



**London**  
CANADA

## COUNCIL MINUTES 16TH MEETING

September 18, 2012

The Council meets in Regular Session in the Council Chambers this day at 5:01 PM.

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

ALSO PRESENT: A. Zuidema, J. Barber, J. Braam, B. Coxhead, J. Fleming, E. Gamble, B. George, M. Hayward, G. Hopcroft, J. Kobarda, G. Knight, G. Kotsifas, D. Lazenby, L. Livingstone, V. McAlea Major, D. O'Brien, L.M. Rowe, R. Sharpe, L. Stevens, J. Taylor and B. Westlake-Power.

At the beginning of the Meeting all Members are present, except Councillor P. Van Meerbergen.

### **I RECOGNITIONS**

1. His Worship the Mayor presents a plaque for "London's Featured Company" to Hanwha L&C Canada.
2. His Worship the Mayor presents a certificate for "London's Featured Community Organization" to Emerging Leaders.

At 5:08 PM Councillor P. Van Meerbergen enters the meeting.

3. Kerri Stocks of Muscular Dystrophy Canada and London's Honourary Fire Chief, Owen McGonigal, present Chief Kobarda and Greg Knight of the London Fire Services with the Provincial and National Fire Department of the Year Award for Muscular Dystrophy Canada.

### **II DISCLOSURES OF PECUNIARY INTEREST**

None.

### **III CONFIRMATION AND SIGNING OF THE MINUTES OF THE FIFTEENTH MEETING HELD ON AUGUST 28, 2012**

Motion made by Councillor B. Polhill and seconded by Councillor S. Orser to Approve the Minutes of the Fifteenth Meeting held on August 28, 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 J.L. Baechler and seconded by Councillor J.P. Bryant to Approve referral of the following communications for consideration with the clauses noted:

1. H. Ketelaars, By E-mail - Bicycles on Sidewalks (Refer to the Civic Works Committee Stage for Consideration with clause 14 of the 14th Report of the Civic Works Committee.)

2. O. Hobson, 45 Evergreen Avenue - Council Members Integrity Commissioner and Voluntary Disclosure (Refer to the Finance and Administrative Services Committee Stage for Consideration with clause 11 of the 24th Report of the Finance and Administrative Services 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)

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

None.

## **VII ADDED REPORTS**

1. 25th Report of the Finance and Administrative Services Committee
2. 13th Report of the Strategic Priorities and Policy Committee

## **VIII REPORTS**

14th Report of the Civic Works Committee  
Councillor H.L. Usher presents.

Motion made by Councillor H.L. Usher to Approve clauses 1 to 15, excluding clauses 2 and 14.

1. Disclosures of Pecuniary Interests

That it BE NOTED that no pecuniary interests were disclosed.

3. Annual Ministry of Environment Inspection of the City Water Distribution System

That, on the recommendation of the Managing Director, Engineering and City Engineer, the report dated September 10, 2012, with respect to the annual Ministry of Environment inspection of the City Water Distribution System BE RECEIVED for information. (2012-W13-00)

4. Highway 401 Highbury Avenue Interchange Reconstruction - Ministry of Transportation Class Environmental Assessment Addendum

That, on the recommendation of the Managing Director, Engineering and City Engineer, the Preferred Plan in the Class Environmental Assessment Addendum Study conducted by the Ontario Ministry of Transportation for the reconstruction of the Highway 401/Highbury Avenue Interchange BE ENDORSED; it being noted that this endorsement is for the technical aspects of the Preferred Plan, including the widening of Highbury Avenue to six lanes from Highway 401 southerly to Wilton Grove Road. (2012-S07-00)

5. Design, Supply, Delivery and Installation of Urban Streetscape Planters Along Downtown Street Corridors (Request for Proposal 12-27)

That, on the recommendation of the Managing Director, Engineering and City Engineer, the following actions be taken with respect to the design, supply, delivery and installation of urban streetscape planters along downtown street corridors (RFP 12-27):

- a) the proposal submitted by Ro-Buck Contracting, 2326 Fanshawe Park Road East, London, ON, N5X 4A2, at its contract price of \$127,500.00, excluding H.S.T., BE ACCEPTED; it being noted that the Ro-Buck Contracting bid meets the City's terms, conditions and specifications;
- b) the funding for this project BE APPROVED as set out in the Sources of Financing Report included as Appendix "A" to the associated staff report, dated September 10, 2012;
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that

are necessary in connection with this purchase; and,

- d) the approval hereby BE CONDITIONAL upon the Corporation entering into a formal contract or issuing a purchase order relating to the subject matter of this approval. (2012-S03-00)

6. Traffic Signal Modifications (Tender 12-85 and Tender 12-91)

That, on the recommendation of the Managing Director, Engineering and City Engineer, the following actions be taken with respect to the contract award for the traffic signal modifications at the Trafalgar Street/Highbury Avenue, King Street/Wellington Street, Dufferin Avenue/Clarence Street, and Queens Avenue/Clarence Street intersections:

- a) the bid submitted by CRU Solutions, a division of EARTH (Holdings) Inc., 180 Whiting Street, Ingersoll, ON, N5C 3B5, at its tendered price of \$199,728.00, excluding H.S.T., for the traffic signal modifications at the Trafalgar Street/Highbury Avenue, King Street/Wellington Street, intersections Project (Tender 12-85), BE ACCEPTED; it being noted that the bid submitted by CRU Solutions was the lowest of the four (4) 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 Engineering Department Operating Budget in 2013 and subsequent years, associated with approval of this tender;
- b) the bid submitted by CRU Solutions, a division of EARTH (Holdings) Inc., 180 Whiting Street, Ingersoll, ON, N5C 3B5, at its tendered price of \$247,861.00, excluding H.S.T., for the traffic signal modifications at the Dufferin Avenue/Clarence Street and Queens Avenue/Clarence Street intersections Project (Tender 12-91), BE ACCEPTED; it being noted that the bid submitted by CRU Solutions was the lowest of the three (3) 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 Engineering Department Operating Budget in 2013 and subsequent years associated with approval of this tender;
- c) the financing for these projects BE APPROVED as set out in the Sources of Financing Report included as Appendix "A" to the associated staff report, dated September 10, 2012;
- d) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with these projects;
- 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 these projects (Tenders 12-85 and 12-91); 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. (2012-S09-00)

7. Supply, Delivery and Installation of 2012 Fall Infill Street Trees (Tender 12-87)

That, on the recommendation of the Managing Director, Engineering and City Engineer, the following actions be taken with respect to the supply, delivery and installation of the 2012 Fall infill street trees (Tender 12-87):

- a) the tender submitted by Klomp's Landscaping Inc., 2963 Road 119, R.R. #7, St. Mary's, ON, N4X 1C9, at its contract price of \$129,563.35, excluding H.S.T., BE ACCEPTED; it being noted that Klomp's Landscaping Inc. submitted the lowest bid and meets the terms, conditions and specifications in all areas of Tender 12-87;
- b) the financing for this purchase BE APPROVED as set out in the Sources of Financing Report included as Appendix "A" to the associated staff report, dated September 10, 2012;
- c) the Civic Administration BE AUTHORIZED to undertake all 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 a purchase order relating to the subject matter of this approval.

(2012-E05-00)

8. Landscaping at the Manning Drive Regional Material Recovery Facility  
(Tender 12-93)

That, on the recommendation of the Managing Director, Engineering and City Engineer, the following actions be taken with respect to landscaping at the Manning Drive Regional Material Recovery Facility (Tender 12-93):

- a) the tender submitted by PLS Landscaping and Excavation Limited, 1124 Gainsborough Road, London, ON, N6H 5N1, at its contract price of \$122,285.50, including contingency and excluding H.S.T., BE ACCEPTED; it being noted that PLS Landscaping and Excavation Limited submitted the lowest bid and meets the terms, conditions and specification of Tender 12-93;
- b) the funding for this project BE APPROVED as set out in the Sources of Financing Report included as Appendix "A" to the associated staff report, dated September 10, 2012;
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this purchase; and,
- d) the approval hereby BE CONDITIONAL upon the Corporation entering into a formal contract or issuing a purchase order relating to the subject matter of this approval. (2012-W08-00)

9. Contract Award - Street Lighting Replacement on King Street Between  
Richmond Street and Clarence Street (Tender 12-94)

That, on the recommendation of the Managing Director, Engineering and City Engineer, the following actions be taken with respect to the contract award for the replacement of street lighting on King Street between Richmond Street and Clarence Street (Tender 12-94):

- a) the bid submitted by Stacey Electric Company Ltd., 179 Bartlett Drive, Unit B, Toronto, ON, M4A 1E6, at its tendered price of \$259,298.50, excluding H.S.T., for the replacement of street lighting on King Street between Richmond Street and Clarence Street Project, BE ACCEPTED; it being noted that the bid submitted by Stacey Electric Company Ltd. was the lowest of the four (4) 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 Engineering Department Operating 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 September 10, 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 12-94); 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. (2012-S08-00)

10. Contract Award - Decommissioning of Historical Production Wells  
(Project No. EW3754)

That, on the recommendation of the Managing Director, Engineering and City Engineer, the following actions be taken with respect to the contract award for the decommissioning of historical production wells (EW3754):

- a) the appointment of the second lowest bidder, Aardvark Drilling Inc., 25 Lewis Road, Unit C, Guelph, ON, N1H 1E9, for the 2011 decommissioning of the historical production wells contract, at its corrected tendered price of \$165,550.00, excluding H.S.T., BE ACCEPTED; it being noted that City is exercising the first (1) year of a three (3) year term contract (Tender 10-97) awarded to Aardvark Drilling Inc. and that all

original unit prices have been maintained; it being further noted that this is the first year of a three-year term contract, where the City has the sole discretion to renew the contract for two additional terms based on the price and performance of the contractor;

- 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 September 10, 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; 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. (2012-W13-00)

11. Single Source Supply and Installation of Screen Room Inlet Gates and Associated Works at Greenway Pollution Control Centre

That, on the recommendation of the Managing Director, Engineering and City Engineer, the following actions be taken with respect to the contract award for the upgrade to the screen room inlet gates at the Greenway Wastewater Treatment Plant (ES5084-12); it being noted that the work will be done as a Single Source contract under section 14.4(e) of the Procurement of Goods and Services Policy:

- a) the quote of \$529,222.05, excluding H.S.T., as submitted by Gate Tech Industries Inc., 900 Riverbank Drive, Cambridge, ON, N3H 4R6, BE ACCEPTED;
- b) the financing for this project BE APPROVED as set out in the Sources of Financing Report included as Appendix "A" to the associated staff report, dated September 10, 2012;
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project; and,
- d) the approval hereby BE CONDITIONAL upon the Corporation entering into a formal contract or issuing a purchase order relating to the subject matter of this approval. (2012-W06-00)

12. Contract Award - Landfill Gas Collection and Flaring System Operation

That, on the recommendation of the Director, Environmental Programs and Solid Waste, the following actions be taken with respect to the appointment of a Consulting Engineer to oversee the technical operation of the W12A Landfill gas collection and flaring system:

- a) Comcor Environmental Limited BE AUTHORIZED to carry out the landfill gas collection and flaring system operations in accordance with the estimate, on file, at an upset amount of \$4,200 per month, excluding H.S.T., and weekend call outs, 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;
- b) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project;
- c) the approval hereby BE CONDITIONAL upon the Corporation entering into a formal contract with each Consultant for their respective project; and,
- d) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2012-W04-00)

13. Proposed Renaming of Kipps Lane

That NO ACTION BE TAKEN with respect to the communication dated August 17, 2012, from Professor D. Kerr, Department of Sociology, King's University College, 266 Epworth Avenue, relating to his suggestion to rename Kipps Lane to Damien Warner Avenue. (2012-M00-00)

15. Concerns with London Hydro

That the communication from Todor Ivanov, 264 Brunswick Crescent, with respect to his concerns about London Hydro BE REFERRED to London Hydro Inc., for its consideration; it being noted that the Civic Works Committee did not grant delegation status to Mr. Ivanov. (2012-W12-00)

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 H.L. Usher to Approve clause 14.

14. Bicycles on Sidewalks

That, on the recommendation of the Managing Director, Engineering and City Engineer, the ~~attached~~ revised proposed by-law (Appendix "A") **BE INTRODUCED** at the Municipal Council meeting to be held on September 18, 2012, for the purpose of amending the Streets By-law (S-1) to allow children under the age of 14 to ride bicycles on City sidewalks; it being noted that the proposed by-law amendment will encourage minor persons to cycle and to recognize cycling as a method of active transportation; it being noted that the Civic Works Committee heard the ~~attached~~ presentation from A. Rozentals, Transportation Planning and Design, 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:

- P. Riley, 1278 Limberlost Road – indicating that the London Police Service have expressed a reluctance to issue fines at its current rate; and asking if a lower fine has been considered.
- O. Hobson, 45 Evergreen Avenue – expressing that the current by-law is poorly written and he is happy that the City is considering this right now; indicating that he encourages his children to ride their bikes on the sidewalk; expressing encouragement for licensing of bicycles and providing education; and noting that cyclist should have their own lane.
- Resident – expressing the need for safer roads for cyclists; and noting the difference between biking on small side roads and unsafe City streets.
- G. Fowler, 511-380 Adelaide Street North – indicating that walking is an active right; noting that there is no enforcement of legislation at all; expressing that what the City currently has is unenforceable; and requesting that the City not put the pedestrian at greater risk, by taking the right from the pedestrian to make it safer for the cyclist.
- Resident, 60 Blackfriars Street – asking if there is any way that bikes can be walked across streets; noting that he has been a cyclist for 20 years;
- D. Mitchell, 660 William Street – indicating that in the 2 block walk to City Hall he saw two people riding on the sidewalk with two police officers within sight of them; and stating that cyclists should be licensed to make them aware of what they should do and what the consequences are if they don't.
- G. Brown, 59 Ridout Street – asking how many fines have been handed out and why do we not have dedicated cyclist lane routes, cyclist infrastructure with complete routes in our City; indicating that he has had four broken bones because of impacts with cars; and noting that he lived in Holland for 5 years.

Motion made by Councillor P. Van Meerbergen and seconded by Councillor D.G. Henderson to Amend clause 14 to add a new part b) directing the Civic Administration to report back on the following:

- i) the possibility of also permitting individuals over 65 years of age to ride bicycles on City sidewalks;
- ii) restricting the riding of bicycles on sidewalks from Business Improvement Areas, which are traditionally areas with high pedestrian traffic; and
- iii) what additional measures are necessary to ensure appropriate illumination and warning devices to mitigate the chance of accidents.

Motion Passed

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

NAYS: J.B. Swan (1)

The motion to adopt clause 14, as amended, is put.

Motion Passed

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

NAYS: J.B. Swan (1)

Clause 14, as amended, reads as follows:

That the following actions be taken with respect to bicycles on sidewalks:

- a) the ~~attached~~ revised proposed by-law (Appendix "A") **BE INTRODUCED** at the Municipal Council meeting to be held on September 18, 2012, for the purpose of amending the Streets By-law (S-1) to allow children under the age of 14 to ride bicycles on City sidewalks; and
- b) the Managing Director, Engineering and City Engineer **BE REQUESTED** to report back at a future meeting of the Civic Works Committee with respect to:
  - i) the possibility of also permitting individuals over 65 years of age to ride bicycles on City sidewalks;
  - ii) restricting the riding of bicycles on sidewalks from Business Improvement Areas, which are traditionally areas with high pedestrian traffic; and
  - iii) what additional measures are necessary to ensure appropriate illumination and warning devices to mitigate the chance of accidents;

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

- P. Riley, 1278 Limberlost Road – indicating that the London Police Service have expressed a reluctance to issue fines at its current rate; and asking if a lower fine has been considered.
- O. Hobson, 45 Evergreen Avenue – expressing that the current by-law is poorly written and he is happy that the City is considering this right now; indicating that he encourages his children to ride their bikes on the sidewalk; expressing encouragement for licensing of bicycles and providing education; and noting that cyclist should have their own lane.
- Resident – expressing the need for safer roads for cyclists; and noting the difference between biking on small side roads and unsafe City streets.
- G. Fowler, 511-380 Adelaide Street North – indicating that walking is an active right; noting that there is no enforcement of legislation at all; expressing that what the City currently has is unenforceable; and requesting that the City not put the pedestrian at greater risk, by taking the right from the pedestrian to make it safer for the cyclist.
- Resident, 60 Blackfriars Street – asking if there is any way that bikes can be walked across streets; noting that he has been a cyclist for 20 years;
- D. Mitchell, 660 William Street – indicating that in the 2 block walk to City Hall he saw two people riding on the sidewalk with two police officers within sight of them; and stating that cyclists should be licensed to make them aware of what they should do and what the consequences are if they don't.
- G. Brown, 59 Ridout Street – asking how many fines have been handed out and why do we not have dedicated cyclist lane routes, cyclist infrastructure with complete routes in our City; indicating that he has had four broken bones because of impacts with cars; and noting that he lived in Holland for 5 years. (2012-S08-00)

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

2. Rate Structure Review - A new Funding Model for Water Sanitary and Storm Drainage Charges.

That, on the recommendation of the Managing Director, Engineering and City Engineer, the report dated September 10, 2012, with respect to the rate structure review for a new funding model for water, sanitary and storm drainage charges BE RECEIVED for information. (2012-F17-00)

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)

22nd Report of the Planning and Environment Committee  
Councillor B. Polhill presents.

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

Pursuant to section 17.2 of the Council Procedure By-law, Councillor P. Huber calls for a separate vote on clauses 2 and 3.

1. Disclosures of Pecuniary Interest

That it BE NOTED no pecuniary interests were disclosed.

4. Property located at 995 Fanshawe Park Road West (39T-05512)

That the request for a three year extension of the draft plan of subdivision, submitted by Landea Developments Inc., for the property located at 995 Fanshawe Park Road West, BE REFERRED to a future meeting of the Planning and Environment Committee to provide an opportunity for the applicant and the Civic Administration to further review the proposed Agreement. (2012-D26-04)

5. Property located at 1284 and 1388 Sunningdale Road West and the northerly portion of 1139 Fanshawe Park Road West (39T-04510)

That the request for a three year extension of the draft plan of subdivision, submitted by Auburn Developments Inc., for the properties located at 1284 and 1388 Sunningdale Road West and the northerly portion of 1139 Fanshawe Park Road West, BE REFERRED to a future meeting of the Planning and Environment Committee to provide an opportunity for the applicant and the Civic Administration to further review the proposed Agreement. (2012-D26-01)

6. Property located at 915 Southdale Road West (H-8080)

That, on the recommendation of the Senior Planner, Development Services, based on the application of York Development Group relating to the property located at 915 Southdale Road West, the ~~attached~~ proposed by-law BE INTRODUCED at the Municipal Council meeting on September 18, 2012 to amend Zoning By-law No. Z.-1 (in conformity with the Official Plan) to remove the holding provision by changing the zoning of the subject lands FROM a Holding Community Shopping Area (h-5•h-55•h-84•CSA3) Zone TO a Community Shopping Area (CSA3) Zone. (2012-D11-08)

7. Building Division Monthly Report for the Month of July 2012

That the Building Division Monthly Report for July 2012 BE RECEIVED. (2012-D00-00)

8. Property located at 8 Fairview Court and 770 Whetter Avenue (OZ-8055)

That, notwithstanding the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of 1841577 Ontario Inc. relating to the properties located at 8 Fairview Court and 770 Whetter Avenue:

- a) the application BE REFERRED back to the Civic Administration for further consideration and to report back at a second public participation meeting to be held at the Planning and Environment Committee on Monday, October 15, 2012, on the following matters;
  - i) the possible reduction of the number of units while retaining underground



- parking;
- ii) maintaining the current use of the 15 feet of land located between the subject site and 4 Fairview Court as a laneway;
  - iii) ensuring that the current infrastructure is sufficient to handle any increased water and sewer flows; and,
  - iv) undertaking an environmental assessment of the property;
  - v) the site plan approval authority BE REQUESTED to consider the following items through the site plan approval process:
    - A) provide landscaping which:
      - provides for the preservation of the existing mature vegetation along the westerly property line for the purpose of providing a privacy buffer to abutting properties;
      - enhances the street based landscaping along existing easterly berming;
      - defines the pedestrian realm, highlights the street edge and provides a prominent pedestrian entrance off of Westminster Avenue; and,
      - minimizes the need for extensive watering;
    - B) provide a building which:
      - clearly expresses a base, middle, and top (roof) on all elevations, predominantly using masonry materials;
      - uses variations in massing, materials, scaling and architectural features to identify the east façade and entrance as the front of the building and the south façade and entrance as a service egress;
      - provides underground parking;
      - provides garbage storage to be located within the building; and,
      - provides for lighting to be oriented, and its intensity controlled, so as to prevent glare on adjacent residential properties and roadways;

it being noted that the Planning and Environment Committee reviewed and received a communication, dated September 3, 2012, from D. Bini and J. Zimmer, 118 Fairview Avenue, with respect to this matter;

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

- Mike Pease, IBI Group, on behalf of the applicant – expressing support for the Civic Administration’s recommendations; advising that the property owners may leave suites open for people who have loved ones in long-term care at the hospital; indicating that the intended tenants are professionals who work at the hospital; advising that shading studies have been completed.
- Dr. Robert Séguin, 4 Fairview Court – expressing concern with respect to the security and safety of the development; expressing concern with the safety of their children playing in their backyards; enquiring as to whether or not the current infrastructure can handle the increases should the apartment building be built; noting that the sewer is slated to be upgraded in 2014; indicating that he has a petition signed by 35 people living in the area; enquiring as to how many people have to disagree with the proposed development before Council says no to the application; enquiring as to where children that live in the apartment building are going to play; advising that the sidewalk is not buffered against the railway; indicating that, on the map provided, there is no visible area for people to get activity; advising that this is going to have an impact on Princess Elizabeth School; advising that it is going to increase the fullness of the school and children may need to be bussed to other schools; indicating that there is currently a high London police response for intoxicated people in the area; and advising that if the designers intent for high end tenants is not met, you are going to have security issues.
- Jeff Briggs, 124 Fairview Avenue – enquiring as to how high the building is going to be; advising that the man who designed the building cannot tell him the height of the building from the ground to the roof; indicating that, from his estimates, the building height will be 75 metres from the ground to the peak, which is the same height as a 5-storey building; wondering if the building is successful, can they ask for a zoning change to increase the height in the future; and, advising that the developer did not speak to him or any of his neighbours about the proposed development.
- Tammy Belaire, 112 Fairview Avenue – advising that she purchased her bungalow last year; advising that she checked the by-laws to ensure that an apartment building could not be built in the area; and indicating that the proposed apartment building impacts her ability to live as she is disabled.

- Alex Peterson, 793 Fleet Street - see ~~attached~~ communication.
- Vladimir, Christ Saviour Russian Orthodox Cathedral – indicating that the developer wants to make more money despite the residents’ concerns; noting that money talks in London; advising that the area residents asked that the meeting not be held on the first day of school and the meeting was held the first day of school; advising that vegetation is always lost during construction; enquiring as to whether London is the “Forest City” or the “Deforest City”; advising that everything the developer has done has been fudged; indicating that everyone who lives in London drives; noting that the streets are already packed and you can’t get out onto Whetter Avenue; advising that the proposed apartment building does not conform to any buildings in the area; and, enquiring as to whether it is worth it.
- Heather Picton, 16 Fairview Court – advising that the letter that she received from the City indicated that the meeting was to be held on Tuesday, September 3, 2012, which caused some confusion; advising that she purchased her property 12 years ago; advising that she lives on a crescent of single family residences; advising that the shadow study was done on the backyards of the properties; enquiring as to whether or not an environmental study will be conducted; advising that there are dead trees on the back of the property; advising that her neighbours garage has black ooze running out of it; and advising that two of her neighbours have leaky basements and this is going to exacerbate the problems.
- Anne Papehml, 3 Southfield Crescent - see ~~attached~~ communication.
- Carol Anne Séguin, 4 Fairview Court – advising that she talked to one of the landowners and was informed that the property she currently uses to park vehicles on is owned by the landowner; noting that she was told 12½ years ago that the 15 feet of land belongs to the City and that they could use it to park vehicles on; advising that the proposed development will increase the sewer usage; indicating that if she is unable to utilize the 15 feet of property, she will be unable to access her backyard to park her car; indicating that the neighbours along Fairview Avenue were contacted by the developer; advising that no attempt to communicate with her neighbours was made; advising that she does not like to be intimidated; advising that the neighbours are loyal to each other; noting that a person has the right to change the land use, but needs to work within the zoning by-law; advising that there have been no pictures of what exists within the block of the proposed apartment building; and noting that all the residences in the area are single-family residences. *(Secretary’s Note: A petition signed by approximately 35 individuals is on file in the City Clerk’s Office).* (2012-D11-06)

9. Property located at 40 Pacific Court (Z-8071)

That, on the recommendation of the Managing Director, Planning and City Planner, with respect to the application of 312185 Ontario Ltd, relating to the property located at 40 Pacific Court, the ~~attached~~ proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on September 18, 2012, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM a Light Industrial (LI2/LI7) Zone, which permits manufacturing, warehouse, wholesale, support office, service and repair uses, and various light industrial uses TO a Light Industrial Special Provision/Light Industrial (LI2( )/LI7) Zone, to add a retail store ancillary to a permitted wholesale establishment, subject to a special provision which permits a total gross floor area of 445m<sup>2</sup> for a retail store; a maximum proportion of the total gross floor area for wholesale establishments and ancillary retail stores of 26%; and, a minimum of 26 parking spaces. (2012-D11-06)

10. City of London Methadone Clinic By-law

That the communication, dated August 22, 2012, from Barbara Hall, Chief Commissioner, Ontario Human Rights Commission, with respect to the by-law regulating methadone clinics, BE RECEIVED. (2012-D11-02)

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 clauses 2 and 3 is put.

2. Property located at 1196 Sunningdale Road West (39T-05511)

That the request for a three year extension of the draft plan of subdivision, submitted by Clarke Family Holdings Inc. c/o Landea Developments Inc., for the property located at 1196

Sunningdale Road West, BE REFERRED to a future meeting of the Planning and Environment Committee to provide an opportunity for the applicant and the Civic Administration to further review the proposed Agreement. (2012-D26-01)

3. Property located at 1139 Fanshawe Park Road West (39T-04503)

That the request for a three year extension of the draft plan of subdivision, submitted by Claybar Developments Inc., for the property located at 1139 Fanshawe Park Road West, BE REFERRED to a future meeting of the Planning and Environment Committee to provide an opportunity for the applicant and the Civic Administration to further review the proposed Agreement. (2012-D26-01)

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)

12th Report of the Community Services Committee  
Councillor M. Brown presents.

Motion made by Councillor M. Brown to Approve clauses 1 to 8.

1. Disclosures of Pecuniary Interests

That is BE NOTED that no pecuniary interests were disclosed.

2. Recommendations for Proposals Under Investment in Affordable Housing Program

That, on the recommendation of the Director of Municipal Housing, the following actions be approved, with respect to the project proposals received under the Investment in Affordable Housing Program RFP12-23:

- a) 189 Dundas Developments Inc. BE PROVIDED a municipal allocation of \$55,000 per unit, for eleven (11) IAH units and a total municipal allocation of \$605,000 and a federal/provincial allocation of \$60,000 per unit, for a project located at 189 Dundas Street;
- b) 1263119 Ontario Inc. BE PROVIDED a federal/provincial allocation of \$60,000 per unit for a eight (8) IAH unit project, located at 115 Craig Street, Ailsa Craig;
- c) the above-noted project proposals BE FORWARDED by the City of London, to the Province for program funding approval under the Investment in Affordable Housing Program;
- d) Four Feathers Housing Co-operative BE PROVIDED a municipal allocation of \$55,000 per unit for eight (8) IAH units, plus \$5,000 per unit for one (1) accessible unit, for a total municipal allocation of \$445,000 subject to the approval of the project by the First Nation, Inuit, Métis, Urban and Rural (FIMUR) Housing Program, administered by the Ontario Aboriginal Housing Support Services Corporation, for phase2 of their project located at 205 Commissioners Road West;
- e) the total municipal allocation from the Affordable Housing Reserve Fund in the amount of \$1,050,000 as set out in the Sources of Financing Report as detailed in Appendix 'A' of the associated staff report dated September 10, 2012, BE APPROVED;
- f) in accordance with Municipal Housing Facilities By-Law No A.-5814-11, the ~~attached~~ by-laws (Appendices B and C) BE INTRODUCED at the Municipal Council meeting on September 18, 2012, to:
  - i) authorize a Municipal Contribution Agreement substantially in the form of an agreement appended to the by-laws (Appendix D) and to the satisfaction of the City Solicitor for the following proponents: 189 Dundas Developments Inc. and 1263119 Ontario Inc.;
  - ii) authorize the Mayor and the City Clerk to execute the said Agreements;

- g) the Municipal Contribution Agreement for Four Feathers Housing Co-operative BE AMENDED to reflect the eight (8) additional units and associated funding;
- h) in accordance with Municipal Housing Facilities By-Law No A.-5814-11, the ~~attached~~ proposed by-law (Appendix E) BE INTRODUCED at the Municipal Council meeting on September 18, 2012, to:
  - i) authorize an amending Municipal Contribution Agreement substantially in the form of an agreement appended to the by-law (Appendix F) and to the satisfaction of the City Solicitor; and,
  - ii) authorize the Mayor and the City Clerk to execute the said Amending Agreement; and,
- i) the remaining federal/provincial 2012/2013 capital funding in the amount of \$226,620 be reallocated from the New Rental component of the Investment in Affordable Housing Program to the Ontario Renovates component. (2012-C03-00)
  - 3. Request for Capital Funding from the Social Housing Major Repairs and Upgrades Stabilization Reserve Fund for Tolpuddle Housing Cooperative Inc. 380 Adelaide Street London

That, on the recommendation of the Director of Municipal Housing, the following actions be taken:

- a) Tolpuddle Housing Co-operative Inc. BE APPROVED for an allocation of up to \$480,271 (incl. HST) for capital repairs at 380 Adelaide Street in London; and,
- b) the funding allocation from the Social Housing Major Repairs and Upgrades Stabilization Reserve Fund, as set out in the Sources of Financing Report as detailed in Appendix 'A' of the associated staff report dated September 10, 2012, BE APPROVED. (2012-C03-00)
  - 4. Request for Capital Funding From the Social Housing Major Repairs and Upgrades Stabilization Reserve Fund for Gilzean's Creek Housing Cooperative Inc. 235 Park Street Strathroy

That, on the recommendation of the Director of Municipal Housing, the following actions be taken:

- a) Gilzean's Creek Housing Cooperative Inc. BE APPROVED for an allocation of up to \$108,141 (incl. HST) for roof replacement at 235 Park Street Strathroy; and,
- b) the funding allocation from the Social Housing Major Repairs and Upgrades Stabilization Reserve Fund, as set out in the Sources of Financing Report as detailed in Appendix 'A' of the associated staff report dated September 10, 2012, BE APPROVED. (2012-C03-00)
  - 5. Implementation of *Housing Services Act* Local Rules and Standards - Phase 1 & 2

That, on the recommendation of the Director of Municipal Housing, the following actions be taken with respect to the implementation of the Housing Services Act, 2012:

- a) the report dated September 10, 2012 with regard to the implementation of the Housing Services Act, 2012 BE RECEIVED for information; and,
- b) the local rules with regard to the administration of social housing within the City of London and Middlesex County, as detailed in the above-noted report dated September 10, 2012, BE APPROVED. (2012-C03-00)

6. Trans Canada Trail - Activities and Accomplishment Update

That the correspondence dated August 9, 2012, from D. Apps, President & CEO Trans Canada Trail, with respect to an update on activities and accomplishments regarding the Trans Canada Trail, BE RECEIVED. (2012-C06-00)

7. Provincial Modernizing Child Care Policy Direction and Funding

## Announcements

That, on the recommendation of the Managing Director, Neighbourhood, Children and Fire Services, the report dated September 10, 2012 with respect to the modernization of provincial child care policy in Ontario and related funding announcements, BE RECEIVED for information. (2012-C06-00)

### 8. Community Homelessness Prevention Initiative Homelessness Social Assistance Regulation Amendments

That, on the recommendation of the Managing Director of Neighbourhood, Children and Fire Services, the report dated September 10, 2012 with respect to the Community Homelessness Prevention Initiative and Homelessness Social Assistance Regulation Amendments BE RECEIVED. (2012-C10-00)

24th Report of the Finance and Administrative Services Committee  
Councillor P. Hubert presents.

Motion made by Councillor P. Hubert to Approve clauses 1 to 17, excluding clauses 3 and 11.

### 1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

### 2. Annual Meeting Calendar

That, on the recommendation of the City Clerk, pursuant to section 2.4 of the Council Procedure By-law, section 3.1 of the said By-law which requires the City Clerk, by September 30th of each calendar year, to submit a schedule of the upcoming meetings for each Council year for consideration and adoption by the Council BE SUSPENDED to permit the calendar to be submitted to Council by October 31, 2012.

### 4. 2011 Investment Report

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the report dated September 4, 2012 regarding the 2011 Investment Report BE RECEIVED for information.

### 5. Community Improvement Program Reserve Funds

That, on the recommendation of the Managing Director, Corporate Services and Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the following actions be taken with respect to Community Improvement Program Reserve Funds:

- a) the ~~attached~~ proposed by-law (Appendix A), BE INTRODUCED at the Municipal Council meeting on September 18, 2012 to repeal By-law No. A.-5650-175 entitled "A by-law to establish a reserve fund for the "Upgrade to Building Code Downtown Renovation Loan Program";
- b) the ~~attached~~ proposed by-law (Appendix B) BE INTRODUCED at the Municipal Council meeting on September 18, 2012 to establish the Community Improvement Program - Grant Reserve Fund; and
- c) the ~~attached~~ proposed by-law (Appendix C) BE INTRODUCED at the Municipal Council meeting on September 18, 2012 to establish the Community Improvement Program - Loan Reserve Fund.

### 6. 2012 Operating Budget Status - Second Quarter Report

That on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the following actions be taken with respect to the 2012 Operating Budget Status – Second Quarter Report for the General Budget (Property Tax Supported as contained in Appendix "A" of the staff report dated September 4, 2012), Drinking Water Supply Budget and Wastewater Removal and Storm Water Management Budget:

- a) the Status Report BE RECEIVED for information; it being noted that the Civic Administration is projecting:

- i) a \$1.8 million in savings for the General (Property Tax Supported) Budget, noting that the year end position could fluctuate significantly based on factors beyond the control of Civic Administration such as Ontario Works caseload and winter maintenance.
  - ii) a \$0.6 million savings in the Drinking Water Supply Budget.
  - iii) a \$0.2 million deficit in the Wastewater Removal and Storm Water Management Budget.
- b) the Civic Administration BE AUTHORIZED to contribute to/draw down from the Operating Budget Contingency Reserve to balance year end operations of the Property Tax Supported Budget should the budget be in a surplus/deficit position;
  - c) the Civic Administration BE AUTHORIZED to contribute to the Unfunded Liability Reserve operational savings realized from personnel and contingency budgets at 2012 year end;
  - d) the Civic Administration BE AUTHORIZED to contribute to/draw down from the Water Capital Reserve Fund to balance year end operations of the Water Budget should the budget be in a surplus/deficit position;
  - e) the Civic Administration BE AUTHORIZED to contribute to/draw down from the Wastewater Rate Stabilization Reserve to balance year end operations of the Wastewater Budget should the budget be in a surplus/deficit position; and
  - f) the Civic Administration's contribution of \$1,105,021 (\$914,348 – property tax supported; \$103,185 – wastewater; and \$87,488 – water) to the Efficiency, Effectiveness and Economy reserves in 2012 BE NOTED.

#### 7. 2012 Capital Budget Status - Second Quarter Report

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the report dated September 4, 2012 regarding the 2012 Capital Budget Status - Second Quarter report BE RECEIVED for information.

#### 8. Additional Municipal Act Reporting Requirements Due to Implementation of Tangible Capital Assets

That, on the recommendation of the Deputy City Treasurer, the report dated September 4, 2012 regarding additional Municipal Act reporting requirements due to implementation of tangible capital assets BE RECEIVED for information.

#### 9. Ombudsman Ontario

That the following communications from the Office of the Ontario Ombudsman BE RECEIVED:

- a) a communication dated March 19, 2012, from A. Marin, Ombudsman of Ontario, with respect to his Final Report regarding in camera meetings pertaining to Occupy London;
- b) a communication dated August 2, 2012, from A. Marin, Ombudsman of Ontario, with respect to his Final Report regarding the Harmony Grand Buffet; and
- c) a communication dated August 20, 2012, from Y. Heggie, Early Resolution Officer, with respect to a closed meeting complaint regarding a proposed development at 940 Springbank Drive.

#### 10. CBC/Radio-Canada

That the following communications regarding the CBC Radio Canada shut down of its analog transmitter in London, Ontario BE NOTED AND FILED:

- a) a communication from H. T. Lacroix, President and CEO, CBC Radio-Canada, with respect to CBC/Radio-Canada Shutdown of Analog Transmitter in London, Ontario; and
- b) a communication from The Honourable James Moore, Minister of Canadian Heritage and Official Languages, with respect to CBC/Radio-Canada Shutdown of Analog in London, Ontario.

12. Questions for the 2014 Municipal Election Ballot (Plebiscite)

That NO ACTION BE TAKEN with respect to the communication dated August 15, 2012 from Councillor S. Orser, requesting that three questions be placed on the ballot for the upcoming municipal election pertaining to water fluoridation, full time Council Members and a 0% tax increase for the next four years.

13. Waive/Reduce Licence Fee - Childreach - 265 Maitland Street

That the annual license fee to be charged to Childreach for the establishment of landscaping at their property located at 265 Maitland Street BE WAIVED, except for a nominal fee required to make such an arrangement legally binding.

14. Resignation from the Animal Welfare Advisory Committee

That the communication dated August 13, 2012, from Shannon Belt, resigning her appointment to the Animal Welfare Advisory Committee, BE ACCEPTED.

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

That the communication dated August 11, 2012, from Kathy Mueller, resigning her appointment to the Community Safety and Crime Prevention Advisory Committee, BE ACCEPTED.

16. Appointment to the London Advisory Committee on Heritage

That the following individual BE APPOINTED to the London Advisory Committee on Heritage 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 preceding partial term in those cases where advisory committee members are initially appointed mid-term to fill a vacancy:

Voting:

- Heather Garrett (Planning Representative - London Area Planning Consultants)

17. Letter of Support for Childhood Cancer Awareness Month

That the Mayor BE REQUESTED to write a letter to Childcan in support of Childhood Cancer Awareness Month. (See communication ~~attached~~.)

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 P. Hubert to Approve clause 3.

3. Report on the Corporate Human Rights Program, Code of Conduct Program and Corporate Training Initiatives as of June 30, 2012

That, on the recommendation of the Managing Director, Corporate Services & Chief Human Resources Officer:

- a) the report regarding the Corporate Human Rights Program, Code of Conduct Program and Corporate Training Initiatives, as of June 30, 2012, **BE RECEIVED** for information; and,
- b) the Workplace Harassment/Discrimination Prevention Policy as adopted by Council August 30, 2010 **BE RESCINDED** and the revised policy ~~attached~~ as Appendix "A" **BE ADOPTED**.

Motion made by Councillor P. Hubert and seconded by Councillor S. Orser to Amend clause 3 by deleting part b) in its entirety and by replacing it with the following new part b) in order to comply with established process for amending a Council Policy:

- "b) the ~~attached~~ proposed by-law BE INTRODUCED at the Municipal Council meeting on September 18, 2012 to delete and replace Council Policy 18(21) entitled "Workplace Harassment/Discrimination Prevention Policy with an updated policy."

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 adopt clause 3, as amended, 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)

Clause 3, as amended, reads as follows:

That, on the recommendation of the Managing Director, Corporate Services & Chief Human Resources Officer:

- a) the report regarding the Corporate Human Rights Program, Code of Conduct Program and Corporate Training Initiatives, as of June 30, 2012, BE RECEIVED for information; and
- b) the ~~attached~~ proposed by-law BE INTRODUCED at the Municipal Council meeting on September 18, 2012 to delete and replace Council Policy 18(21) entitled "Workplace Harassment/Discrimination Prevention Policy with an updated policy.

Motion made by Councillor P. Hubert to Approve clause 11.

11. Integrity Commissioner, Council Code of Conduct, Voluntary Disclosure, and Lobbyist Registry

That the following actions be taken with respect to updating the Council Code of Conduct, providing for voluntary written disclosure of conflicts of interest by Council Members, and establishing a lobbyist registry:

#### Integrity Commissioner

- a) the City Clerk, in conjunction with the City Solicitor, **BE REQUESTED** to report back to the Finance and Administrative Services Committee, by November 2012, with a proposed implementation plan for establishing an Integrity Commissioner for the City of London; it being understood that the report will outline a proposed model, identify the funding that will be necessary to support the function and will also include previous reports from the Accountability and Transparency Task Force and an update from the Director of Intergovernmental and Community Liaison with respect to the Association of Municipalities of Ontario's actions regarding the establishment of an Integrity Commissioner; it being noted that there is presently one-time funding in the amount of \$25,000 towards this initiative which was approved as part of the 2010 Budget;

#### Code of Conduct for Council Members

- b) the City Clerk, in conjunction with the City Solicitor, **BE REQUESTED** to report back to the Finance and Administrative Services Committee, by November 2012, with any changes that may be in order to the City's existing Code of Conduct for Council Members, that is reflective of best practices within the Province of Ontario;

#### Voluntary Written Disclosure of Conflicts of Interest by Council Members



- c) the City Clerk **BE DIRECTED** to bring forward a by-law to implement the ~~attached~~ amendment to the Code of Conduct for Council Members to provide for voluntary written disclosure of conflicts of interest by Council Members; it being understood that the report back will also provide the November 2010 and January 2011 reports from the City Solicitor with respect to this matter;
- d) Members of Council **BE ENCOURAGED** to provide the voluntary information noted in c), above, to the City Clerk for retention in the City Clerk's Office; and

#### Lobbyist Registry

- e) the City Clerk, in conjunction with the City Solicitor, **BE REQUESTED** to report back to the Finance and Administrative Services Committee with a proposed policy and process to implement a lobbyist registry, including details as to any staff and/or financial resources that may be required to support this initiative;

it being noted that the Finance and Administrative Services Committee received a Municipal Council resolution from its meeting held on July 24 and 25, 2012 with respect to Council Members voluntarily disclosing conflicts of interest and two communications dated August 13, 2012, from Councillor J. L. Baechler, with respect to the above-noted matters.

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

At 6:26 PM the Mayor resumes the Chair and Councillor M. Brown resumes his seat at the Council Board.

Motion made by Councillor D. Brown and seconded by Councillor S.E. White to Amend part a) of clause 11, by deleting the words, "proposed implementation plan" and replacing with the words "further report".

At 6:37 PM, Council suspends debate of clause 11 of the 24th Report of the Finance and Administrative Services Committee, in order to recognize employees with 25 years of service with the City of London.

The Council recognizes the following City of London Employees, who have achieved 25 years of service during 2012:

Dearness Services - Catherine Anglehart, Jo-Anne Hepburn, Libby Urlin Lennox, Heather Noddle, Tonya Simons

Finance & Corporate Services - Robin E. Armistead, Bruce F. Balch, Peter M. Ballantyne, Peter Christiaans, Tom Coulter, Paul Gardner, Evelyn Hurt, Jim Klingenberger, Karen Martin, Judy Tomlinson, Yan-Ming Zammit

Housing & Social Services - Cheryl Flis, Joanne Gray, Gail M. Howse, Helen Kearns-Ofner

Human Resources & Corporate Services - Julie Kovacs, Shelley Navaroli  
Legal & Corporate Services - Lisa Gregory

Neighbourhoods, Children & Fire Services - Steven G. Baker, Thomas E. Borton, Paul Burns, Les Carpenter, Edward Classen, Kendra G. Dubeau, Kim Harper, Dave Hurgett, Andrew A. Kobarda, Angus McKenzie, Jeffrey O'Connor, Doug Romyn, Laurie Stone, Christopher G. Walch, Michael J. Wilkins

Parks & Recreation - Vicki Cloes, Wayne Stirling, Michael Van Aarsen

Motion made by Councillor S. Orser and seconded by Councillor J.B. Swan to recess.

Motion Passed

The Council recesses at 6:44 PM and reconvenes at 7:52 PM with Mayor J.F. Fontana in the Chair and all Members present except Councillors S.E. White and W.J. Armstrong.

Councillor W.J. Armstrong enters the meeting at 7:53 PM.

Councillor S.E. White enters the meeting at 7:54 PM.

The motion to Amend clause 11 by deleting the words, "proposed implementation plan" and replacing with the words "further report" is put.

Motion Failed

YEAS: J.F. Fontana, D. Brown, S.E. White (3)

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

The motion to Approve part a) of clause 11 is put.

Motion Failed

YEAS: W.J. Armstrong, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, J.P. Bryant (6)

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

The motion to Approve part b) of clause 11 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)

The motion to Approve parts c) and d) of clause 11 is put.

Motion Failed

YEAS: W.J. Armstrong, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, J.P. Bryant (6)

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

The motion to Approve part e) of clause 11 is put.

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)

NAYS: B. Polhill, S. Orser (2)

Clause 11, as amended, reads as follows:

That the following actions be taken with respect to updating the Council Code of Conduct, providing for voluntary written disclosure of conflicts of interest by Council Members, and establishing a lobbyist registry:

- a) the City Clerk, in conjunction with the City Solicitor, BE REQUESTED to report back to the Finance and Administrative Services Committee, by November 2012, with any changes that may be in order to the City's existing Code of Conduct for Council Members, that is reflective of best practices within the Province of Ontario; and,
- b) the City Clerk, in conjunction with the City Solicitor, BE REQUESTED to report back to the Finance and Administrative Services Committee with a proposed policy and process to implement a lobbyist registry, including details as to any staff and/or financial resources that may be required to support this initiative;

it being noted that the Finance and Administrative Services Committee received a Municipal Council resolution from its meeting held on July 24 and 25, 2012 with respect to Council Members voluntarily disclosing conflicts of interest and two communications dated August 13, 2012, from Councillor J.L. Baechler, with respect to the above-noted matters.

At 8:30 PM Councillor B. Polhill leaves the meeting.

25th Report of the Finance and Administrative Services Committee  
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 no pecuniary interests were disclosed.

2. 2012 Debenture Issue Update

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the following actions be taken with respect to the 2012 debenture issue:

- a) the issue of a ten-year serial debenture for \$70,000,000 BE APPROVED, noting the average all in rate is 2.817%; and
- b) the ~~attached~~ proposed by-law D.-767-265 BE INTRODUCED at the Municipal Council meeting of September 18, 2012, for three readings to authorize the borrowing upon serial debentures for a ten-year term for \$70,000,000 towards the cost of certain capital works of The Corporation of the City of London

it being noted that the Finance and Administrative Services Committee heard verbal delegations from the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer; the Manager III, Financial Planning and Policy; Sunil Bhutani, Managing Director, Debt Capital Markets, CIBC World Markets Inc.; and Steven Hashimoto, Executive Director, Debt Capital Markets, CIBC World Markets Inc.

Motion Passed

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

At 8:32 PM Councillor W.J. Armstrong leaves the meeting.

15th Report of the Investment and Economic Prosperity Committee  
Councillor J.B. Swan presents.

Motion made by Councillor J.B. Swan to Approve clauses 1 to 6.

1. Disclosures of Pecuniary Interest

That it BE NOTED no pecuniary interests were disclosed.

2. Strategy for Employing Solar PV Systems on City of London's Municipal Buildings

That the following actions be taken with respect to a strategy for employing solar photovoltaic (PV) systems on City of London properties: a) the Civic Administration, in consultation with Ameresco Canada, the City's energy service provider, BE DIRECTED to create a policy for the establishment of rooftop, ground-mounted and land-leased solar panels that is "vendor neutral" and report back at a future Investment and Economic Prosperity Committee meeting; b) subject to the approval of the policy noted in a), above, Ameresco Canada BE ENGAGED to manage, on the City of London's behalf, an open and transparent procurement process for the establishment of solar PV equipment, through its existing energy service provider arrangement; and, c) the ~~attached~~ Briefing Note dated September 11, 2012 BE RECEIVED.

3. London Convention Centre Corporation

That, on the recommendation of the City Clerk, with the concurrence of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the ~~attached~~ proposed by-law (Appendix "A") BE INTRODUCED at the Municipal Council meeting on September 18, 2012 for the purpose of repealing By-law A.-5357-298 entitled "A by-law respecting the London Convention Centre Corporation" and replacing it with a new by-law which addresses the

following matters:

- a) removes references to the Board of Control;
- b) amends the membership of the Board of Directors to require that a minimum of 75 percent of the citizen appointments to the Board be comprised of City of London residents;
- c) amends the membership of the Board of Directors to provide for a maximum of two member-at-large appointments to be residents of communities within 100 kilometres of the City of London; and,
- d) amends the notice requirements for meetings.

#### 4. Digital Technology Adoption Pilot Program

That the Digital Technology Adoption Pilot Program correspondence from S. L. McIntosh, Senior Project Developer, Editor, Research Fanshawe Magazine, Applied Research and Innovation BE RECEIVED.

#### 5. Museum London By-law to Revise the *London Regional Art and Historical Museums Act 1989*

That, on the recommendation of the Director of Corporate Investments and Partnerships, the ~~attached~~ proposed by-law (Appendix "B") BE INTRODUCED at the Municipal Council meeting on September 18, 2012 to revise the London Regional Art and Historical Museums Act 1989, S.O.1989 c. Pr24; it being noted that the Investment and Economic Prosperity Committee reviewed and received the ~~attached~~ communication dated September 8, 2012 from G. Hinton, President, Volunteer Committee to Museum London, with respect to this matter;

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

- Ben Benedict – expressing concern with the proposed by-law indicating that proposed change in membership does not resolve quorum problems at meetings; that the process to receive comments regarding the by-law was not open and transparent; indicating that there is no public process for appointment; indicating that the membership on the Board should remain at 21, instead of 15; and, indicating that the membership on the Board should be broader based.

#### 6. Economic Initiatives

That it BE NOTED that the Investment and Economic Prosperity Committee (IEPC) enquired about the status of the evaluation of economic prosperity proposals that had been presented to the IEPC and processes for other initiatives such as Community Improvement Plans; it being noted that the IEPC was advised that the Civic Administration would be providing a status report regarding these matters to the September 24, 2012 meeting of the IEPC.

Motion Passed

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

13th Report of the Strategic Priorities and Policy Committee  
Councillor P. Van Meerbergen presents.

Motion made by Councillor P. Van Meerbergen to Approve clauses 1 to 3.

#### 1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

#### 2. Governance Model Review

That, on the recommendation of the City Clerk, with the concurrence of the Senior Leadership Team, the following actions be taken with respect to the City of London's governance model and the 2013 Annual Meeting Schedule:

- a) the ~~attached~~ governance model (Appendix "A") BE APPROVED for implementation on

December 1, 2012;

- b) subject to the approval of a), above, the ~~attached~~ proposed mandates of the standing committees (Appendix "B") BE APPROVED;
- c) subject to a) and b), above, the ~~attached~~ proposed reporting relationships (Appendix "C") for the Municipal Council's committees BE APPROVED; it being noted that the City Clerk was requested to determine if a portion of an advisory committee report could be directed to a Standing Committee which an advisory committee does not normally report through;
- d) subject to a), above, the ~~attached~~ proposed Annual Meeting Schedule for the period December 1, 2012 to December 31, 2013 Appendix "D") BE APPROVED; it being noted that future refinement to the timing of meetings may be possible as a result of the implementation of the video streaming of meetings and delegation of Council authority to staff on certain matters, as recommended in h), below;
- e) a regular cycle BE ESTABLISHED for Boards and Commissions to appear before their relevant Standing Committee, in order for the Municipal Council to maintain ongoing communication with those organizations;
- f) subject to a) and b), above, the City Clerk BE DIRECTED to bring forward the necessary by-laws to implement the changes noted above;
- g) the Civic Administration BE AUTHORIZED to take any other actions necessary to implement the changes noted above, including posting the Annual Meeting Schedule on the City of London's website;
- h) the Senior Leadership Team BE DIRECTED to report back with a list of routine matters that Council may wish to consider delegating its authority for to staff as a means of streamlining agendas by focusing Standing Committee and Council agendas on matters that are best dealt with by the Municipal Council;
- i) the City Clerk, in consultation with the Director of Corporate Communications, BE DIRECTED to develop a process which would result in the exclusion of information only items from public Standing Committee and Council agendas, unless they are required to be there due to Council direction, legislative/statutory requirements or at the direction of the Senior Leadership Team, and make them accessible to the Members of Council, staff and the public by other means, such as a repository for those items on the City's website and/or other reasonable means of distribution;

it being noted that the Strategic Priorities and Policy Committee (SPPC) heard a received a verbal overview of the proposed recommendations from the City Clerk and received the ~~attached~~ presentation from the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, regarding the future annual process for service review, which has evolved from the current service review process.

### 3. Appointment of Jeff Gillies to the London Public Library Board

That Jeff Gillies **BE APPOINTED** to the London Public Library Board as the representative of the London District Catholic School Board, for the term ending November 30, 2014.

Motion Passed

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

At 8:35 PM Councillor B. Polhill returns to the meeting.

## **IX DEFERRED MATTERS**

None.

## **X ENQUIRIES**

None.

## **XI EMERGENT MOTIONS**

Motion made by Councillor S. Orser and seconded by Councillor S.E. White to Approve leave for the introduction of an emergent motion related to demolition at the old McCormick factory damaged by fire.

Motion Passed

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

NAYS: J.F. Fontana, J.L. Baechler, N. Branscombe, M. Brown, J.P. Bryant (5)

Motion made by Councillor S. Orser and seconded by Councillor S.E. White to Approve that Civic Administration be directed to take the necessary steps to remove the damaged portion at the rear of the property at 1156 Dundas Street.

Motion Failed

YEAS: S. Orser (1)

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

At 8:55 PM Councillor S.E. White leaves the meeting.

Motion made by Councillor N. Branscombe and seconded by Councillor J.L. Baechler to Approve leave for the introduction of an emergent motion related to the removal of trees in Kains Woods.

Motion Passed

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

At 8:56 PM Councillor S.E. White returns to the meeting.

Motion made by Councillor J.L. Baechler and seconded by Councillor S. Orser to Approve that the Managing Director, Planning and City Planner **BE REQUESTED** to report back to the Planning and Environment Committee with respect to the City of London's policies and procedures, including enforcement, for best forest management practices, particularly considering the recent tree removal being undertaken, under permit, in the Environmentally Significant Area of Kains Woods.

Motion Passed

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

## **XII BY-LAWS**

Motion made by Councillor B. Polhill and seconded by Councillor D. Brown to Approve 1st reading of Bill Nos. 365 to 393, inclusive.

Motion Passed

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

Motion made by Councillor B. Polhill and seconded by Councillor J.B. Swan to Approve 2nd reading of Bill Nos. 365 to 393, inclusive.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown,

P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (14)

Motion made by Councillor M. Brown and seconded by Councillor H.L. Usher to Approve 3rd reading of Bill Nos. 365 to 393, inclusive.

Motion Passed

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

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

Bill No. 365  
By-law No. D.-  
767-265

A by-law to authorize the borrowing upon instalment debentures in the principal amount of \$70,000,000.00 towards the cost of certain capital works of the Corporation of the City of London.” (2/25/FASC)

Bill No. 366  
By-law No. A.-  
6871-290

A by-law to delete and replace Council Policy 18(21) entitled, “Workplace Harassment and Discrimination Prevention Policy.” (3/24/FASC)

Bill No. 367, By-law No. A.-

A by-law to confirm the proceedings of the Council Meeting held on the 18th day of September, 2012. (City Clerk)

Bill No. 368, By-law No. A.-

A by-law to approve an agreement between The Corporation of the City of London (the City) and 189 Dundas Developments Inc. (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. (2/12/CSC)

Bill No. 369, By-law No. A.-

A by-law to approve an agreement between The Corporation of the City of London (the City) and 1263119 Ontario Inc. (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. (2/12/CSC)

Bill No. 370, By-law No. A.-

A by-law to approve an agreement between The Corporation of the City of London (the City) and Four Feathers Housing Co-operative (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. (2/12/CSC)

Bill No. 371, By-law No. A.-

A by-law respecting the London Convention Centre Corporation. (3/15/IEPC)

Bill No. 372, By-law No. A.-

A by-law to establish the Community Improvement Program – Loan Reserve Fund. (5/24/FASC)

Bill No. 373, By-law No. A.-

A by-law to establish the Community Improvement Program – Grant Reserve Fund. (5/24/FASC)

Bill No. 374, By-law No. A.-

A by-law to continue the London Regional Art and Historical Museums as Museum London. (5/15/IEPC)

Bill No. 375, By-law No. A.-

A by-law to repeal By-law No. A.-5650-175 entitled “A by-law to establish a reserve fund for the ‘Upgrade to Building Code Downtown Renovation Loan Program’.”(5/24/FASC)

Bill No. 376, By-law No. S-1-amend

A by-law to amend By-law S-1 entitled, “A by-law to provide for the Regulation of Street.” (14/14/CWC)

Bill No. 377, By-law No. S.-	A by-law to permit Jing for Jing Ltd. to maintain and use an encroachment upon the road allowance for York Street, City of London. (City Solicitor)
Bill No. 378, By-law No. S.-	A by-law to assume certain works and services in the City of London. (Carling Heights; Plan No. 33M-523) (City Engineer)
Bill No. 379, By-law No. S.-	A by-law to assume certain works and services in the City of London. (Deer Ridge – Phase 1; Plan No. 33M-520) (City Engineer)
Bill No. 380, By-law No. S.-	A by-law to assume certain works and services in the City of London. (Deer Ridge – Phase 2; Plan No. 33M-566) (City Engineer)
Bill No. 381, 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 Southdale Road East, west of Verulam Street) (Chief Surveyor)
Bill No. 382, 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 Wharncliffe Road North, south of Beaufort Street) (Chief Surveyor)
Bill No. 383, 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 Southdale Road West, west of Pomeroy Lane) (Chief Surveyor)
Bill No. 384, 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 York Street, west of Talbot Street) (Chief Surveyor)
Bill No. 385, By-law No. S.-	A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (As widening to Springbank Drive, east of Commissioners Road West) (Chief Surveyor)
Bill No. 386, 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 Commissioner Road West, west of Byron Baseline Road) (Chief Surveyor)
Bill No. 387, 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 Wilton Grove Road, west of Hubrey Road) (Chief Surveyor)
Bill No. 388, 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, between Ontario Street and Quebec Street) (Chief Surveyor)
Bill No. 389, 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, east of Topping Lane) (Chief Surveyor)
Bill No. 390, 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 Trafalgar Street, east of Hale Street; As widening to Hale Street, south of Trafalgar Street; and As widening to Trafalgar Street, west of Hale Street) (Chief Surveyor)
Bill No. 391, By-law No. S.-	A by-law to lay out, constitute, establish and assume certain reserves in the City of London as public highway. (As widening to Raleigh Boulevard, north of Pomeroy Lane; and As widening to Raleigh Boulevard, at Pomeroy Lane; And as widening to Pomeroy Lane, south of Raleigh Boulevard; And as widening to Pomeroy Lane, north of Raleigh Boulevard; And as to Settlement Trail and Pomeroy Lane; And as widening to Crane Avenue, south of Old Garrison Boulevard; And as widening to Settlement Trail, south of Old Garrison Boulevard; And as widening to Tillmann Road, north of Raleigh Boulevard.) (Chief Surveyor)
Bill No. 392, By-law No. Z.-1-122134	A by-law to amend By-law No. Z.-1 to remove the holding provisions from the zoning on the land located at 915 Southdale Road West. (6/22/PEC)



Bill No. 393, By-law No. Z.-1-122135

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 40 Pacific Court. (9/22/PEC)

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

Motion made by Councillor S. Orser and seconded by Councillor N. Branscombe to Approve that Council rise and go into Committee of the Whole, in camera, for the purpose of considering the following:

- a) A matter pertaining to litigation or potential litigation with respect to the appeals by 1510504 Ontario Ltd., 435935 Ontario Inc., Bessy Stavrou, Vaspan Developments Limited, 625041 Ontario Limited and 1564225 Ontario Inc., to the Assessment Review Board being appeal numbers 2291651, 2291751, 2291951, 2292151, 2291652, 2292051, 2291851 and 2292052 filed under section 364 of the Municipal Act, 2001; advice that is subject to solicitor-client privilege, including communications necessary for that purpose, in connection with the aforementioned appeals; and giving instructions and directions to the solicitors of the municipality in connection with the aforementioned appeals. (FASC)

Motion Passed

The Council rises and goes into Committee of the Whole, in camera at 9:00 PM with Mayor J.F. Fontana in the Chair and all Members present, except Councillors W.J. Armstrong, J.B. Swan and H.L. Usher.

The Committee of the Whole rises and Council resumes in regular session at 9:14 PM with Mayor J.F. Fontana in the Chair and all Members present except Councillors W.J. Armstrong and H.L. Usher.

At 9:14 PM Councillor J.B. Swan returns to the meeting.

Councillor P. Hubert reports progress with respect to the appeals by 1510504 Ontario Ltd., 435935 Ontario Inc., Bessy Stavrou, Vaspan Developments Limited, 625041 Ontario Limited and 1564225 Ontario Inc., to the Assessment Review Board being appeal numbers 2291651, 2291751, 2291951, 2292151, 2291652, 2292051, 2291851 and 2292052 filed under section 364 of the Municipal Act, 2001

### **XIV ADJOURNMENT**

Motion made by Councillor M. Brown and seconded by Councillor P. Van Meerbergen to Adjourn.

Motion Passed

The meeting adjourned at 9:15 PM.

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Joe Fontana, Mayor

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Catharine Saunders, City Clerk