents, if required, to give effect to these recommendations.

13. Contract Award: Trunk Watermain Chamber Installation Program
(Tender 12-78)

That, on the recommendation of the Acting Executive Director, Planning, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the contract award for the Trunk Watermain Chamber Installation Program (EW3717-11 and EW3717-12):

- a) the bid submitted by Bre-Ex Limited, at its tendered price of \$415,339.89, excluding H.S.T., for the Trunk Watermain Chamber Installation Project, **BE ACCEPTED**; it being noted that the bid submitted by Bre-Ex Limited was the lowest of five (5) bids received and meets the City's specifications and requirements in all areas;
- b) Archibald, Gray, and McKay, 3514 White Oak Road, London, ON, N6E 2S9, **BE AUTHORIZED** to carry out the resident inspection and contract administration for the said project in accordance with the estimate, on file, at an upset limit amount of \$40,100, excluding H.S.T.; it being noted that this firm completed the engineering design, based upon the Fee Guideline for Professional Engineering Services, recommended by the Ontario Society of Professional Engineers, and in accordance with Section 15.2 (g) of the City of London's Procurement of Goods and Services Policy;
- c) the financing for this project **BE APPROVED** as set out in the Sources of Financing Report included as Appendix 'A' to the associated staff report, dated June 19, 2012;
- d) the Civic Administration **BE AUTHORIZED** to undertake all the administrative acts that are necessary in connection with this project;
- e) the approval hereby **BE CONDITIONAL** upon the Corporation entering into a formal contract or issuing a purchase order for the material to be supplied and the work to be done relating to this project (Tender 12-78); and,
- f) the Mayor and the City Clerk **BE AUTHORIZED** to execute any contract or other documents, if required, to give effect to these recommendations.

14. By-Law for the Execution of the Occupancy Agreement with London Hydro for Ground-Mounted Automatic-Tracking Solar Photovoltaic Energy Systems

That, on the recommendation of the Director, Environmental Programs and Solid Waste, the ~~attached~~ proposed by-law (Appendix 'A') **BE INTRODUCED** at the Municipal Council Meeting to be held on June 26, 2012, to approve the Occupancy Agreement for the Ground-Mounted Automatic-Tracking Solar Photovoltaic Energy Systems ("Agreement") with London Hydro, with respect to the installation of a solar electricity generation system at the Manning Drive Material Recovery Facility, and to authorize the Mayor and the City Clerk to execute the Agreement on the City's behalf.

15. Removal of Buses from Dundas Street

That the communication dated May 31, 2012, from L. Ducharme, General Manager, London Transit Commission, with respect to the removal of buses from Dundas Street, **BE RECEIVED**.

Councillor D. Brown calls for a separate vote on clause 15.

At 11:05 PM Mayor J.F. Fontana places Councillor P. Hubert in the Chair and takes a seat at the Council Board.

Motion made by Mayor J.F. Fontana and seconded by Councillor B. Polhill to Approve that clause 15 **BE REFERRED** back to the London Transit Commission for further consideration and discussion with City staff in order to assess the potential for this project.

At 11:07 PM Mayor J.F. Fontana returns to the Chair and Councillor P. Hubert takes his seat at the Council Board.

The motion to Approve that clause 15 BE REFERRED back to the London Transit Commission for further consideration and discussion with City staff in order to assess the potential for this project is put.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, J.P. Bryant, S.E. White (10)

NAYS: J.L. Baechler, N. Branscombe, H.L. Usher (3)

RECUSED: D. Brown (1)

The motion to Approve clauses 11 to 14 is put.

Motion Passed

Motion made by Councillor H.L. Usher to Approve clause 16.

16. London 2030 Transportation Master Plan

Recommendation: That, on the recommendation of the Acting Executive Director, Planning, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the London 2030 Transportation Master Plan (the "Plan"):

- a) the Plan BE ACCEPTED as the new basis for road planning and capital programs;
- b) the road improvements, up to 2030 in the Plan, BE APPROVED as the basis for updating Development Charge calculations and schedules; it being noted that the near-term construction project schedules are unchanged and a Development Charges Background Update Study is about to begin;
- c) the Civic Administration BE DIRECTED to finalize a short-term Active Transportation and Transportation Demand Management Implementation Strategy, that addresses recommendations in the Plan and focuses on activities for the near term (2013-2015), and outlines the planned and proposed activities for the medium term (2016-2020);
- d) the parking recommendations of the Plan BE REFERRED to the 2012 Downtown London Parking Study update; it being noted that the update study is currently in progress;
- e) the cycling infrastructure recommendations of the Plan BE REFERRED to the 2013 Capital Works Budget development; it being noted that there is an existing program for the Cycling infrastructure;
- f) the Plan BE ACCEPTED as the new basis for transit planning and programs, subject to the concurrence of the London Transit Commission; it being noted that the London Transit Commission has provided its approval of the plan, in-principle;
- g) the Terms of Reference for the LTC Long-Term Growth Report Working Group BE AMENDED to include the review, monitoring and making of recommendations to the Municipal Council on Bus Rapid Transit business case development, implementation and transit route restructuring;
- h) the Official Plan policy recommendations of the Plan BE REFERRED to the ReThink London process to be incorporated into the City's new Official Plan; it being noted that a Transit Nodes and Corridors Schedule, and policies were added to the Official Plan through OPA 438; and,
- i) the Monitoring Program recommendations in the Plan BE REFERRED to the Civic Administration for consideration in future budget submissions;

it being noted that the Civic Works Committee heard the ~~attached~~ presentation from J. Lucas, Manager, Transportation Planning and Design and received communications, dated May 31 and June 19, 2012, from L. Ducharme, General Manager, London Transit Commission and J. Kennedy, President, London Development Institute, respectively, regarding this matter.

Councillor D. Brown calls for a separate vote on parts f), g) and h) of clause 16.

The motion to Approve parts f), g) and h) of clause 16 is put.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, H.L. Usher, J.P. Bryant, S.E. White (11)

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

RECUSED: D. Brown (1)

The motion to approve the balance of clause 16 is put.

Motion Passed

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

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

6th Report of the Public Safety Committee (continued)
Councillor D. Brown Presents

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

1. Disclosures of Pecuniary Interest

That it BE NOTED that Councillor D. Brown disclosed a pecuniary interest in clause 4 of this report, relating to proposed amendments to the Taxi/Limousine By-law, by indicating that her employer has a taxi business.

2. License Agreement for Use of 80 Dundas Street for Communication Equipment

That, on the recommendation of the Fire Chief, the ~~attached~~ by-law (Appendix A) BE INTRODUCED at the Municipal Council meeting to be held on June 26, 2012 to:

- a) approve a License Agreement with Her Majesty the Queen in Right of Ontario as Represented by the Minister of Infrastructure to license space to maintain a two-way FM communications system at 80 Dundas Street at the rate of \$260 per annum for the period Nov 1, 2011 to October 31, 2021; and,
- b) authorize the Mayor and the Clerk to sign the agreement. (2012-L03-00)

3. Municipal By-law Enforcement Services - Monthly Statistics

That, on the recommendation of the Director of Building Controls and Chief Building Official, the monthly statistics report (January – May 2012) for Municipal Law Enforcement Services BE RECEIVED. (2012-P10-00)

Motion Passed

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

Motion made by Councillor H.L. Usher to Approve clauses 5 to 9.

5. Amendment to Fees and Charges By-law Waiving Fireworks Display Permit Fees

That, on the recommendation of the Fire Chief, the following actions be taken with respect to the Fees and Charges By-law as it relates to Firework Displays:

- a) the ~~attached~~ proposed by-law (Appendix A) BE INTRODUCED at the June 26, 2012 Municipal Council meeting, to amend the Fees and Charges By-law A-42 to provide for the waiving or reduction of fees for Fire Work Display inspection/permit where Council,

by resolution, has agreed to the waiving or reduction; and,

- b) the permit fees for the Canada Day Firework Display held by the West Park Baptist Church and the Optimist Club of Summerside BE WAIVED for 2012. (2012-G05-00)

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

- J. Martin – expressing a concern with respect to the noise associated with firework demonstrations.

6. 3rd, 4th and 5th Reports of the Animal Welfare Advisory Committee

That the following actions be taken with respect to the 3rd, 4th, and 5th Reports of the Animal Welfare Advisory Committee from its meetings held on April 5, May 3 and June 7, 2012, respectively;

- a) the following actions be taken with respect to the ~~attached~~ communication dated March 12, 2012 from the Ontario Wildlife Coalition relating to humane resolution to human-wildlife conflicts:
 - i) the Municipal Council BE REQUESTED to support and implement a progressive and humane response program related to human-wildlife conflicts in the municipality; it being noted that this matter was identified in the Beaver Wildlife Management Strategy, dated December 13, 2011 and relating to the Stanton Drain Remediation and Storm Water Management Facility Construction;
 - ii) Civic Administration BE DIRECTED to refrain from further action with respect to any current beaver intervention, pending the development of the program noted in a) above; it being noted that AWAC is reviewing the environmental impact study and will submit an additional report with recommendations to Municipal Council regarding the resident beaver noted in the above-noted report; and,
 - iii) a representative from Stormwater Management BE INVITED to a future meeting of the AWAC to discuss strategies to discourage circumstances which foster human-wildlife conflicts.
- b) clauses 1 through 6 of the 3rd Report, BE RECEIVED;
- b) further to the above-noted recommendation, the Civic Administration BE REQUESTED to take no action with respect to the removal of the beavers in the Stanton Drain Remediation Project; it being noted that the AWAC is preparing a report providing evidence of the key role the beaver plays in the ecosystem and alternative non-lethal solutions; it being further noted that the AWAC heard a verbal presentation from D. Harris, on behalf of the Wildlife Sub-committee;
- d) clauses 2 through 9 of the 4th Report, BE RECEIVED.
- e) the following actions be taken with respect to Bill 69, Elephant Protection Act 2012; it being noted, the Public Safety Committee received the ~~attached~~ presentation from V. VanLinden with respect to this matter:
 - i) the Mayor BE REQUESTED to write a letter of support to the Honourable L. Berardinetti, MPP;
 - ii) the Animal Welfare Advisory Committee BE REQUESTED to prepare a presentation for the Public Safety Committee (PSC), with respect to banning the use of exotic animals in circuses, including information on current municipalities who have enforced this ban;
 - iii) the London Police Services Board BE REQUESTED to provide information to the Public Safety Committee with respect to any Criminal Code enforcement that may be related to this matter; and,
- f) clauses 2 through 9 of the 5th Report, BE RECEIVED.

7. Requests for Delegation Status

That the following actions be taken with respect to requests for delegation status:

- a) the Civic Administration BE REQUESTED to review the Sign & Canopy By-law with respect to the issue of temporary real estate banners; it being noted that the Sign & Canopy By-law was recently amended by City Council to provide for greater opportunities for real estate advertisement; it being further noted that the Public Safety Committee received the ~~attached~~ presentation from S. Farhi, Farhi Holdings Corporation, with respect to this matter;
(Secretary's Note: The presentation is available for viewing in the City Clerk's office.)
- b) the request for delegation status of G. Hare, London Knights Hockey Club, with respect to the Sign and Canopy By-law, BE ACCEPTED and scheduled for the next meeting of the Public Safety Committee;
- c) that Municipal Council BE REQUESTED to approve the installation of flag pole banners in the Argyle Business Improvement Association and the Civic Administration BE DIRECTED to work with the Argyle BIA in the design development and installation of the flag pole banners; it being noted that the Public Safety Committee received the ~~attached~~ presentation from C. Olech and N. McSloy, Argyle Business Improvement Association with respect to this matter;
- d) the Civic Administration BE REQUESTED to review the Sign & Canopy By-law with respect to home-occupation signs, giving special consideration to the possibility of amending the regulations with a focus on differentiating between street classifications and home occupation locations and to work with M. Gilbert to investigate potential signage options with respect to this matter; it being noted the Public Safety Committee received a presentation from M. Gilbert M. Gilbert, Mortgage Intelligence, with respect to this matter; and,
- e) the request for delegation status of S. Taylor, with respect to the Pool Fence By-law, BE ACCEPTED and scheduled for the next meeting of the Public Safety Committee.

8. Contraband Tobacco

WHEREAS Contraband tobacco has negative public consequences and impacts such as unrestricted youth access to tobacco products, and an increase in criminal activity;

AND WHEREAS contraband tobacco products are easily accessible in our community;

AND WHEREAS small businesses are sometimes forced to close because of the sale of contraband tobacco;

AND WHEREAS small business in our community and government in general stand to benefit from the institution of tougher restrictions on contraband tobacco;

THEREFORE be it resolved that the Mayor BE REQUESTED to write a letter to the Ontario Minister of Finance in support of the Ontario Government's most recent Budget commitments to eradicate contraband tobacco through the implementation of additional regulatory, enforcement and other provisions in Bill 186 and amendments to the Tobacco Tax Act. Particularly, in support of measures such as:

- increased fines for those convicted of offenses related to contraband tobacco;
- more authority for law enforcement officials with respect to: forfeiture of items seized, and impounding of vehicles;
- drawing on the best practices of other jurisdictions and working collaboratively with the federal government and other jurisdictions to enhance contraband tobacco control through joint enforcement efforts;

AND that the provincial government be encouraged to continue to strengthen their strategies to address the manufacture and supply of contraband tobacco and maintain their commitment to introduce amendments this fall to implement these measures;

AND that surrounding municipalities be made aware of the actions taken by this Committee to address the concerns presented by contraband tobacco;

it being noted the Public Safety Committee reviewed and received a communication dated June 8th, 2012, from Dave Bryans, President and CEO of the Ontario Convenience Stores Association (OCSA) with respect to this matter.(2012-P00-00)

9. Agreement for On-Line Training System

That, on the recommendation of the Fire Chief, the ~~attached~~ proposed by-law (Appendix A) BE INTRODUCED at the June 26, 2012 Municipal Council meeting to:

- a) approve an Agreement with Desire2Learn Incorporated, 151 Charles Street West, Suite 400, Kitchener, Ontario N2G 1H6 ~~attached~~ as "Schedule A" to provide an on-line training system; and,
- b) authorize the Mayor and the Clerk to sign the agreement. (2012-L03-00)

Motion Passed

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

NAYS: J.L. Baechler (1)

Motion made by Councillor H.L. Usher to Approve clause 10.

10. 2nd and 3rd Reports of the Community Safety and Crime Prevention Advisory Committee

That the following actions be taken with respect to the 2nd and 3rd Reports of the Community Safety and Crime Prevention Advisory Committee from its meetings held on March 22, and April 26, 2012 respectively:

- a) the Community Safety and Crime Prevention Advisory Committee (CSCP) BE PROVIDED copies of all public reports related to the Fleming Drive incident of March 17 and 18, 2012;
- b) the Civic Administration BE REQUESTED to provide the Community Safety and Crime Prevention Advisory Committee (CSCP) with the rational and supporting evidence relating to the installation and use of the red light cameras;
- c) clauses 3 through 11 of the 2nd Report, BE RECEIVED; and,
- d) clauses 1 through 7 of the 3rd Report, BE RECEIVED.

The motion to Approve part a) is put.

Motion Passed

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

The motion to Approve the balance of clause 10 is put.

Motion Passed

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

Motion made by Councillor H.L. Usher to Approve clause 11.

11. 1st Report of the Town and Gown Committee

That the following actions be taken with respect to the 1st Report of the Town and Gown Committee from its meeting held on April 17, 2012:

- a) the Town and Gown Association of Ontario proposal with respect to licence plate denial for all defaulted Provincial Offences Act fines **BE SUPPORTED**;
- b) the following actions be taken with respect to the Public Nuisance By-law and proposed amendments thereto:
 - i) the Public Nuisance By-law **BE AMENDED** in accordance with the report of the City Solicitor, dated April 2, 2012, provided to the Public Safety Committee; and,
 - ii) the following comments, received by the Town and Gown Committee at its meeting held on April 17, 2012, **BE FORWARDED** to the Public Safety Committee for consideration in conjunction with the recommendation in a), above:
 - Jim Barber, City Solicitor - advising that he was asked to prepare a report and by-law in 2008, indicating that this revised by-law would enable localized enforcement, and additional measures, the City could take.
 - Tom Gafferty, London Police Services – advising that only the highest ranking could enact the public nuisance call.
 - Glenn Matthews, University of Western Ontario - recognizing that high density residential areas can be problematic and asking what stopped the by-law from going forward in 2008.
 - Jack Goodwin, 277 Fleming Drive - indicating that the situation warranted a street closure to control access to the area, noting that O. Katolyk answered indicating that this was not an option but the amended by-law would address this.
 - Councillor Matt Brown – advising that we currently don't have the ability to be proactive and that the by-law would provide the ability to be proactive; noting that we are not just dealing with students from Fanshawe and identifying that a survey in 2008 ranked the nuisance by-law as the 5th priority for council.
 - Emily Marcoccia, Fanshawe College – advising that Fanshawe College Administration supports the by-law as a mitigation strategy, a proactive approach and a first step to dealing with the issue; indicating that the community partners have done a lot of work since 2008.
 - Veronica Barahona, Fanshawe Student Union – advising the student union supports both the City and College and noting that housing is not a campus issue.
 - Robert Sexsmith, 120-1231 Sanford St – requesting clarification on how the by-law would be enforced at a downtown for profit event and/or neighbourhood party, as the downtown is becoming a neighbourhood with downtown campus locations with storefront housing; it being noted T. Gafferty and O. Katolyk responded to Mr. Sexsmith's enquiry.
 - Councillor Judy Bryant – advising that the bylaw could address potential future issues as the downtown changes to become more of a downtown neighbourhood.
 - Patrick Searle, UWO Student's Council – expressing concern as to where the by-law will fit.
 - John Young, Fanshawe Student Union – suggesting this bylaw targets students, noting potential hotspots need to be identified and advising over 1,000 students live in residence, with little issues.
- c) the following actions be taken with respect to the Greater Near-Campus Neighbourhoods Strategy;
 - i) all community partners **BE REQUESTED** to review and provide a progress report, including additional proposed initiatives and implementation dates, to support the Greater Near-Campus Neighbourhoods Strategy; and,
 - ii) the Civic Administration **BE REQUESTED** to review the Fanshawe Neighbourhood as a priority for rezoning as identified in the above noted strategy;
- d) the following actions be taken with respect to Brescia University College;
 - i) the Civic Administration **BE REQUESTED** to review the concept of a safe crossing strategy to allow a simplified process for the installation of safer pedestrian crossings; and,
 - ii) Brescia College residences **BE UTILIZED** as a pilot program for the above-noted strategy for the crossings on Sarnia Road; it being noted that the Town and Gown Committee received a Notice dated March 6, 2012, with respect to

the application of Brescia University College; and,

e) clauses 5 through 7, **BE RECEIVED**.

Motion Passed

11th Report of the Strategic Priorities and Policy Committee
Councillor J.B. Swan Presents

Motion made by Councillor J.B. Swan to Approve clauses 1, 3 and 4.

1. Disclosures of Pecuniary Interest

That it **BE NOTED** that Councillor D. Brown disclosed a pecuniary interest in clause 2 of the 11th Report of the Strategic Priorities and Policy Committee, as it relates to those matters pertaining to the London Transit Commission, by indicating that her employer has a contract with the London Transit Commission.

3. Services Review Committee Terms of Reference

That, on the recommendation of the City Clerk, with the concurrence of the City Treasurer, Chief Financial Officer, the Civic Administration **BE ADVISED** as to what amendments, if any, the Municipal Council wishes to make to the terms of reference for the Services Review Committee. (2012-G07-00)

4. Town and Gown Committee

That the following **BE APPOINTED** to the Town and Gown Committee for the term ending February 28, 2015; it being noted that any appointments of individuals beyond two consecutive full terms are made notwithstanding Council policy which states that advisory committee members shall serve on the same advisory committee no longer than two consecutive full terms plus, if applicable, one proceeding partial term in those cases where committee members are initially appointed mid-term to fill a vacancy:

Voting:

- Eric Lohman - Western University's Society of Graduate Students (term ending April 30, 2013)
- Emily Marcoccia - Administrative Representative - Fanshawe College
- Zack Doge - Student Council Representative - Fanshawe College
- Susan Grinrod - Administrative Representative - Western University
- Alysha Li - Student Council representative - Western University
- Jack Goodwin - Neighbourhood Representative of a residential area in the immediate vicinity of Fanshawe College;

it being noted that the Strategic Priorities and Policy Committee received a communication dated June 21, 2012, from P. House, resigning her position as Neighbourhood Representative of a residential area in the immediate vicinity of Fanshawe College.

Motion made by Councillor N. Branscombe and seconded by Councillor J. Swan to Approve that clause 3 be amended to read as follows:

“That the following actions be taken with respect to proposed revisions to the terms of reference for the Services Review Committee:

- a) the ~~attached~~ proposed terms of reference **BE APPROVED**; and
- b) subject to the approval of a), above, the City Clerk **BE DIRECTED** to bring forward the necessary changes to the Council Procedure By-law to implement the Service Review and Budget Committee.”

Motion Passed

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

The motion to adopt clause 3, as amended, is put.

Motion Passed

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

IX DEFERRED MATTERS

X ENQUIRIES

XI EMERGENT MOTIONS

1. (ADDED) Mayor J.F. Fontana and Councillor S.E. White - Emergent Motion - Federal Government Changes to Mortgage Rules

Motion made by Councillor P. Hubert and seconded by Councillor S.E. White to refer the communication dated June 23, 2012, from Mayor J.F. Fontana and Councillor S.E. White, pertaining to an emergent motion regarding Federal Government changes to mortgage rules, to the Finance and Administrative Services Committee for consideration.

Motion Passed

XII BY-LAWS

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

Motion made by Councillor J.L. Baechler and seconded by Councillor D. Brown to Approve 1st Reading of Bill Nos. 285 and 304.

Motion Passed

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

RECUSED: B. Polhill (1)

Motion made by Councillor H.L. Usher and seconded by Councillor J.L. Baechler to Approve 2nd Reading of Bill Nos. 285 and 304.

Motion Passed

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

RECUSED: B. Polhill (1)

Motion made by Councillor J.L. Baechler and seconded by Councillor P. Hubert to Approve 3rd Reading of Bill Nos. 285 and 304.

Motion Passed

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

RECUSED: B. Polhill (1)

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

Bill No. 285, By-law No. C.P.-1284(sm)-amend	A by-law to amend the Official Plan for the City of London, 1989 relating to. 585, 613, 687 and 604-650 Sovereign Road (11/17/PEC)
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Bill No. 304, By-law No. Z.-1-122123 A by-law to amend By-law No. Z.-1 to rezone an area of land located at 585 and 613, and 604-650 Sovereign Road. (11/17/PEC)

Motion made by Councillor H.L. Usher and seconded by Councillor P. Hubert to Approve 1st Reading of Bill No. 286.

Motion Passed

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

RECUSED: J.L. Baechler (1)

Motion made by Councillor N. Branscombe and seconded by Councillor D. Brown to Approve 2nd Reading of Bill No. 286.

Motion Passed

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

RECUSED: J.L. Baechler (1)

Motion made by Councillor D. Brown and seconded by Councillor P. Hubert to Approve 3rd Reading of Bill No. 286.

Motion Passed

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

RECUSED: J.L. Baechler (1)

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

Bill No. 286, By-law No. DR- A by-law to provide for the abandonment of Drainage Works in the City of London – the Stanton Municipal Main Drain, Stanton County Road #20 Drain, Branch “A”, Branch “A1”, Branch “B”, Branch “B1, Branch “D” and Branch “G” located in close proximity to Fanshawe Park Road West, Hyde Park Road and Gainsborough Road.” (4/11/CWC)

Motion made by Councillor N. Branscombe and seconded by Councillor J.L. Baechler to Approve 1st Reading of Bill Nos. 283 and 287.

Motion Passed

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

RECUSED: D. Brown (1)

Motion made by Councillor J.L. Baechler and seconded by Councillor N. Branscombe to Approve 2nd reading of Bill Nos. 283 and 287.

Motion Passed

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

RECUSED: D. Brown (1)

Motion made by Councillor J.L. Baechler and seconded by Councillor S.E. White to Approve 3rd Reading of Bill Nos. 283 and 287.

Motion Passed

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

RECUSED: D. Brown (1)

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

Bill No. 283, By-law No. A-42-amend A by-law to amend By-law A-42 entitled, "A by-law to provide for Various Fees and Charges." (5/6/PSC)

Bill No. 287, By-law No. L.-129()-amend A by-law to amend By-law L.-129-51 entitled, "A by-law for the licensing, regulating and governing of vehicles for hire, including cab, accessible cab, limousine and group transportation vehicles drivers, owners and brokers." (4/6/PSC)

Motion made by Councillor D. Brown and seconded by Councillor H.L. Usher to Approve 1st reading of Bill Nos. 269 to 282, 284, 288 to 303, and 305 to 306.

Motion Passed

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

Motion made by Councillor M. Brown and seconded by Councillor B. Polhill to Approve 2nd reading of Bill Nos. 269 to 282, 284, 288 to 303, and 305 to 306.

Motion Passed

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

Motion made by Councillor J.L. Baechler and seconded by Councillor N. Branscombe to Approve 3rd reading of Bill Nos. 269 to 282, 284, 288 to 303, and 305 to 306.

Motion Passed

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

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

Bill No. 269, By-law No. A.- A by-law to confirm the proceedings of the Council Meeting held on the 26th day of June, 2012.(City Clerk)

Bill No. 270, By-law No. A.- A by-law to authorize and approve the Agreement between The Corporation of the City of London and Her Majesty the Queen in Right of Ontario as Represented by the Minister of Infrastructure to license space to maintain a two-way FM communications system at 80 Dundas Street. (2/6/PSC)

Bill No. 271, By-law No. A.- A by-law to authorize and approve the Agreement between The Corporation of the City of London and Desire2Learn Incorporated regarding the provision of an on-line training system and to authorize the Mayor and the City Clerk to execute the Agreement. (9/6/PSC)

Bill No. 272, By-law No. A.-	A by-law to approve and authorize the execution of an Occupancy Agreement for a Ground-Mounted Automatic-Tracking Solar Photovoltaic Energy System at the Manning Drive Material Recovery Facility between London Hydro Inc., and The Corporation of the City of London.(14/11/CWC)
Bill No. 273, By-law No. A.-	A by-law to authorize a Services Agreement between Ontario Clean Water Agency and The Corporation of the City of London, the Aylmer Area Secondary Water Supply System Board of Management, and the St. Thomas Secondary Water Supply System Board of Management for the operation, maintenance, and management of the Elgin-Middlesex Pumping Station; and to authorize the Mayor and the City Clerk to execute the Agreement. (5/11/CWC)
Bill No. 274, By-law No. A.-	A by-law to authorize the execution of a Letter of Agreement for the transfer of Provincial Gas Tax Revenues. (5/19/FASC)
Bill No. 275, By-law No. A.-	A by-law to declare the subject property surplus and to authorize an Agreement of Purchase and Sale between The Corporation of the City of London and Ian Lave to purchase the subject property being Part 1, Reference Plan 18266, and to authorize the Mayor and the City Clerk to execute the Agreement. (8/19/FASC)
Bill No. 276, By-law No. A.-	A by-law to authorize and approve a Licence Agreement between The Corporation of the City of London and the Ontario Senior Games Association (London District 30) regarding the use of City of London facilities and sports fields for summer and winter Senior Games; and to authorize the Mayor and the City Clerk to execute the Agreement. (9/9/CSC)
Bill No. 277, By-law No. A.-	A by-law to authorize and approve a Purchase of Service Agreement between The Corporation of the City of London and Investing in Children Inc.; and to authorize the Director, Neighbourhood & Children's Services to execute the Agreement. (8/9/CSC)
Bill No. 278, By-law No. A.-	A by-law to approve an agreement between The Corporation of the City of London (the City) and the London Affordable Housing Foundation (the Proponent) for the purpose of establishing the City of London Affordable Housing Program and the City's obligation to provide funding to the Proponent; and to authorize the Mayor and the City Clerk to execute the Agreement. (7/9/CSC)
Bill No. 279, By-law No. A.-	A by-law to approve an agreement between The Corporation of the City of London (the City) and the Skinner Association Group (the Proponent) for the purpose of establishing the City of London Affordable Housing Program and the City's obligation to provide funding to the Proponent; and to authorize the Mayor and the City Clerk to execute the Agreement. (7/9/CSC)
Bill No. 280, By-law No. A.-	A by-law to approve an agreement between The Corporation of the City of London (the City) and DeafBlind Ontario Services (the Proponent) for the purpose of establishing the City of London Affordable Housing Program and the City's obligation to provide funding to the Proponent; and to authorize the Mayor and the City Clerk to execute the Agreement. (7/9/CSC)
Bill No. 281, By-law No. A.-	A by-law to approve an agreement between The Corporation of the City of London (the City) and 1822039 Ontario Ltd., (the Proponent) for the purpose of establishing the City of London Affordable Housing Program and the City's obligation to provide funding to the Proponent; and to authorize the Mayor and the City Clerk to execute the Agreement. (7/9/CSC)

Bill No. 282, By-law No. A.-5896()-amend	A by-law to amend by-law A.-5896-233 entitled, "A by-law to appoint Municipal Law Enforcement Officers for the purpose of enforcing the by-laws of The Corporation of the City of London." (Manager, Parking and Licensing Enforcement Services)
Bill No. 284, By-law No. C.P.-1284(sl)-amend	A by-law to amend the Official Plan for the City of London, 1989 relating to 412-416 and 420-424 Rectory Street, and 814-822 King Street. (10/17/PEC)
Bill No. 288, By-law No. S.-	A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (As widening to Commissioners Road West, north of Byron Baseline Road) (Chief Surveyor)
Bill No. 289, By-law No. S.-	A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (As widening to Dundas Street, west of Ontario Street) (Chief Surveyor)
Bill No. 290, By-law No. S.-	A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (As widening to Emery Street East, east of Wharncliffe Road South) (Chief Surveyor)
Bill No. 291, By-law No. S.-	A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (As widening to White Oak Road, north of Dingman Drive; and as widening to Dingman Drive, east of White Oak Road) (Chief Surveyor)
Bill No. 292, By-law No. S.-	A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (As widening to Highbury Avenue North, north of Wilton Avenue) (Chief Surveyor)
Bill No. 293, By-law No. S.-	A by-law to relocate part of Becher Street in the City of London. (Chief Surveyor)
Bill No. 294, By-law No. S.-	A by-law to assume certain works and services in the City of London. (Stoney Creek Online Flood Control Facility; Plan 33R-16596) (City Engineer)
Bill No. 295, By-law No. W.-	A by-law to authorize the City Wide Sportsfield Infrastructure Project. (Project No. PD2180-RinC1) (Manager, Financial Planning & Policy)
Bill No. 296, By-law No. W.-	A by-law to authorize the 2011 Bus Purchase Replacement Project. (Project No. MU1044-11) (Manager, Financial Planning & Policy)
Bill No. 297, By-law No. W.-	A by-law to authorize the Transit Building Lifecycle Repairs & Upgrades Project. (Project No. MU1135-121) (Manager, Financial Planning & Policy)
Bill No. 298, By-law No. W.-	A by-law to authorize the 2009 Existing Facility Upgrades Project. (Project No. MU1135) (Manager, Financial Planning & Policy)
Bill No. 299, By-law No. W.-	A by-law to authorize the SWM Facility Fox Hollow #E2 Project. (Project No. ES3020-FHE2)
Bill No. 300, By-law No. W.-1706()-amend	A by-law amend By-law No. W.-1706(a)-201 entitled, "A by-law to authorize the Building Upgrades-Code Compliance Report Project. (Project No. TS6183) (Manager, Financial Planning & Policy)
Bill No. 301, By-law No. Z.-1-122120	A by-law to amend By-law No. Z.-1 to remove the holding provisions from the zoning on the land located at 909 Southdale Road West & 3405 Pomeroy Lane (3/17/PEC)
Bill No. 302, By-law No. Z.-1-122121	A by-law to amend By-law No. Z.-1 to extend the Temporary Use (T-52) for an area of land located at 1875 Wharncliffe Road South. (8/17/PEC)

Bill No. 303, By-law No. Z.-1-122122	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 412-416 and 420-424 Rectory Street, and 814-822 King Street. (10/17/PEC)
Bill No. 305, By-law No. A.-	A By-law to approve the Grant Agreement between The Corporation of the City of London and Argyle Business Improvement Association; and to authorize the Mayor and City Clerk to execute the Grant Agreement. (4/19/FASC)
Bill No. 306 By-law No.Z.-1-122124	A by-law to amend By-law No. Z.-1 to remove the holding provisions from the zoning on the land located at 725 & 751 Fanshawe Park Road West. (//PEC)

XIII COMMITTEE OF THE WHOLE, IN CAMERA

MOTION FOR IN CAMERA SESSION

Motion made by Councillor B. Polhill and seconded by Councillor P. Hubert 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 acquisition of land. (PEC)
- b) A matter pertaining to personal matters, including information regarding 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. (FASC)
- c) A matter pertaining to personal information about identifiable individuals including municipal employees, with respect to employment-related matters and advice or recommendations of officers and employees of the Corporation including communications necessary for that purpose and for the purpose of providing instructions and directions to officers and employees of the Corporation. (FASC)
- d) A matter pertaining to advice subject to solicitor-client privilege, including communications necessary for that purpose, as it relates to Tender 12-58 – Manufacture and Installation of Rear Loading Packer Bodies. (FASC)
- e) A matter pertaining to litigation or potential litigation, and advice that is subject to solicitor-client privilege, including communications necessary for that purpose, with respect to the application of London Taxicab Owners' and Drivers' Group Inc. to the Ontario Superior Court of Justice, bearing Court File No. 7123/12 in connection with By-law L.-129-51, the Taxi and Limousine Licensing By-law; and giving instructions and directions to the solicitors of the municipality in connection with the application filed in the Ontario Superior Court of Justice. (PSC)
- f) A matter pertaining to personal information about identifiable individuals including municipal employees, with respect to employment-related matters; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; 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 Council rises and goes into Committee of the Whole, in camera, at 12:00 AM, with Mayor J.F. Fontana in the Chair and all Members present, except Councillor S. Orser.

At 12:00 AM Mayor J.F. Fontana places Councillor P. Hubert in the Chair and takes a seat.

At 12:20 AM J. Stanford and M. Turner leave the meeting.

At 12:30 AM all staff, except T. Dobbie, F. Angeletti, J. Barber, P. Foto, A. Hagan, L. Marshall, V. McAlea Major, J. McNair, L. Rowe, C. Saunders and B. Westlake-Power leave the meeting.

Councillor N. Branscombe leaves the meeting at 12:39 AM.

Mayor J.F. Fontana leaves the meeting at 12:42 AM.

Councillor N. Branscombe enters the meeting at 12:43 AM.

Mayor J.F. Fontana enters the meeting at 12:45 AM.

Councillor D. Brown leaves the meeting at 1:27 AM.

Councillor D. Brown enters the meeting at 1:31 AM.

Councillor P. Van Meerbergen leaves the meeting at 1:37 AM.

The Committee of the Whole rises resumes in regular session at 1:43 AM with Mayor J. F. Fontana in the Chair and all Members present except Councillor S. Orser.

Motion made by Councillor J. B. Swan and seconded by Councillor N. Branscombe to Approve that, on the recommendation of the Interim City Manager, the following actions be taken with respect to the Dearness Home:

- a) the ~~attached~~ proposed by-law (Schedule "A") **BE INTRODUCED** at the Municipal Council meeting of June 26, 2012 to:
 - i) to approve and confirm the ~~attached~~ Agreement dated June 25, 2012 entered into between The Corporation of the City of London and peopleCare Inc., 28 William Street North, Tavistock Ontario, N0B 2R0 to provide operational consulting services for the Dearness Home at a cost of \$25,000 per month plus HST and disbursements; and
 - ii) to delegate authority to the City Manager (including the Interim City Manager) to:
 - A) renew the Agreement in paragraph (a)(i), above, for a period of up to five months ending no later than December 25th, 2012; and
 - B) provide written notice of the termination of the Agreement in paragraph (a)(i), above, pursuant to the termination provisions of the Agreement;
- b) the Civic Administration **BE AUTHORIZED** to undertake all the administrative acts that are necessary in connection with the Agreement outlined in (a) above; and
- c) the source of funding for the Agreement outlined in (a), above, estimated at a maximum cost of \$165,000, **BE APPROVED** as a drawdown from the Operating Budget Contingency Reserve;

it being noted that line 3 of the third paragraph in the background of the ~~attached~~ staff report dated June 26, 2012 should read "...Engaged Companies and received an 'Exemplary Standing' designation with...".

Motion Passed

Councillor J.B. Swan moves, seconded by Councillor N. Branscombe that the Committee of the Whole adjourn and Council reconvene in public session.

Motion Passed

The Council reconvenes in public session at 1:43 AM with Mayor J.F. Fontana in the Chair and all Members present except Councillors D. Brown, S. Orser and P. Van Meerbergen.

13th Report of the Committee of the Whole
Councillor P. Hubert Presents

Councillor P. Hubert moves that clause 1 be adopted.

1. Dearness Home Consulting Services – Single Source

Recommendation: That, on the recommendation of the Interim City Manager, the following actions be taken with respect to the Dearness Home:

- a) the ~~attached~~ proposed by-law (Schedule "A") **BE INTRODUCED** at the Municipal Council meeting of June 26, 2012 to:
 - i) to approve and confirm the ~~attached~~ Agreement dated June 25, 2012 entered into between The Corporation of the City of London and peopleCare Inc., 28 William Street North, Tavistock Ontario, N0B 2R0 to provide operational consulting services for the Dearness Home at a cost of \$25,000 per month plus HST and disbursements; and
 - ii) to delegate authority to the City Manager (including the Interim City Manager) to:
 - A) renew the Agreement in paragraph (a)(i), above, for a period of up to five months ending no later than December 25th, 2012; and
 - B) provide written notice of the termination of the Agreement in paragraph (a)(i), above, pursuant to the termination provisions of the Agreement;
- b) the Civic Administration **BE AUTHORIZED** to undertake all the administrative acts that are necessary in connection with the Agreement outlined in (a) above; and
- c) the source of funding for the Agreement outlined in (a), above, estimated at a maximum cost of \$165,000, **BE APPROVED** as a drawdown from the Operating Budget Contingency Reserve;

it being noted that line 3 of the third paragraph in the background of the ~~attached~~ staff report dated June 26, 2012 should read "...Engaged Companies and received an 'Exemplary Standing' designation with...".

Motion Passed

19th Report of the Finance and Administrative Services Committee
Councillor P. Hubert Presents

Councillor P. Hubert moves that clause 16 be adopted.

16. Tender 12-58 – Manufacture and Installation of Rear Loading Packer Bodies

That, notwithstanding the recommendation of the Acting Executive Director, Planning, Environmental & Engineering Services & City Engineer, the following actions be taken:

- a) the tender for the Manufacture and Installation of five (5) Rear Loading Packer Bodies submitted by London Machinery Inc., 15790 Robin's Hill Road, London, ON N5V 0A4, at their tendered price of \$376,150.00 (excluding HST), **BE ACCEPTED**;
- b) the ~~attached~~ Sources of Financing **BE APPROVED**;
- c) the Civic Administration **BE AUTHORIZED** to undertake all administrative acts which are necessary in connection with this award; and
- d) d) approvals hereby given **BE CONDITIONAL** upon the Corporation entering into a formal contract or issuing a purchase order relating to the subject matter of this approval.

Motion Lost

Motion made by Councillor P. Hubert and seconded by Councillor J.L. Baechler, that, on the recommendation of the Acting Executive Director, Planning, Environmental & Engineering Services & City Engineer,

- a) the tender for the Manufacture and Installation of five (5) Rear Loading Packer Bodies

submitted by Fanotech Enviro, 50 Keith Road, Box 690, Bracebridge, Ontario P1L 1T9 at their tendered price of \$371,780.00 (excluding HST), **BE ACCEPTED**;

- b) the funding for this purchase **BE APPROVED** as set out in the Sources of Financing Report as appended to the staff report dated June 18, 2012;
- c) the Civic Administration **BE AUTHORIZED** to undertake all administrative acts which are necessary in connection with this award; and
- d) approvals hereby given **BE CONDITIONAL** upon the Corporation entering into a formal contract or issuing a purchase order relating to the subject matter of this approval.

Motion Passed

Motion made by Councillor J. Swan and seconded by Councillor J.L. Baechler to Approve 1st Reading of Bill Nos. 307 to 309.

Motion Passed

Motion made by Councillor J.L. Baechler and seconded by Councillor N. Branscombe to Approve 2nd reading of Bill Nos. 307 to 309.

Motion Passed

Motion made by Councillor J.L. Baechler and seconded by Councillor S.E. White to Approve 3rd Reading of Bill Nos. 307 to 309.

Motion Passed

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

Bill No. 307 By-law No. A.- 6584(a)-223	A by-law to amend By-law A.-6584-257 entitled, "A by-law to delegate to the City of London's General Manager of Community Services certain of the duties of the Licensee under the <i>Long-Term Care Homes Act, 2007</i> . (//)
Bill No. 308 By-law No. A.- 6847-224	A by-law respecting an Agreement between The Corporation of the City of London and peopleCare Inc. for the provision of consulting services to the Dearness Home. (//)
Bill No. 309 By-law No. A.- 6848-225	A by-law to appoint Lynne Livingstone, Director of Community Services/Neighbourhood & Children Services, as Administrator pursuant to the <i>Ontario Works Act</i> . (//)

Councillor J. P. Bryant enquires about changing the Council meeting cycle to every two weeks. The City Clerk advised that she hoped to report back in August on this matter.

XIV ADJOURNMENT

Motion made by Councillor M. Brown and seconded by Councillor P. Hubert to Approve that Council adjourn.

Motion Passed

The meeting Adjourns at 1:50 AM on June 27, 2012.

Joe Fontana, Mayor

Catharine Saunders, City Clerk