



London
C A N A D A

COUNCIL MINUTES 17TH MEETING

October 9, 2012

The Council meets in Regular Session in the Council Chambers this day at 5:03 p.m.

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, G. Bridge, B. Coxhead, E. Gamble, A. Hagan, M. Hayward, J. Kobarda, G. Kotsifas, D. Lazenby, L. Livingstone, S. Matthews, V. McAlea Major, L.M. Rowe, J. Taylor, B. Westlake-Power and J. Yanchula.

At the beginning of the Meeting all Members are present.

I RECOGNITIONS

1. His Worship the Mayor presents a certificate for "London's Featured Community Organization" to the Sunshine Foundation of Canada.

II DISCLOSURES OF PECUNIARY INTEREST

Councillor N. Branscombe discloses a pecuniary interest in clause 17 of the 23rd Report of the Planning and Environment Committee, having to do with the properties located at 701 and 711 Waterloo Street, by indicating that her children attend the Montessori School.

Councillor J.P. Bryant discloses a pecuniary interest in clause 20 of the 23rd Report of the Planning and Environment Committee, having to do with the property located at 260 Sarnia Road, by indicating that her husband is on the faculty at Western University.

Councillor D. Brown discloses a pecuniary interest in clause 11 of the 15th Report of the Civic Works Committee, having to do with the LTC Long Term Growth Report Working Group, by indicating that her employer has a contract with the London Transit Commission.

Councillor P. Hubert discloses a pecuniary interest in clause 23 of the 23rd Report of the Planning and Environment Committee, having to do with the property located at 199 Queens Avenue, by indicating that he is the Executive Director of a social service agency that leases space from the property owner. Councillor P. Hubert further discloses a pecuniary interest in clauses 5 and 6 of the 13th Report of the Community Services Committee, having to do with the Ontario Works Participation Profile, July 2012 and the Ontario Works Caseload Update for January to August, 2012, by indicating that he is the Executive Director of a social service agency that has a purchase of service agreement with Ontario Works.

Councillor M. Brown discloses a pecuniary interest in clause 12 of the 15th Report of the Civic Works Committee and the associated Bill No. 405, having to do with amendments to the Traffic and Parking By-law, by indicating that his residence is located on one of the affected streets.

Councillor J.B. Swan discloses a pecuniary interest in clause 23 of the 23rd Report of the Planning and Environment Committee, having to do with the property located at 199 Queens Avenue, by indicating that his employer leases space from the property owner.

Councillor B. Polhill notes that the previously disclosed pecuniary interest with respect to clause 20 of the 23rd Report of the Planning and Environment Committee, having to do with the property located at 260 Sarnia Road, was not a Committee of Adjustment matter which was the noted nature of his pecuniary interest.

At this time, the Mayor recognizes Councillor D. Henderson who presents an apology statement related to comments made during the September 24, 2012 Planning and Environment Committee meeting.

The Mayor recognizes Councillor D. Brown who introduces the "Pledge to End Bullying" campaign of the Thames Valley District School Board and invites the Council Members and staff in attendance to make the Pledge.

III CONFIRMATION AND SIGNING OF THE MINUTES OF THE SIXTEENTH MEETING HELD ON SEPTEMBER 18, 2012

Motion made by Councillor D. Brown and seconded by Councillor S. Orser to Amend the Minutes of the Sixteenth Meeting held on September 18, 2012, on page 18, clause 11 of the 24th Report of the Finance and Administrative Services Committee by deleting from the first line of the clause, the words "establishing an Integrity Commissioner,"

Motion Passed

Motion made by Councillor B. Polhill and seconded by Councillor N. Branscombe to Approve the Minutes of the Sixteenth Meeting held on September 18, 2012, as amended.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant, 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 referral of the following communications for consideration with the clauses noted:

1. Property located at 260 Sarnia Road (Z-8075) (Referred to the Planning and Environment Committee Stage for Consideration with clause 20 of the 23rd Report of the Planning and Environment Committee.)
 - a) T.D. Jones, 440 Lawson Road;
 - b) John and Donna Trevithick, c/o 2170 Thames Hall, UWO; and
 - c) S. Levin, Orchard Park/Sherwood Forest Ratepayers
2. W. Dickinson, The Woodfield Community Association - Property located at 199 Queens Avenue (Referred to the Planning and Environment Committee Stage for Consideration with clause 23 of the 23rd 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)

VI MOTIONS OF WHICH NOTICE IS GIVEN

1. Councillor D. Brown and Councillor B. Polhill - Motion of Which Notice is Given - Notification to Ward Councillors of Ward-Related Matters

Motion made by Councillor D. Brown and seconded by Councillor B. Polhill to Approve That the City Manager, in consultation with the Senior Leadership Team, develop a communications strategy that will be followed in notifying Ward Councillors about City-related matters affecting their respective wards.

Motion Passed

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

VII ADDED REPORTS

1. 24th Report of the Planning and Environment Committee
2. 14th Report of the Strategic Priorities and Policy Committee

VIII REPORTS

23rd Report of the Planning and Environment Committee
Councillor B. Polhill presents.

Motion made by Councillor B. Polhill to Approve all clauses except clauses 5, 17, 19, 20, 21, 23 and 27

1. Disclosures of Pecuniary Interest

That it BE NOTED that:

- a) Councillor B. Polhill disclosed a pecuniary interest in clause 20 of this Report having to do with the application of Shana'a Holdings Inc. relating to the property located at 260 Sarnia Road, as the application may have been dealt with by the Committee of Adjustment, by indicating that his son is a member of the Committee of Adjustment; and,
- b) Councillor J.P. Bryant disclosed a pecuniary interest in clause 20 of this Report having to do with the application of Shana'a Holdings Inc. relating to the property located at 260 Sarnia Road, by indicating that her husband is employed by The University of Western Ontario.

2. 2nd Report of the Advisory Committee on the Environment

That the 2nd Report of the Advisory Committee on the Environment from its meeting held on September 5, 2012, BE RECEIVED.

3. Implementation of New Trail Standards in Environmentally Significant Areas

That, on the recommendation of the Managing Director of Planning and City Planner, the application of the new "Planning and Design Standards for Trails in Environmentally Significant Areas" for current and proposed ESA planning projects, BE RECEIVED; it being noted that the Trails Advisory Group for Environmentally Significant Areas Terms of Reference was amended to change the reference to the City Ecologist and the City Landscape Architect from Voting Members to Non-Voting Resource Group members; it being further noted that one (1) representative from a Friends Group was included as a Voting Member; it being further noted that the Planning and Environment Committee reviewed and received a communication, dated September 23, 2012, from G. Smith, Friends of Meadowlily Woods Community Association, with respect to this matter. (2012-E04-00)

4. McCormick Area Study (OZ-7601)

That, on the recommendation of the Managing Director, Planning and City Planner, the report dated September 24, 2012, with respect to the McCormick Area Study, related to the lands generally bounded by Canadian Pacific Railway to the north, Quebec Street and Burbrook Place to the west, Dundas Street to the south and Ashland Avenue and McCormick Boulevard along the east, BE RECEIVED. (2012-D07-00)

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

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the request from Clarke Family Holdings Inc. c/o Landea Developments Inc., for the property located at 1196 Sunningdale 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 Clarke Family Holdings c/o Landea Developments Inc., prepared by Whitney Engineering, certified by Bruce Baker, File No. 39T-05511, (Drawing no. 3), as red-line amended, which shows a total of twenty-five (25) low density residential blocks, three (3) park blocks, one (1) stormwater management block and various reserve blocks, served by two (2) new collector roads and four (4) new local streets, SUBJECT TO the revised conditions contained in the ~~attached~~ Appendix "39T-05511"; and,
- b) the financing for the project BE APPROVED in accordance with the "Estimated Claims and Revenues Report" provided as Appendix '39T-05511-A' to the associated staff report, dated September 24, 2012. (2012-D26-01)

7. Properties located at 1284 and 1388 Sunningdale Road West and the Northerly Portion of 1139 Fanshawe Park Road West (39T-04510)

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the request from Auburn Developments Inc., for the properties located at 1284 and 1388 Sunningdale Road West and the northerly portion of 1139 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 Auburn Developments Inc. (File 39T-04510), prepared by Auburn Developments Inc., prepared by Stantec Consulting Inc., certified by Jeremy C. E. Matthews (Drawing No. DP2, dated March 31, 2009), as red-line amended, which shows thirty (30) low density residential blocks, three (3) medium density residential blocks, three (3) park blocks, one (1) stormwater management block, walkway blocks and various reserve blocks, served by two (2) new collector roads and ten (10) new local streets, SUBJECT TO the revised conditions contained in the ~~attached~~ Appendix "39T-04510"; and,
- b) the financing for the project BE APPROVED in accordance with the "Estimated Claims and Revenues Report" provided as Appendix '39T-04510-A' to the associated staff report, dated September 24, 2012. (2012-D26-01)

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

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the request from Claybar Developments Inc, for the property located at 1139 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 Claybar Developments Inc. (File 39T-04503), prepared by Stantec Consulting Inc., certified by Jeremy C.E. Matthews, as red-line amended, which shows a total of twenty-three (23) low density residential blocks, one (1) medium density residential block, one (1) high density residential block, one (1) commercial block, three (3) school blocks, walkway and various reserve blocks, served by one (1) new collector road and five (5) new local streets, SUBJECT TO the revised conditions contained in the ~~attached~~ Appendix "39T-04503"; and,
- b) the financing for the project BE APPROVED in accordance with the "Estimated Claims and Revenues Report" provided as Appendix '39T-04503-A' to the associated staff report, dated September 24, 2012. (2012-D26-01)

9. Claybar Subdivision - Phase 2 (39T-04503-2)

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to entering into a subdivision agreement between The Corporation of the City of London and Claybar Developments Inc., for the subdivision of land over Part of Lot 23, Concession 5, City of London, County of Middlesex, situated on the north side of Tokala Trail, west of Aldersbrook Gate, and north of Fanshawe Park Road West:

- a) the ~~attached~~ Special Provisions to be contained in a Subdivision Agreement between The Corporation of the City of London and Claybar Developments Inc. for the Claybar Subdivision, Phase 2 (39T-04503-2), BE APPROVED;

- b) the Mayor and the City Clerk BE AUTHORIZED to execute this Agreement, any amending agreements and all related documents required to fulfill its conditions; and,
- c) the financing for the project BE APPROVED in accordance with the "Estimated Claims and Revenues Report" provided as Appendix '39T-99515-A' to the associated staff report, dated September 24, 2012. (2012-D26-01)

10. Warbler Woods Subdivision (39T-04507 and 39T-08506)

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the Subdivision Agreement between The Corporation of the City of London and Sifton Properties Limited, which was registered on the 14th day of December, 2011 as Instrument Number ER801293 for the Warbler Woods Subdivision:

- a) the ~~attached~~ Subdivision Amendment Agreement, relating to the subdivision agreement entered into between The Corporation of the City of London and Sifton Properties Limited for the Hopedale/Warbler Woods West (Phase 2) subdivision on Plan 33M-638, BE APPROVED; and,
- b) the execution of the above-noted Amending Agreement BE DEFERRED until such time that the Municipal Class EA Schedule "C" Environmental Study Report (ESR) for the Tributary 'C' Storm/Drainage and SWM, Transportation and Sanitary Servicing Works is accepted and the 30 day review period has expired. (2012-D26-05)

11. Riverbend Meadows Phase 3 (39T-10504)

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to entering into a subdivision agreement between The Corporation of the City of London and Pemic Land Corp. and Sifton Properties Limited for the subdivisions of land over all of Block 48, Plan 33M-549, City of London, County of Middlesex, situated on the east side of Riverbend Road, north of Shore Road, municipally known as 1480 Riverbend Road:

- a) the ~~attached~~ Special Provisions to be contained in a Subdivision Agreement between The Corporation of the City of London and Pemic Land Corp. and Sifton Properties Limited for the Riverbend Meadows Subdivision, (39T-10504), BE APPROVED;
- b) the Mayor and the City Clerk BE AUTHORIZED to execute this Agreement, any amending agreements and all related documents required to fulfill its conditions; and,
- c) the financing for the project BE APPROVED in accordance with the "Estimated Claims and Revenues Report" and the "Sources of Financing Report" provided as Appendix '39T-99515-A' and 'Schedule "B"', to the associated staff report, dated September 24, 2012. (2012-D26-05)

12. Fencing Standards in Plans of Subdivision

That, on the recommendation of the Manager, Development Services, the following actions be taken with respect to fencing standards in plans of subdivision:

- a) the ~~attached~~ form of standard Amending Agreement with respect to fencing standards in plans of subdivision, BE APPROVED; it being noted that the Agreement will be applied to subdivisions 33M-458, 33M-494, 33M-562, 33M-601, and 33M-602, to resolve the matter of substandard parkland fencing installation;
- b) the Mayor and the City Clerk BE AUTHORIZED to execute this Amending Agreement and all documents required to fulfill its conditions;
- c) Southside Group BE REQUESTED to provide the Civic Administration with \$39,982.00 to complete the Agreement; it being noted that these funds will be deposited into a deferred revenue account for future use to offset the cost of replacing the parkland fence installed earlier than the current standard practice; and,
- d) Sifton Properties Limited BE REQUESTED to provide the Civic Administration with \$30,190.00 to complete the Agreement; it being noted that these funds will be deposited into a deferred revenue account for future use to offset the cost of replacing the parkland fence installed earlier than the current standard practice. (2012-D26-00)

13. Building Division Monthly Report for August 2012

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

14. 2nd Report of the London Advisory Committee on Heritage

That, the following actions be taken with respect to the 2nd Report of the London Advisory Committee on Heritage (LACH) from its meeting held on September 12, 2012:

- a) the Civic Administration BE ASKED to provide the Planning and Policy Sub-Committee (PPSC) with a list of vacant heritage properties, as outlined in the 2006 *Inventory of Heritage Resources*, to allow the PPSC to provide comments to the LACH at a future meeting;
- b) the Civic Administration BE ASKED to provide written interpretation on Section 34(2) of the *Ontario Heritage Act*, with respect to the types of conditions that can be imposed when Municipal Council consents to a demolition application, including future site plan approval;
- c) the Civic Administration BE ASKED to review the ~~attached~~ Solar Panel Guidelines for Designated Heritage Properties, for use as an official City of London guideline document;
- d) the Stewardship Sub-Committee BE REQUESTED to prepare Statements of Significance for all pioneer cemeteries that have not been designated;
- e) the Heritage Planner BE REQUESTED to work with the Westminster-Delaware Historical Society to identify and plaque the pioneer cemeteries that are located in the former Westminster Township;
- f) the Heritage Planner BE REQUESTED to forward the Statement of Significance, for the property located at 1170 Wilton Grove Road, to the owner for signature;
- g) the Stewardship Sub-Committee BE REQUESTED to review and report back to the LACH, with respect to the Priority 1 building located at 2332 Main Street, Lambeth, relating to the request for demolition for this property;
- h) the Stewardship Sub-Committee BE REQUESTED to review and report back to the LACH, with respect to the Priority 1 building located at 591 Maitland Street, relating to the request for demolition for this property;
- i) the London Advisory Committee on Heritage (LACH) was advised of the following by the Heritage Planner:
 - the London Public Library will be presenting an "Architecture in Film" series;
 - the "Freedom Tree" in Westminster Ponds is being renamed the "Meeting Tree" and Trees Ontario will be putting a plaque near the tree at a ceremony to be held in September, 2012; and,
 - Doors Open and Culture Days events have been combined and will be held the last weekend in September;
- j) on the recommendation of the Director, Land Use Planning and City Planner, with the advice of the Heritage Planner, the Heritage Alteration Permit Application of B. Iaboni, requesting permission for changes to the roof, façade, including painting some of the bricks around the window, and porch of the designated heritage property located at 642 Princess Avenue, BE APPROVED; it being noted that the Heritage Planner has reviewed the proposed changes and has advised that the impact of such alteration on the heritage features of the property identified in the Reasons for Designation is negligible; it being further noted that the LACH heard a verbal presentation from Mr. Iaboni, with respect to this matter; and,
- k) that clauses 5 through 15, inclusive, of the 2nd Report of the LACH, BE RECEIVED AND NOTED;

it being noted that the Planning and Environment Committee heard a verbal presentation from W. Kinghorn, Vice-Chair, LACH, with respect to these matters.

15. Property located at 4448 Colonel Talbot Road

That, on the recommendation of the Manager, Development Services and Planning Liaison, the following actions be taken with respect to the site plan approval application for a one floor commercial building by L'Arche London, relating to the property located at 4448 Colonel Talbot Road:

- a) the Approval Authority BE ADVISED that there were no issues raised at the public participation meeting of the Planning and Environment Committee with respect to the application for site plan approval to permit a one floor commercial building;
- b) the Approval Authority BE ADVISED that the Municipal Council supports the approval of the ~~attached~~ site plan elevations; and,
- c) the financing for the project BE APPROVED in accordance with the "Claims and Revenues Report", provided as Schedule "B" to the associated staff report, dated September 24, 2012. (2012-D25-00)

16. Property located at 1461 Huron Street

That, on the recommendation of the Manager, Development Planning, the following actions be taken with respect to the site plan approval application of London Affordable Housing Foundation for an apartment building with 25 one-bedroom units at 1461 Huron Street:

- a) the Approval Authority BE ADVISED that at the public participation meeting of the Planning and Environment Committee held with respect to this matter, issues were raised with respect to the timing of the removal of the holding provision as the contractor is eager to commence with the work;
- b) the Approval Authority BE ADVISED that the Municipal Council supports the Site Plan application for an apartment building with 25 one bedroom units; and,
- c) the Civic Administration BE ASKED to prepare a report to remove the holding provisions at a special meeting of the Planning and Environment Committee to be held on Tuesday, October 9, 2012. (2012-D25-00/C03-00)

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

- G. Playford, on behalf of the applicant – expressing concern with the timing of the removal of the holding provisions; and requesting that a special meeting of the Planning and Environment Committee be held on October 9, 2012 to receive a report from the Civic Administration with respect to the removal of the holding provisions.

18. Property located at 299 King Street (TZ-8066)

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of the London Convention Centre (City of London), relating to the property located at 299 King Street:

- a) the revised, ~~attached~~ proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on October 9, 2012, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), TO extend the Temporary (T-53) Zone, to recognize the temporary commercial surface parking lot as a permitted use for a period of three (3) years from the date of passing of the by-law;
- b) pursuant to Section 34(17) of the Planning Act, as determined by the Municipal Council, no further notice BE GIVEN with respect to the proposed by-law as the proposed amendment is minor in nature; and,
- c) the Civic Administration BE REQUESTED to report back, to the appropriate Standing Committee, with respect to the following:
 - i) the organization responsible for paying for and maintaining the meters;
 - ii) how much revenue does the City receive from the meters; and,
 - iii) how the revenue is expended;

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

22. Residential Intensification in Flood Plains in the City of London

That the communication, dated September 12, 2012 and the verbal presentation from J. Brick, Coordinator, Hydrology and Regulatory Services, Upper Thames River Conservation Authority, with respect to the Planning and Environment Committee recommendation relating to residential intensification in flood plains in the City of London, BE RECEIVED. (2012-E07-00)

24. Local Renewable Electricity Generation Projects Seeking Ontario Feed-In Tariff Contracts

That, on the recommendation of the Managing Director, Development and Compliance Services and Chief Building Official, the following actions be taken with respect to local renewable electricity generation projects seeking Ontario Feed-In-Tariff (FIT) Contracts:

- a) pursuant to section 13.8 of the Council Procedure By-law, the actions of the Municipal Council taken at its meeting held on July 24 and 25, 2012, with respect to clause 5 of the 20th Report of the Planning and Environment Committee, related to the approval of forms for Municipal Support Resolutions under the Province's FIT Program **BE RECONSIDERED** as the Ontario Power Authority (OPA) has subsequently released prescribed forms related to this Program;
- b) the said Clause 5 of the 20th Report of the Planning and Environment Committee from its meeting held on July 23, 2012 **BE RESCINDED**; and,
- c) the Civic Administration **BE DIRECTED** to undertake the following actions with respect to proposed changes (Program Rules) to the Feed-in-Tariff (FIT) Program, operated by the Ontario Power Authority (OPA):
 - i) undertake the process described in the recommendations below when the Draft FIT Program Rules (April 5, 2012), which are designed to assist renewable energy project developers obtain timely Municipal Council Support Resolutions, are finalized in the very near future; it being noted that if the FIT Program Rules are substantially changed when finalized, the Civic Administration will revise these recommendations and resubmit, if required;
 - A) co-ordinate and review all requests for a Municipal Council Support Resolution and determine if the request(s) fall into Category 1 Projects (all rooftop solar anywhere in London), Category 2 Projects (ground-mounted solar at specific locations in London) or Category 3 Projects (significant FIT projects, such as wind, biomass and biogas at specific locations in London);
 - B) for Category 1 Projects, the proposed resolution that the construction and operation of rooftop solar projects, having little or no potential for impacts on adjacent properties, be supported without reservation anywhere in London where permitted by the Province of Ontario's Feed-In Tariff (FIT) Program rules be approved, as set out in the Municipal Council Blanket Support Resolution ~~attached~~ hereto as Appendix "A";
 - C) for Category 2 Projects, the proposed resolution that the construction and operation of ground-mounted solar projects, having little or no potential for impacts on adjacent properties, be supported at a specific location(s) identified by the project developer where permitted by the Province of Ontario's Feed-In Tariff (FIT) Program rules be approved as at two step process:
 - i) the Civic Administration prepare a recommendation report to the appropriate Standing Committee, commenting on the proposed location; and,
 - ii) if supported by the Civic Administration, submit a Municipal Council Support Resolution ~~attached~~ hereto as Appendix "B" as part of the report to the appropriate Standing Committee; and,

- D) for Category 3 Projects, the Civic Administration will review and offer recommendations to Council on the required steps for undertaking these types of projects and opportunities for a Municipal Council Support Resolution;
 - E) co-ordinate the Municipal Council Support Resolution process through the Land Use Planning Division; it being noted that liaison will take place with the Civic Administration from Development & Compliance and Environmental & Engineering Services;
- d) the Mayor and the City Clerk **BE AUTHORIZED** to sign any requested Council Resolution for Category 1 Projects using the Municipal Council Blanket Support Resolution (Appendix "A"); it being noted that these recommendations are solely for the purpose of enabling an applicant of the FIT Program to receive priority points under the new FIT Program rules, and may not be used for the purpose of any other form of municipal approval in relation to the application or project or any other purpose; and,
- e) the Civic Administration **BE DIRECTED** to take the necessary action to provide notice of the proposed fee schedule for processing Category 2 and Category 3 FIT applications and an amendment to Planning Fees By-law CP-18 to be considered at a future Public Participation Meeting before the appropriate Standing Committee. (2012-W12-00)

25. Request for Neighbourhood Plan - Oxford Park

That the communication, dated September 10, 2012, from Councillor J. Bryant, with respect to a request for Civic Administration to complete a neighbourhood plan for Oxford Park **BE REFERRED** to the Civic Administration to determine the placement of the request in the Planning Department Work Program. (2012-D20-00)

26. Crestwood Subdivision - Phase 2

That the delegation request from C. Linton, Norquay Developments, with respect to Phase 2 of the Crestwood Subdivision **BE REFERRED** to the October 15, 2012 Planning and Environment Committee meeting; it being noted that the Civic Administration will prepare a report with respect to this matter. (2012-D11-07)

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 B. Polhill to Approve clause 5.

5. Property located at 995 Fanshawe Park Road West (39T-05512/H-8089)

That, on the recommendation of the Senior Planner, Development Services and the Senior Planner, Development Planning, the following actions be taken with respect to the request from Landea Developments Inc. for the property located at 995 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 Landea Developments Inc. (File No. 39T-05512), prepared by Whitney Engineering Inc., certified by Jason Wilband (Drawing No. 2), which shows twenty (20) low density residential blocks, two (2) multi-family blocks, one (1) commercial block, two (2) stormwater management blocks and various reserve blocks, served by one (1) new collector roads and four (4) new local streets, **SUBJECT TO** the revised conditions contained in the ~~attached~~ Appendix "39T-05512";
- b) the financing for the project **BE APPROVED** in accordance with the "Estimated Claims and Revenues Report" provided as Appendix '39T-05512-A' to the associated staff report, dated September 24, 2012;
- c) the ~~attached~~ proposed by-law **BE INTRODUCED** at the Municipal Council meeting to be held on October 9, 2012 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of 995 Fanshawe Park Road West **FROM** a Holding Residential R1 Special Provision (h. h-100 R1-3(8)) Zone and a Holding

Residential R1 (h. h-100 R1-13) Zone TO a Residential R1 Special Provision (R1-3(8)) and a Residential R1 (R1-13) Zone, to remove the h. and h-100 holding provisions; and,

- d) the application to change the zoning of a portion of the subject lands FROM a Holding Residential R1 (h. h-100. R1-13) Zone TO a Residential R1 (R1-13) Zone, to remove the h. and h-100 holding provisions from lots 13-29 BE DEFERRED until such time as the easement in favour of the City has been removed from these lots. (2012-D26-04)

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, 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 (14)

NAYS: M. Brown (1)

Motion made by Councillor B. Polhill to Approve clause 17.

17. Properties located at 707 & 711 Waterloo Street (Z-8038)

That, on the recommendation of the Managing Director, Planning and City Planner, based on the application of the City of London relating to the property located at 707 & 711 Waterloo Street, the ~~attached~~ proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on October 9, 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 Residential R2 Special Provision/Neighbourhood Facility (R2-2(2)/NF1) Zone, which permits single detached dwellings (maximum two dwelling units), churches, elementary schools, community centres, day care centres, libraries, private schools, fire stations, private clubs and police stations, TO a Residential R2 Special Provision/Neighbourhood Facility Special Provision (R2-2(2)/NF1()) Zone, to permit single-detached, semi-detached, duplex and converted dwellings, elementary schools, churches, community centres, day care centres, libraries and private schools, eliminating the fires stations, private clubs, and police stations normally permitted in the NF1 Zone and to permit a north interior side yard of zero (0) metres;

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

- R. Zelinka, Zelinka Priamo Ltd., on behalf of the applicant – expressing support for the Civic Administration's recommendation; advising that this is a down zoning of the existing school site; indicating that the proposed amendments are expected by Montessori; and advising that the school supports the Civic Administration's recommendation. (2012-D11-02)

Motion Passed

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

RECUSED: N. Branscombe (1)

Motion made by Councillor H.L. Usher to Approve consideration of clause 19 with the 24th 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)

Motion made by Councillor B. Polhill to Approve clause 20.

20. Property located at 260 Sarnia Road (Z-8075)

That, notwithstanding the recommendation of the Manager Director, Planning and City Planner, based on the application of Shana'a Holdings Inc., relating to the property located at 260 Sarnia Road, the Civic Administration BE DIRECTED to submit a by-law to implement the

applicant's request to a future Planning and Environment Committee meeting, to build four (4) units, with three (3) bedrooms in each, to a maximum of twelve (12) bedrooms in total, increase the number of parking spaces and report back at a future Planning and Environment Committee meeting;

it being noted that the Planning and Environment Committee reviewed and received a communication, dated September 17, 2012, from G. Kulczycki, Vice-President, Resources and Operations, Western, 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:

- H. Froussios, Zelinka Priamo Ltd., on behalf of the applicant – advising that multiple ~~attached~~ dwellings are allowed; indicating that the applicant is allowed to build 27 units per hectare on this property; advising that residential intensification conforms to the City of London Official Plan; advising that this is not site specific zoning; indicating that the applicant is proposing to remove the existing dwelling and replace it with a new dwelling; disagreeing with the Civic Administration's comments relating to the Provincial Policy Statement (PPS); noting that he believes that this application is consistent with the PPS; advising that this property is adjacent to Western University's new residential housing; indicating that the proposed development will meet the needs of couples and students; advising that there is currently access to municipal services and transit; advising that the subject site satisfies the zoning requirements; advising that no special regulations are being sought; indicating that in his opinion, the subject lands are underutilized; disagreeing with the Civic Administrations comments relating to the site not being unique within the surrounding established residential neighbourhood; advising that the property is located along an arterial road; indicating that he is waiting to hear the Ontario Municipal Board decision relating to the Near Campus Neighbourhood Strategy; indicating that this development is away from the interior of the low density area of the development; advising that the application is compatible to the site, as it functions as a transition between high and low density uses; advising that the proposal meets all of the requirements; advising that this is a unique situation and is not seen as a trigger for other development in this area; and requesting that a revised by-law be submitted at the October 15, 2012 Planning and Environment Committee meeting.
- M. Hyrb, 249 Neville Drive – advising that her property is immediately south of the proposed building; indicating that her house is a side-split; advising that the properties are all bungalows and side-splits in her neighbourhood; noting that there are no two-storey properties in the area; indicating that Western University's new student housing is enough in this area; indicating that this application opens the door for further development, especially along Sarnia Road; indicating that as soon as the property becomes a rental unit and the owner is not on site, things get out of hand, such as garbage and snow removal and noise; and expressing concern with the development, as students may not necessarily see it as a three or four bedroom unit, they may see six units, using the living room and dining room as bedrooms.
- A.R. Patton, Patton Cormier & Associates – advising that none of the issues presented by the Civic Administration were raised at pre-consultation; advising that the landlord is an experienced landlord; and advising that all the problems associated with this property were raised before his clients' ownership of the property. (2012-D11-07)

Motion Failed

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

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

RECUSED: J.P. Bryant (1)

Motion made by Councillor N. Branscombe and seconded by Councillor H.L. Usher to Approve that, on the recommendation of the Managing Director, Planning and City Planner, with respect to the application of Shana'a Holdings Inc., the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject property FROM a Residential R1 (R1-9) Zone which permits single detached dwellings, TO a Residential R3 (R3-3) Zone to permit single detached dwellings, semi-detached dwellings, duplex dwellings, triplex dwellings, converted dwellings and fourplex dwellings, BE REFUSED for the following reasons:

- a) the requested amendment is not consistent with the policies of the Provincial Policy Statement, 2005 that encourage efficient development and land use patterns which sustain the financial well-being of the municipality;
- b) the requested amendment is not consistent with the Residential Intensification policies of the Official Plan which direct intensification to ensure that character and compatibility with the surrounding neighbourhood is maintained;
- c) the requested amendment is not consistent with Council adopted Near Campus Neighbourhoods Strategy policies regarding coordinated and comprehensive applications for intensification as opposed to site-specific developments;
- d) the requested amendment is not consistent with Council adopted policies pertaining to the Great Near Campus Neighbourhoods Strategy which encourage intensification in medium and high density designations and forms and discourage continued intensification in low density forms of housing; and,
- e) the requested amendment would constitute "spot" zoning and is not considered appropriate in isolation from the surrounding neighbourhood. The subject site does not have any special attributes which warrant a site specific amendment to permit the proposed form and intensity of development

it being noted that the Planning and Environment Committee reviewed and received a communication, dated September 17, 2012, from G. Kulczycki, Vice-President, Resources and Operations, Western, 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:

- H. Froussios, Zelinka Priamo Ltd., on behalf of the applicant – advising that multiple attached dwellings are allowed; indicating that the applicant is allowed to build 27 units per hectare on this property; advising that residential intensification conforms to the City of London Official Plan; advising that this is not site specific zoning; indicating that the applicant is proposing to remove the existing dwelling and replace it with a new dwelling; disagreeing with the Civic Administration's comments relating to the Provincial Policy Statement (PPS); noting that he believes that this application is consistent with the PPS; advising that this property is adjacent to Western University's new residential housing; indicating that the proposed development will meet the needs of couples and students; advising that there is currently access to municipal services and transit; advising that the subject site satisfies the zoning requirements; advising that no special regulations are being sought; indicating that in his opinion, the subject lands are underutilized; disagreeing with the Civic Administrations comments relating to the site not being unique within the surrounding established residential neighbourhood; advising that the property is located along an arterial road; indicating that he is waiting to hear the Ontario Municipal Board decision relating to the Near Campus Neighbourhood Strategy; indicating that this development is away from the interior of the low density area of the development; advising that the application is compatible to the site, as it functions as a transition between high and low density uses; advising that the proposal meets all of the requirements; advising that this is a unique situation and is not seen as a trigger for other development in this area; and requesting that a revised by-law be submitted at the October 15, 2012 Planning and Environment Committee meeting.
- M. Hyrb, 249 Neville Drive – advising that her property is immediately south of the proposed building; indicating that her house is a side-split; advising that the properties are all bungalows and side-splits in her neighbourhood; noting that there are no two-storey properties in the area; indicating that Western University's new student housing is enough in this area; indicating that this application opens the door for further development, especially along Sarnia Road; indicating that as soon as the property becomes a rental unit and the owner is not on site, things get out of hand, such as garbage and snow removal and noise; and expressing concern with the development, as students may not necessarily see it as a three or four bedroom unit, they may see six units, using the living room and dining room as bedrooms.
- A.R. Patton, Patton Cormier & Associates – advising that none of the issues presented by the Civic Administration were raised at pre-consultation; advising that the landlord is an experienced landlord; and advising that all the problems associated with this property were raised before his clients' ownership of the property. (2012-D11-07)

Motion Passed

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

NAYS: B. Polhill, D.G. Henderson, P. Van Meerbergen, D. Brown, S.E. White (5)

RECUSED: J.P. Bryant (1)

Motion made by Councillor B. Polhill to Approve clause 21.

21. Property located at 754 Maitland Street (Z-8065)

That, notwithstanding the recommendation of the Director, Land Use Planning and City Planner, based on the application of Kapland Inc. relating to the property located at 754 Maitland Street, the Civic Administration BE DIRECTED to submit a report and a by-law to a future Planning and Environment Committee meeting to rezone the subject property to permit an additional three (3)-bedroom unit to be located within the existing structure; it being noted that this will provide for a maximum of eleven (11) bedrooms in the building;

it being noted that the Planning and Environment Committee reviewed and received the following communications with respect to this matter:

- a communication from A. Kaplansky, applicant; and,
- the Planning Justification Report, dated June 6, 2012, from Zelinka Priamo Ltd.;

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

- R. Zelinka, Zelinka Priamo Ltd., on behalf of the applicant – indicating that he takes issue with most of the Civic Administration's comments in their presentation; answering the enquiry of how many bedrooms there are; noting that there are currently four bedrooms in the existing units; advising that the floor plan can only hold four more units; further noting that the building will not accommodate five units, which is the maximum allowed; indicating that the Provincial Policy Statement requires the Civic Administration to identify and accommodate development; advising that the intensification can be undertaken without changes to the exterior of the building or adding additional parking; indicating that the City should follow the Provincial Policy Statement; advising that the Planning and Environment Committee was advised that the current zoning in the area is appropriate; indicating that this neighbourhood used to have R-4 Zoning, which is why there are a lot of legal non-conforming properties in the area; advising that, within this area, there is a good mix of housing forms; advising that the R2-2 Zone does not show the character of the area; advising that the applicant's property is located between a threeplex and a fiveplex; advising that spot zoning comes across as two bad works; indicating that there is no need for a site plan meeting on this site as this site isn't changing; indicating that there is adequate parking on the site; and requesting that the Planning and Environment Committee approve the application as it clearly meets the intent of the Provincial Policy Statement and the Official Plan.
- A. Kaplansky, applicant – advising that there were two houses for sale and the deal was jeopardized. (2012-D11-04)

At 6:08 PM the Mayor places Councillor P. Hubert in the Chair and takes a seat at the Council board.

At 6:13 PM the Mayor resumes the Chair, and Councillor P. Hubert takes a seat at the Council board.

Motion Failed

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

NAYS: W.J. Armstrong, J.B. Swan, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, H.L. Usher, J.P. Bryant (8)

Motion made by Councillor J.P. Bryant and seconded by Councillor N. Branscombe to Approve that, on the recommendation of the Director, Land Use Planning and City Planner, that the application of Kapland Inc. relating to the property located at 754 Maitland Street to amend Zoning By-law No. Z.-1 to change the zoning of the subject property FROM a Residential R2

(R2-2) Zone which permits single detached, semi-detached, duplex, and converted dwellings, TO a Residential R3 (R3-4) Zone to permit single detached, semi-detached, duplex, triplex and converted dwellings, BE REFUSED for the following reasons:

- a) the current zoning for this area is appropriate, promotes neighbourhood stability, and allows redevelopment of residential properties in a manner which is compatible with the surrounding neighbourhood, consistent with the Provincial Policy Statement;
- b) the Site has previously been intensified to an appropriate density in conformity with the neighbourhood and existing zoning by-law;
- c) the requested amendment is not consistent with the policies of the *Provincial Policy Statement, 2005* which encourage efficient development and land use patterns which sustain the financial well-being of the municipality;
- d) the requested amendment is not consistent with the Council-approved Near Campus Neighbourhood Policies;
- e) the requested amendment is not consistent with the Residential Intensification policies of the Official Plan;
- f) the requested amendment could set a further precedent for additional multiple unit residential uses and erode the residential character of the area; and
- g) the proposed amendment would constitute "spot" zoning, and is not considered appropriate in isolation from the surrounding neighbourhood; the site is not unique and does not have any special attributes which would warrant a site specific amendment;

it being noted that the Planning and Environment Committee reviewed and received the following communications with respect to this matter:

- a communication from A. Kaplansky, applicant; and,
- the Planning Justification Report, dated June 6, 2012, from Zelinka Priamo Ltd.;

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

- R. Zelinka, Zelinka Priamo Ltd., on behalf of the applicant – indicating that he takes issue with most of the Civic Administration's comments in their presentation; answering the enquiry of how many bedrooms there are; noting that there are currently four bedrooms in the existing units; advising that the floor plan can only hold four more units; further noting that the building will not accommodate five units, which is the maximum allowed; indicating that the Provincial Policy Statement requires the Civic Administration to identify and accommodate development; advising that the intensification can be undertaken without changes to the exterior of the building or adding additional parking; indicating that the City should follow the Provincial Policy Statement; advising that the Planning and Environment Committee was advised that the current zoning in the area is appropriate; indicating that this neighbourhood used to have R-4 Zoning, which is why there are a lot of legal non-conforming properties in the area; advising that, within this area, there is a good mix of housing forms; advising that the R2-2 Zone does not show the character of the area; advising that the applicant's property is located between a threeplex and a fiveplex; advising that spot zoning comes across as two bad works; indicating that there is no need for a site plan meeting on this site as this site isn't changing; indicating that there is adequate parking on the site; and requesting that the Planning and Environment Committee approve the application as it clearly meets the intent of the Provincial Policy Statement and the Official Plan.
- A. Kaplansky, applicant – advising that there were two houses for sale and the deal was jeopardized. (2012-D11-04)

Motion Passed

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

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

At 6:21 PM Councillors P. Hubert and J.B. Swan leave the meeting.

Motion made by Councillor B. Polhill to Approve clause 23.

23. Property located at 199 Queens Avenue

That, notwithstanding the recommendation of the Director, Land Use Planning and City Planner, the application of S. Farhi relating to the demolition of the Priority 2 heritage property located at 199 Queens Avenue, BE DEFERRED to the November 26, 2012 Planning and Environment Committee meeting, to allow the Civic Administration, the applicant and the applicant's architects, to review opportunities to incorporate all, or portions of the Priority 2 building, into the future redevelopment of the site; it being noted that the applicant has agreed to this deferral;

it being noted that the Planning and Environment Committee reviewed and received the following communications with respect to this matter:

- a communication from G. Hodder, President, ACO London Region; and,
- a communication from S. Farhi, Farhi Holdings Corporation;

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

- S. Farhi, Farhi Holdings Corporation, applicant – indicating that he is the #1 friend to heritage restoration in Southwestern Ontario; indicating that for his property located at 215 Dundas Street, he has a prospective tenant, but the tenant requires 40 parking spaces; advising that he can no longer use the parking in Citi Plaza, as it is being used by the tenants in the Plaza; indicating that he currently needs approximately 360 parking spots; advising that he owns approximately 50,000 to 100,000 square feet in heritage buildings; indicating that his proposed development will cost over \$50,000,000 to build; indicating that this will give the City over \$1,000,000 in taxes; advising that he is trying to bring heritage buildings to life; advising that this development will assist with parking; advising that the downtown is short 1,400 parking spaces; and, advising that sometimes you need to sacrifice one building to save others.
- T. Tillman, Tillman, Ruth, Robinson Architects – advising that Mr. Farhi contacted them one and a half months ago to determine what could be built at this location; indicating that they are proposing to build a 23-storey tower, with three-storey townhouses, parking in the rear, a ramp for parking below grade; advising that they are incorporating good urban design practices; indicating that they hope to have 5,000 to 6,000 square feet of retail space; advising that brick will be used as a major cladding material, both red-orange and charcoal, to fit into the surrounding areas; advising that the front doors of the proposed residences will face along Queens Avenue; indicating that the development fits in with the streetscape; noting that they are keeping the development back from the street; showing respect to the London Club; and advising that part of the property is municipally owned.
- A. McColl-Lindsay, 510 Princess Avenue – advising that the Woodfield community is opposed to the demolition of any sound building; advising that the decision to demolish a heritage building can have an impact on other heritage buildings; indicating that this area is the introduction to a historic district; quoting Mr. M. Baker's comments from the 2011 Stantec Consulting report; advising that the Committee is being asked to sacrifice a late 1880's house to make a parking lot bigger; advising that 199 Queens Avenue sits on the grass on the corner of the lot; advising that the former owners of this house included London's leading citizens, such as Tom Hiscox; advising that, when Mr. T. Hiscox died in 1885, he was the largest real estate owner in London; advising that his son, George, built up their real estate holdings while living in this house; advising that the Hiscox family is the closest to being a tribute to Mr. Farhi; advising that Mr. Hiscox was an Alderman for 7 years; advising that Mr. Hiscox ran a hospital for \$5,000 less than anyone who held the post previously; indicating that he was a Justice of the Peace for the City; advising that Mr. Farhi has a chance to make history work for him; indicating that the building could be turned into a museum, with full photos and slides of Farhi's buildings, including the history of Farhi's holdings; advising that the City currently lacks a policy for parking lots; advising that in Stratford, if you put a quarter into a parking meter, you can walk for 30 minutes past historic buildings; noting that in London, a quarter gets you 10 minutes and panhandled at least once; and, noting that, in Detroit, they removed a number of Victorian houses to build an automotive mall.
- K. McKeating, 329 Victoria Street – advising that the City should be very careful on setting a precedent when creating a Downtown Heritage Conservation District; noting that demolishing a building in a Heritage Conservation District sends the wrong message; advising that this building is across from St. Peter's Cathedral and beside the

London Club; indicating that this is a strong, attractive building; indicating that there is no need to tear it down; indicating that there is no requirement to tear down this building to put in a new development; expressing caution about spending a lot of money for the installation of a parking lot; indicating that parking should be underground; expressing concern with putting the Committee in the uncomfortable position of making a decision from their landlord and asking that Members consider the perception.

- G. Hodder, ACO London Region – appealing to the Planning and Environment Committee and the Municipal Council to not demolish the building as it is in good condition; asking that the building not be torn down to build a parking lot; advising that this property is part of the Downtown Heritage Conservation District and is also listed on the *2006 Inventory of Heritage Resources*; indicating that the building is a stone's throw away from Richmond Street; asking that the Councillors reflect on what will be lost if the building is demolished; and advising that Mr. Farhi received the ACO Award in 2010 for the renovations to the Pitney Bowles building.
- A. Kaplansky, 599 Maitland Street – advising that for the future of economic prosperity, you need to give up some history. (2012-D10-00/D13-00)

Motion made by Councillor B. Polhill and seconded by Councillor S. Orser to Amend clause 23 in line 1 by deleting the words “notwithstanding the recommendation of the Manager of Land Use Planning and City Planner”.

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

At 6:30 PM the Mayor resumes the Chair and Councillor P. Van Meerbergen takes his seat at the Council board.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, S. Orser, 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: J.B. Swan, P. Hubert (2)

Motion made by Councillor B. Polhill to Approve clause 23 as amended.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, S. Orser, 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: J.B. Swan, P. Hubert (2)

Clause 23, as amended, reads as follows:

That the application of S. Farhi relating to the demolition of the Priority 2 heritage property located at 199 Queens Avenue, BE DEFERRED to the November 26, 2012 Planning and Environment Committee meeting, to allow the Civic Administration, the applicant and the applicant's architects, to review opportunities to incorporate all, or portions of the Priority 2 building, into the future redevelopment of the site; it being noted that the applicant has agreed to this deferral;

it being noted that the Planning and Environment Committee reviewed and received the following communications with respect to this matter:

- a communication from G. Hodder, President, ACO London Region; and,
- a communication from S. Farhi, Farhi Holdings Corporation;

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

- S. Farhi, Farhi Holdings Corporation, applicant – indicating that he is the #1 friend to heritage restoration in Southwestern Ontario; indicating that for his property located at 215 Dundas Street, he has a prospective tenant, but the tenant requires 40 parking spaces; advising that he can no longer use the parking in Citi Plaza, as it is being used

- by the tenants in the Plaza; indicating that he currently needs approximately 360 parking spots; advising that he owns approximately 50,000 to 100,000 square feet in heritage buildings; indicating that his proposed development will cost over \$50,000,000 to build; indicating that this will give the City over \$1,000,000 in taxes; advising that he is trying to bring heritage buildings to life; advising that this development will assist with parking; advising that the downtown is short 1,400 parking spaces; and, advising that sometimes you need to sacrifice one building to save others.
- T. Tillman, Tillman, Ruth, Robinson Architects – advising that Mr. Farhi contacted them one and a half months ago to determine what could be built at this location; indicating that they are proposing to build a 23-storey tower, with three-storey townhouses, parking in the rear, a ramp for parking below grade; advising that they are incorporating good urban design practices; indicating that they hope to have 5,000 to 6,000 square feet of retail space; advising that brick will be used as a major cladding material, both red-orange and charcoal, to fit into the surrounding areas; advising that the front doors of the proposed residences will face along Queens Avenue; indicating that the development fits in with the streetscape; noting that they are keeping the development back from the street; showing respect to the London Club; and advising that part of the property is municipally owned.
 - A. McColl-Lindsay, 510 Princess Avenue – advising that the Woodfield community is opposed to the demolition of any sound building; advising that the decision to demolish a heritage building can have an impact on other heritage buildings; indicating that this area is the introduction to a historic district; quoting Mr. M. Baker's comments from the 2011 Stantec Consulting report; advising that the Committee is being asked to sacrifice a late 1880's house to make a parking lot bigger; advising that 199 Queens Avenue sits on the grass on the corner of the lot; advising that the former owners of this house included London's leading citizens, such as Tom Hiscox; advising that, when Mr. T. Hiscox died in 1885, he was the largest real estate owner in London; advising that his son, George, built up their real estate holdings while living in this house; advising that the Hiscox family is the closest to being a tribute to Mr. Farhi; advising that Mr. Hiscox was an Alderman for 7 years; advising that Mr. Hiscox ran a hospital for \$5,000 less than anyone who held the post previously; indicating that he was a Justice of the Peace for the City; advising that Mr. Farhi has a chance to make history work for him; indicating that the building could be turned into a museum, with full photos and slides of Farhi's buildings, including the history of Farhi's holdings; advising that the City currently lacks a policy for parking lots; advising that in Stratford, if you put a quarter into a parking meter, you can walk for 30 minutes past historic buildings; noting that in London, a quarter gets you 10 minutes and panhandled at least once; and, noting that, in Detroit, they removed a number of Victorian houses to build an automotive mall.
 - K. McKeating, 329 Victoria Street – advising that the City should be very careful on setting a precedent when creating a Downtown Heritage Conservation District; noting that demolishing a building in a Heritage Conservation District sends the wrong message; advising that this building is across from St. Peter's Cathedral and beside the London Club; indicating that this is a strong, attractive building; indicating that there is no need to tear it down; indicating that there is no requirement to tear down this building to put in a new development; expressing caution about spending a lot of money for the installation of a parking lot; indicating that parking should be underground; expressing concern with putting the Committee in the uncomfortable position of making a decision from their landlord and asking that Members consider the perception.
 - G. Hodder, ACO London Region – appealing to the Planning and Environment Committee and the Municipal Council to not demolish the building as it is in good condition; asking that the building not be torn down to build a parking lot; advising that this property is part of the Downtown Heritage Conservation District and is also listed on the *2006 Inventory of Heritage Resources*; indicating that the building is a stone's throw away from Richmond Street; asking that the Councillors reflect on what will be lost if the building is demolished; and advising that Mr. Farhi received the ACO Award in 2010 for the renovations to the Pitney Bowles building.
 - A. Kaplansky, 599 Maitland Street – advising that for the future of economic prosperity, you need to give up some history. (2012-D10-00/D13-00)

Motion made by Councillor B. Polhill to Approve clause 27.

27. Special Meeting - Proposed Methadone Clinic - 425 Wharncliffe Road South

Pursuant to Section 2.8 of the Council Procedure By-law, a special Planning and Environment Committee meeting BE HELD at Centennial Hall, at a date and time to be determined, for the purpose of hearing public submissions relating to the proposed methadone clinic at 425 Wharncliffe Road South.

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)

At 6:40 PM, the Council recognizes the following City of London Employees who have achieved 25 years of service during 2012:

Development & Compliance Services - James Botaitis, Frank Gerrits, Terry Grawey, Orest Katolyk, Peter Michael Sikic, Douglas Stanlake

Engineering - Richard Todd Atkinson, John (Giovanni) Bolzonello, Douglas Arthur Dunoon, Don Durkee, John Haynes, Sam Haynes, Kees Louws, Richard Murdoch, Rick Pedlow, Perry Allen Rose, Cynthia Seabrook, Don Simpson, Frank D. Vanhie, Tim Whitworth, Dan Whyte, Derrick Zimmer

Planning - W.J. Charles Parker

Police - Leann Elizabeth Brown, Tony N. Bubnowicz, Michael Costello, Arlene Fuller, Paul Werner Gedies, Steven Goodine, Martha Hart, Lisa Heslop, Judith Hessel, E. Victoria Kelly, JeffMartin, Lois Parker, Staff Sergeant Henry Pateman, Todd Smallman, Sergeant Derek Spence, Nancy Stilwell, Lenard M. Van Esch

Motion made by Councillor N. Branscombe and seconded by Councillor J.B. Swan to recess.

Motion Passed

The Council recesses at 6:46 PM and reconvenes at 7:43 PM with Mayor J.F. Fontana in the Chair and all Members present except Councillor S.E. White.

24th Report of the Planning and Environment Committee
Councillor B. Polhill presents.

Motion made by Councillor B. Polhill to Approve clauses 1 to 3 of the 24th Report, and the accompanying clause 19 from the 23rd Report.

1. Disclosures of Pecuniary Interests

That is BE NOTED that no pecuniary interests were disclosed.

2. Property located at 1461 Huron Street (H-8101)

That, on the recommendation of the Manager, Development Services, based on the application of London Affordable Housing Corporation, relating to the property located at 1461 Huron Street, the ~~attached~~ proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on October 9, 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 Facility Special Provision/Residential R8 Bonus (h*h-5*NF(2)/R8-4*B(17)) Zone TO a Neighbourhood Facility Special Provision/Residential R8 Bonus (NF(2)/R8-4*B(17)) Zone, to remove the "h" and "h-5" holding provision, subject to the Municipal Council endorsing clause 16 of the 23 Report of the Planning and Environment Committee, from its meeting held on September 24, 2012, relating to the public site plan meeting held in association with this matter.

3. Property located at 4551 Wellington Road South (OZ-7319)

Recommendation: That, further to the direction of the Planning & Environment Committee, at their meeting on September 24, 2012, with respect to the application of Howard Darwin Enterprises, relating to the property located at 4551 Wellington Road South, the ~~attached~~, amended, proposed by-laws **BE INTRODUCED** at the Municipal Council meeting to be held on October 9, 2012. (2012-D11-03)

19. Property located at 4551 Wellington Road South (OZ-7319)

That, the following actions be taken with respect to the application of Howard Darwin

Enterprises Limited, relating to the property located at 4551 Wellington Road South:

- a) the ~~attached~~ proposed by-law, to be amended at a special Planning and Environment Committee meeting to be held on October 9, 2012, as outlined in clause g), below, BE INTRODUCED at the Municipal Council meeting to be held on October 9, 2012 to amend the Official Plan to change the designation of a portion of the subject lands FROM an Urban Reserve- Industrial Growth designation TO a Light Industrial designation, to permit a wide range of light industrial uses which involve assembling, fabricating, manufacturing, processing and/or repair activities which are located in enclosed buildings, require only a limited amount of outdoor storage and are unlikely to cause adverse effects with respect to air, odour or water pollution, or excessive noise levels;
- b) the ~~attached~~ proposed by-law, to be amended at a special Planning and Environment Committee meeting to be held on October 9, 2012, as outlined in clause g), below, BE INTRODUCED at the Municipal Council meeting to be held on October 9, 2012, to amend Zoning By-law No. 2000 (Former Town of Westminster) to delete the existing Industrial Holding (M2-H) Zone and remove the site from the By-law;
- c) the ~~attached~~ proposed by-law, to be amended at a special Planning and Environment Committee meeting to be held on October 9, 2012, as outlined in clause g), below, BE INTRODUCED at the Municipal Council meeting to be held on October 9, 2012 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan, as amended in part a), above), to apply a Holding Light Industrial Special Provision (h-5.h-17.h-18.h-55.h-103.LI1()/LI6()) Zone to the northeast corner of the subject property to permit bakeries, business service establishments, laboratories, manufacturing and assembly industries, support offices, research and development establishments, warehouse and wholesale establishments, custom workshop, brewing on premises establishments, service trades and industries including paper and allied products, pharmaceutical and medical products and printing, reproduction and data processing and building and contracting establishments, transport terminals and storage depots with special provisions to deal with outdoor storage, screening requirements and MOE D-6 Guidelines and subject to holding provisions to address servicing, archaeological assessment, traffic and urban design/site plan issues;
- d) the ~~attached~~ proposed by-law, to be amended at a special Planning and Environment Committee meeting to be held on October 9, 2012, as outlined in clause g), below, BE INTRODUCED at the Municipal Council meeting to be held on October 9, 2012 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to apply a Holding Light Industrial Special Provision (h-2.h-5.h-17.h-18.h-55.h-103.LI1()/LI6()) Zone to the southeast portion of the property, permitting the same uses as above except for the addition of another holding provision requiring an EIS, to a part of the southerly portion of the subject property which includes lands between the regulatory floodline and lands at the EIS "trigger distance", a total distance of approximately 50 metres from the stream corridor boundary;
- e) the ~~attached~~ proposed by-law, to be amended at a special Planning and Environment Committee meeting to be held on October 9, 2012, as outlined in clause g), below, BE INTRODUCED at the Municipal Council meeting on October 9, 2012 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to apply an Open Space (OS4) Zone to the southwest portion of the subject property which includes lands below the regulatory floodline;
- f) the Site Plan Approval Authority BE REQUESTED to consider the design of the "streetface" along Wellington Road and enhanced landscaping along that street frontage because of the site's location along a major entryway into the City;

it being noted that, upon the passing of the zoning by-law amendments in clauses a) to e), above, the applicant has agreed to withdraw their appeal to Zoning By-law No. Z-1-051390 (Annexed Area Zoning By-law Amendment) through the Ontario Municipal Board;

- g) the Civic Administration BE ASKED to prepare a by-law to add an OS4 () Special Provision Zone, to be applied to the lands beyond the 50m adjacent to Dingman Creek, SUBJECT TO the completion of an environmental impact statement (EIS) acceptable to the City, with the approval of the Upper Thames River Conservation Authority (UTRCA), to permit the parking of transport truck trailers in association with a permitted use in an adjacent LI zone to an elevation not greater than 0.5 metres below the Regulatory Flood Line, and to add a requirement for public site plan review to

address matters of landscape, buffering, and the emission of noise, dust, odour and/or vibration, at a special meeting of the Planning and Environment Committee to be held on Tuesday, October 9, 2012; and,

- h) pursuant to Section 34(17) of the *Planning Act*, as determined by the Municipal Council, no further notice BE GIVEN in respect of the proposed by-law as the proposed amendment is minor in nature;

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

- R. Zelinka, Zelinka Priamo Ltd., on behalf of the applicant – advising that the applicant has been trying to resolve the Westminster Zoning By-law appeal since January, 2007; advising that they have had good conversations with both Conservation Authorities; advising that the recommendation does not include the L1-4 Zone; noting that he understands the basis for the exclusions of this zone; indicating that this is a wide and shallow floodplain; recognizing that they are dealing with a one in 100 year floodplain; advising that the floodplain extends well into the applicant's lands; advising that the applicant intends to utilize a section of the property for the storage of transport truck trailers which presents no hazard, no risk to human safety and no impact to the creek if it floods; and requesting the OS4 Zone, as it allows for the parking of the transport trailers on the property. (2012-D11-03)

Motion Passed

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

13th Report of the Community Services Committee
Councillor M. Brown presents.

Motion made by Councillor M. Brown to Approve clauses 1, 2, 3, 4 and 7.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Dearness Home Community Newsletter September – 2012

That the September 2012 Dearness Home Community Newsletter BE RECEIVED.

3. 1st Report of the Accessibility Advisory Committee

That the 1st Report of the Accessibility Advisory Committee from its meeting held on August 23, 2012 BE RECEIVED.

4. 1st Report of the London Housing Advisory Committee

That the 1st Report of the London Housing Advisory Committee from its meeting held on September 12, 2012, BE RECEIVED.

7. Cenotaph Plaza Lay-out Alterations

That, on the recommendation of the Managing Director, Parks and Recreation, the report dated October 1, 2012 with respect to minor modifications to the Cenotaph Plaza in Victoria Park to support Remembrance Day ceremonies BE RECEIVED for information. (2012-M09-00)

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 (14)

Motion made by Councillor M. Brown to Approve clauses 5 and 6.

5. Ontario Works Participation Profile, July 2012

That, on the recommendation of the Acting Administrator, Ontario Works Administrator, the report dated October 1, 2012 with respect to the Ontario Works participant profile, July 2012, BE RECEIVED for information. (2012-C16-00)

6. Ontario Works Caseload Update for January 2012 to August 2012

That, on the recommendation of the Acting Administrator, Ontario Works, the report dated October 1, 2012 with respect to an Ontario Works caseload update, January to August, 2012, BE RECEIVED for information. (2012-C16-00)

Motion Passed

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

RECUSED: P. Hubert (1)

At 7:52 PM, Councillor S.E. White enters the meeting.

Motion made by Councillor M. Brown to Approve clause 8.

8. Smoking Restrictions in Municipal Outdoor Spaces

That the Managing Director, Parks and Recreation, BE DIRECTED to bring forward a draft by-law for introduction at a future Municipal Council meeting with respect to smoking restrictions in municipal outdoor spaces to:

- a) prohibit smoking within 9 metres (30 feet) of playgrounds and recreation amenities in municipal parks; and
- b) prohibit smoking within 9 metres (30 feet) of an entrance to a municipally-owned building;

it being noted the Community Services Committee reviewed and received communications from the following individuals/organizations in support of outdoor smoking restrictions:

- Jenna Challenger, 158 Broughdale Ave.;
- Gemma Urbani;
- Sharon Whiteside, Brain Tumour Foundation of Canada;
- Dominique Bruce, Canadian Cancer Society, Smokers' Helpline;
- Haylee White, 158 Broughdale Ave.;
- Reem Gray; and,
- Heather Gillespie & Travis Wintjes;

And the following individual/organization opposing outdoor smoking restrictions:

- Rick Pettit, Lambeth Harvestfest

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

- Johnathon Bullick, Member – Scent-Free London – providing an explanation of what chemical sensitivities are, that is an environmental illness; noting that this can affect an individual's ability to travel, socialize, participate in recreation, etc.; describing an outdoor smoking ban as protection and as a matter of accessibility; noting multiple chemical sensitivity (MCS) is impacted by smoking and that smoking is a mode of giving chemicals to individuals, and making them addicted and requesting the Committee to support the rights of non-smokers.
- Stephanie Dorman, PhD candidate and volunteer with the Canadian Cancer Society – noting support for a ban of smoking in outdoor public spaces and entrance ways and outlining her submission as included on the October 1, 2012 Community Services Committee agenda.
- Linda Stobo, Manager of Chronic Disease Prevention and Tobacco Control, Middlesex London Health Unit – providing the ~~attached~~ presentation and indicating support for a ban on smoking in outdoor public spaces.

- Margaret Mitchell, London Public Library – presenting information as included on the Community Services Committee Added Agenda, including a request to petition other levels of government related to the fundamental problem of smoking on the sidewalk outside the Central Library as it is considered a “highway” under the *Highway Traffic Act*, and therefore by-laws cannot be applied to restrict smoking there.
- Kimberly Cairns – noting that she is addressing the Committee, in order to give children a voice and noting that Canadians are afforded choice whether to smoke or not; suggesting that if someone was to offer a child a cigarette, it would not be tolerated and noting support for the proposed restrictions.
- Michael Lewis – noting his opposition to some of the more severe options proposed, and suggesting that the *Smoke-free Ontario Act* goes far enough to limit smoking opportunities and the current legislation is adequate; noting that data on second-hand smoke outdoors is not proven and noting that of the 444 municipalities in Ontario, only 13 have full outdoor bans; noting that some studies have indicated obesity is far more of a health issue than smoking, and unhealthy foods are actually encouraged at festivals and suggesting that the 9m restriction does very little to protect people from smoke and/or exhaust from vehicles.
- Gwyneth Doty, 18 Lyndhurst Avenue – noting that she is a non-smoker, but does not agree with any further restrictions being proposed; suggesting Council wastes too much time and money on debate of non-issues and that smokers are tax payers also and that these proposals are not democratic; indicating that everyone has rights, not just non-smokers, smoking isn't the only ailment in society and that Council should focus on other issues.

Pursuant to section 17.2 of the Council Procedure By-law, Councillor H.L. Usher calls for a separate vote on parts a) and b) of clause 8.

At 7:55 PM, Councillor B. Polhill leaves the meeting.

At 8:06 PM, Councillor B. Polhill enters the meeting.

The motion to Approve part a) of clause 8 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, J.P. Bryant, S.E. White (13)

NAYS: S. Orser, H.L. Usher (2)

The motion to Approve part b) of clause 8 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)

26th Report of the Finance and Administrative Services Committee
Councillor P. Hubert presents.

Motion made by Councillor P. Hubert to Approve clauses 1 to 12, except clauses 2 and 4.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

3. Local Government Week, October 14 - 20, 2012

That, on the recommendation of the City Clerk, the Civic Administration BE DIRECTED to develop, host and promote a “Join the Mayor/Councillor for the Day” trivia contest as part of Local Government Week (October 14 to 20, 2012) in order to foster greater public education regarding local government.

5. Amendment of Council Policy 12(1) - Denial of Claims

That, on the recommendation of the Manager, Risk Management, with the concurrence of the City Solicitor, the ~~attached~~ proposed by-law (Appendix "B") BE INTRODUCED at the Municipal Council meeting on October 9, 2012 to amend Council Policy 12(1) entitled "Denial of Claims" by repealing the Policy as the Policy is no longer necessary or appropriate.

6. Pre-Budget Submission to the Federal Standing Committee on Finance

That, on the recommendation of the Director of Intergovernmental and Community Liaison, the ~~attached~~ pre-budget submission to the Federal Minister of Finance, our local MPs, and the Federal Standing Committee on Finance BE SUPPORTED; it being noted that the Civic Administration will continue to refine the content to reflect any new information and emerging issues.

7. Designation of an Improvement Area Under Section 204 of the *Municipal Act, 2001* - Argyle BIA

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the ~~attached~~ proposed by-law (Appendix "A") BE INTRODUCED at the Municipal meeting to be held on October 9, 2012 to designate an area as an improvement area and to establish the board of management for the purpose of managing the Argyle Business Improvement Area in accordance with section 204 of the Municipal Act, 2001.

8. 2011 Annual Report Development Charges Reserve Funds

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 2011 annual report on development charges reserve funds:

- a) the annual statement of the City Treasurer (Appendix A and Appendix B) with respect to the operation of the City Services Reserve Funds and Urban Works Reserve Funds for the year ended December 31, 2011 BE RECEIVED for information; and
- b) a copy of this statement BE FORWARDED to the Minister of Municipal Affairs and Housing in compliance with Section 43(3) of the Development Charges Act, 1997; it being noted that the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer gave a brief verbal overview with respect to this matter.

9. Signing Authority By-law - Cheques

That, on the recommendation of the Deputy City Treasurer, the ~~attached~~ proposed by-law BE INTRODUCED at the Municipal Council meeting on October 9, 2012 for the purpose of repealing and replacing By-Law No. A.-6605-11, being "A by-law relating to the signing of the cheques drawn on certain bank accounts of The Corporation of the City of London."

10. Tender 12-59 - Automotive Lubricants

That, on the recommendation of the Managing Director, Engineering Services & City Engineer, the following actions be taken with respect to Tender 12-59:

- a) the bids submitted by Safety-Kleen Canada Inc., 300 Woolwich Street South, Breslau, ON N0B 1M0 of \$73,361.89 and Case N' Drum, 3462 White Oak Road, London, ON N6E 2Z9 of \$1,791.36 and Lubesource, 351 Caldari Road, Vaughan, ON L4K 4S9 of \$16,710.68 and Progressive Industrial Fluids Ltd., 1235 G Aerowood Drive, Mississauga, ON L4W 1B9 of \$3,886.50; HST extra for a one (1) year period with options for two (2) additional one (1) year extensions, BE ACCEPTED, it being noted that these bids are the low bid per item and meets all of our terms, conditions, requirements and specifications in all areas;
- b) the Civic Administration BE AUTHORIZED to undertake all of the administrative acts that are necessary in connection with this contract; and,
- c) the approval hereby given BE CONDITIONAL upon the Corporation entering into a formal contract or issuing purchase orders or contract record relating to these matters of this approval.

11. A.J. Tyler Fuel Site Upgrades - Single Source - Project No. ME1206,
Tender No. 12-95

That, on the recommendation of the Managing Director – Corporate Assets and the Managing Director, Engineering & City Engineer, the following actions be taken with respect to the A.J. Tyler fuel site upgrades:

- a) the proposal submitted by Middlesex Supply and Maintenance Ltd., 331 Neptune Crescent, London, Ontario, N6M 1A9 at its proposed price of \$174,850 (HST excluded) for the A.J. Tyler Fuel Site Upgrades BE ACCEPTED; it being pointed out that the proposal is a single source bid and is in compliance with the Procurement of Goods and Service Policy as per Section 14.4 Single Source, clauses d) and e);
- b) the Sources of Financing BE APPROVED as detailed in Appendix “A” of the associated staff report dated September 24, 2012;
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts which are necessary in connection with this project; and
- d) the approval given herein BE CONDITIONAL upon the Corporation entering into a formal contract with the contractor for the work.

12. Confidential Matter

The Finance and Administrative Services Committee met in camera from 1:27 PM to 2:55 PM after having passed a motion to do so, with respect to a confidential matter pertaining to reports, advice and recommendations of officers and employees of the Corporation concerning labour relations and employee negotiations in regard to one of the Corporation’s associations or unions and litigation or potential litigation, including matters before administrative tribunals, affecting the municipality and advice which is the subject of solicitor client privilege, including communications necessary for that purpose and for the purpose of providing instructions and directions to officers and employees of the Corporation. (See Confidential Appendix to the 26th Report of the Finance and Administrative Services Committee enclosed for Members only.)

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 2.

2. Employee Absenteeism Update

That, on the recommendation of the Managing Director, Corporate Services and Chief Human Resources Officer, the report dated September 24, 2012 regarding employee absenteeism BE RECEIVED for information.

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 4.

4. Property Acquisition - Portion of 600 - 650 Industrial Road - Pottersburg Creek

That, on the recommendation of the Managing Director - Corporate Assets, on the advice of the Manager Realty Services, with respect to the vacant property consisting of a portion of Pottersburg Creek and the adjacent floodplain land owned by Elron Developments Limited, municipally known as 600 - 650 Industrial Road, the following actions be taken:

- a) the offer submitted by Elron Developments Limited to donate to the City land municipally known as 600 and 650 Industrial Road, located on the south of Oxford Street East, north of Industrial Road, further described in the draft Reference Plan as Parts 3, 4, 10 and 11 (shown in yellow on Schedule “A” ~~attached~~), containing an area of

approximately 4 acres, for the purpose of the protection and addition of floodplain lands and the watercourse in perpetuity, for a nominal sum of \$2.00 BE ACCEPTED, subject to the following conditions:

- i) the City and Elron Developments Limited agreeing to split the total cost in preparing and depositing a reference plan on title (a cost of approximately \$15,000.00) setting out the lands to be conveyed, as well as the lands for the multi-purpose easement for municipal services;
 - ii) the City agreeing to pay Elron Developments Limited's legal fees of approximately \$2,500.00 plus disbursements to close this transaction, subject to assessment;
- b) the Sources of Financing BE APPROVED as detailed in Appendix "A" of the associated staff report dated September 24, 2012; and
 - c) the ~~attached~~ proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on October 9, 2012 to approve this acquisition and to authorize the Mayor and the City Clerk to execute the Agreement of Purchase and Sale and the Grant of Easement agreement.

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)

15th Report of the Civic Works Committee
Councillor H.L. Usher presents.

Motion made by Councillor H.L. Usher to Approve clauses 1, 2, 5, 6, and 7.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. 1st Report of the Transportation Advisory Committee

That the 1st Report of the Transportation Advisory Committee from its meeting held on September 4, 2012, BE RECEIVED.

5. Intelligent Drinking Water Monitoring System

That, on the recommendation of the Managing Director, Engineering and City Engineer, the following actions be taken with respect the City of London entering into an agreement with A.U.G. Signals Ltd. (AUG), to install an "Intelligent Drinking Water Monitoring System" (IDWMS) connected to the City of London Water Distribution System, and to act as a pilot demonstration site for the IDWMS:

- a) the ~~attached~~ proposed by-law (Appendix "A") BE INTRODUCED at the Municipal Council meeting to be held on October 9, 2012, to approve a Memorandum of Understanding (MOU) between The Corporation of the City of London and A.U.G. Signals Ltd.;
- b) the Mayor and the City Clerk BE AUTHORIZED to execute the MOU substantially in the form ~~attached~~ and to the satisfaction of the City Solicitor, and all other documents required to fulfill the conditions of the MOU; and,
- c) the Civic Administration BE AUTHORIZED to undertake all administrative acts that are necessary in connection with the MOU. (2012-W13-00)

6. Huron Street Watermain Replacement Municipal Class Environmental Assessment (EW3580)

That, on the recommendation of the Managing Director, Engineering and City Engineer, the following actions be taken with respect to the Huron Street Watermain Crossing Municipal Class Environmental Assessment Report:

- a) the Huron Street Watermain Crossing Municipal Class Environmental Assessment

Report Executive Summary BE ACCEPTED;

- b) the Notice of Completion of the Huron Street Watermain Crossing Municipal Class Environmental Assessment Report BE ADVERTISED; and,
- c) the Huron Street Watermain Crossing Municipal Class Environmental Assessment Report BE PLACED on public record for a 30-day review period. (2012-W13-00)

7. Single Source for the Supply, Delivery and Pressurized Unloading of Chemical Lime

That, on the recommendation of the Managing Director, Engineering and City Engineer, the following action be taken with respect to the supply, delivery and pressurized unloading of chemical lime at the Greenway Pollution Control Centre:

- a) approval hereby BE GIVEN to enter into a two (2) year single source contract for the supply, delivery and unloading of pressurized chemical lime at Greenway Pollution Control Centre from Carmeuse Lime (Canada) Inc., 11 Stanwix Street, 21st Floor, Pittsburgh, PA, 15222;
- b) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this contract;
- c) the approval hereby BE CONDITIONAL upon the Corporation negotiating satisfactory prices, terms and conditions with Carmeuse Lime, (Canada), Inc. to the satisfaction of both the City Treasurer and the Managing Director, Engineering and City Engineer; and,
- d) the approval hereby BE CONDITIONAL upon the Corporation entering into a formal contract or having a purchase order relating to the subject matter of this approval. (2012-F13-00)

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 3.

3. Curbside Blue Box Program - Awareness and Compliance Program

Motion made by and seconded by to Approve That, on the recommendation of the Director, Environmental Programs and Solid Waste, the following actions be taken with respect to the Curbside Blue Box Program:

- a) the phasing-in of an awareness and compliance program with respect to the Curbside Blue Box Program BE APPROVED; it being noted that one of the primary goals of the Program is to educate Londoners on the financial value of correct curbside separation practices; and,
- b) the ~~attached~~ proposed by-law (Appendix "A"), BE INTRODUCED at the Municipal Council meeting to be held on October 9, 2012, to amend By-law WM-12, a Municipal Waste and Resource Materials Collection By-law to allow for containers with improperly sorted or non-recyclable material, not to be collected. (2012-W08-00)

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 4.

4. Status of the Green Bin and Modified Garbage Collection Pilot Program

That, on the recommendation of the Director, Environmental Programs and Solid Waste, the report dated October 1, 2012, with respect to the status of the Green Bin and Modified

Garbage Collection Pilot Project BE RECEIVED for information. (2012-W11-00)

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 8.

8. Proposed Amendments to the Sewer System Charge By-law (WM -15):
Measuring Procedures and Application for Exemptions and Rebates

That, on the recommendation of the Managing Director of Engineering and City Engineer, the ~~attached~~ proposed by-Law (Appendix "A") to amend the Sewer System Charge By-law (WM-15) BE INTRODUCED at the Municipal Council meeting to be held on October 9, 2012; it being noted that these changes are being made to clarify imposing sanitary sewer charges where there is a flow differential between the water supply and sanitary sewer flow and to include procedures to apply for exemptions and rebates;

it being pointed out that there were no oral submissions made at the public participation meeting held in connection with this matter. (2012-W10-00)

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 9.

9. KAP Holding Inc. - Street Re-addressing of Lots on the East Side of Audrey Avenue

That, on the recommendation of the Managing Director, Development and Compliance Services and Chief Building Official, the following actions be taken with respect to the application submitted by KAP Holdings Inc. for the municipal addressing reassignment of Audrey Avenue:

- a) the Manager of Development Services and Engineering Liaison BE REQUESTED to take all the necessary steps to undertake re-addressing of the properties on the eastern side of Audrey Avenue, between Huron Street and Broughdale Avenue, from 2 Audrey Avenue to 4 Audrey Avenue; from 4 Audrey Avenue to 6 Audrey Avenue; from 6 Audrey Avenue to 8 Audrey Avenue; from 8 Audrey Avenue to 10 Audrey Avenue; and, from 10 Audrey Avenue to 12 Audrey Avenue;
- b) the applicant, Kap Holdings Inc., BE REQUIRED to compensate the owners of the affected lots on Audrey Avenue one hundred dollars (\$100.00) each for the costs associated with the municipal address change;

it being pointed out that there were no oral submissions made at the public participation meeting held in connection with this matter. (2012-D17-00)

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 10.

10. Pemic Land Corp. - Street Renaming of the South Portion of Logans Way

That, on the recommendation of the Senior Planner, the following actions be taken with respect to the application submitted by Pemic Land Corp. for the street re-naming of the south portion of Logans Way:

- a) the south portion of Logans Way located west of Logans Run, within Registered Plan 33M-549, BE RENAMED to Logans Trail;
- b) upon the approval of the street name change, in a) above, the City Clerk BE REQUESTED to introduce the ~~attached~~ by-law at a Municipal Council meeting within 30 days following the date of registration of the draft approved plan of subdivision submitted by Pemic Land Corp. and Sifton Properties Ltd. (File No. 39T-10504), to rename the south portion of Logans Way located west of Logans Run, within Registered Plan 33M-549, to Logans Trail;
- c) within six (6) months from the date of adoption of the by-law to rename the south portion of Logans Way located west of Logans Run to Logans Trail, the Owner BE DIRECTED to have a qualified masonry contractor replace the municipal number and street name inscription on the existing homes on Logans Way (southern leg), at no cost or expense to the homeowners or the City;

it being noted that the Civic Works Committee received a communication dated September 24, 2012, from J. Mendham, 1504 Logans Way, with respect to this matter;

it being pointed out that there were no oral submissions made at the public participation meeting held in connection with this matter. (2012-D17-00)

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 and seconded by Councillor N. Branscombe to Approve that pursuant to section 13.6 of the Council Procedure By-law, the actions of the Municipal Council taken at its meeting held on June 26 and 27, 2012, with respect to part g) of clause 16 of the 11th Report of the Civic Works Committee, related to the Terms of Reference for the London Transit Commission (LTC) Long-Term Working Group BE RECONSIDERED.

Motion Passed

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

RECUSED: D. Brown (1)

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

11. 2nd Report of the LTC Long Term Growth Report Working Group

That, on the recommendation of the LTC Long Term Growth Report Working Group (LTCWG), the following actions be taken with respect to the 2nd Report of the LTCWG from its meeting held on September 12, 2012:

- a) the "Duties" included in the LTC Long Term Growth Report Working Group (LTCWG) Terms of Reference BE AMENDED to read as follows:

"DUTIES:

The Working Group shall:

- a) review the London 2030 Transportation Master Plan (TMP) in order to provide recommendations to the Municipal Council on the implementation of the London 2030 TMP including, but not limited to, identifying priorities for roadway investment, identifying potential amendments to existing land use and parking policies that influence transit usage, and identifying opportunities for improving the speed, frequency, comfort and reliability of public transit services with a view to increased public transit ridership; and,
- b) review, monitor and make recommendations to the Municipal Council with respect to the Bus Rapid Transit business case development, implementation and transit route restructuring;"

it being noted that the LTCWG held a general discussion with respect to its Terms of

Reference dated July 2012; and,

- b) the following actions be taken with respect to the London 2030 Transportation Master Plan Implementation Strategy:
- i) the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer BE INVITED to the next scheduled meeting of the LTC Long Term Growth Report Working Group (LTCWG), to discuss various methods of advancing the Bus Rapid Transit (BRT) in a sustainable way, starting with the 2013 Budget;
 - ii) the London Transit Commission (LTC) BE ASKED to forward its BRT Business Case, upon LTC approval, to the LTCWG for review; it being noted that the BRT Business Case will identify the economic, environmental and social (community access) returns associated with employing a BRT strategy;
 - iii) the Civic Administration BE ADVISED that the LTCWG acknowledges that Appendix Q, of the Transportation Master Plan, ensures the policies for transportation and transit from the TMP are incorporated into the new Official Plan; it being noted that this is the direction from ReThink London and the Official Plan Review; and,
 - iv) the Civic Administration BE ADVISED that the LTCWG encourages continued efforts to affect change in the Development Charges Act to identify barriers to transit growth;

it being noted that the LTCWG heard the ~~attached~~ presentation from J. Lucas, Divisional Manager, Transportation Planning and Design, G. Barrett, Manager, Land Use Planning Policy, and L. Ducharme, General Manager, London Transit Commission.

Motion made by Councillor H.L. Usher and seconded by Councillor N. Branscombe to Amend clause 11 to add a new clause a) as follows:

- a) that part g) of Clause 16 of the 11th Report of the Civic Works Committee BE RESCINDED.

Motion Passed

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

RECUSED: D. Brown (1)

Motion made by Councillor H.L. Usher and seconded by Councillor N. Branscombe to Approve clause 11, as amended.

Motion Passed

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

RECUSED: D. Brown (1)

Clause 11, as amended, reads as follows:

That, on the recommendation of the LTC Long Term Growth Report Working Group (LTCWG), the following actions be taken with respect to the 2nd Report of the LTCWG from its meeting held on September 12, 2012:

- a) that part g) of Clause 16 of the 11th Report of the Civic Works Committee BE RESCINDED;
- b) the "Duties" included in the LTC Long Term Growth Report Working Group (LTCWG) Terms of Reference BE AMENDED to read as follows:

“DUTIES:

The Working Group shall:

- a) review the London 2030 Transportation Master Plan (TMP) in order to provide recommendations to the Municipal Council on the implementation of the London 2030 TMP including, but not limited to, identifying priorities for roadway investment, identifying potential amendments to existing land use and parking policies that influence transit usage, and identifying opportunities for improving the speed, frequency, comfort and reliability of public transit services with a view to increased public transit ridership; and,
- b) review, monitor and make recommendations to the Municipal Council with respect to the Bus Rapid Transit business case development, implementation and transit route restructuring;”

it being noted that the LTCWG held a general discussion with respect to its Terms of Reference dated July 2012; and,

- b) the following actions be taken with respect to the London 2030 Transportation Master Plan Implementation Strategy:
 - i) the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer BE INVITED to the next scheduled meeting of the LTC Long Term Growth Report Working Group (LTCWG), to discuss various methods of advancing the Bus Rapid Transit (BRT) in a sustainable way, starting with the 2013 Budget;
 - ii) the London Transit Commission (LTC) BE ASKED to forward its BRT Business Case, upon LTC approval, to the LTCWG for review; it being noted that the BRT Business Case will identify the economic, environmental and social (community access) returns associated with employing a BRT strategy;
 - iv) the Civic Administration BE ADVISED that the LTCWG acknowledges that Appendix Q, of the Transportation Master Plan, ensures the policies for transportation and transit from the TMP are incorporated into the new Official Plan; it being noted that this is the direction from ReThink London and the Official Plan Review; and,
 - iv) the Civic Administration BE ADVISED that the LTCWG encourages continued efforts to affect change in the Development Charges Act to identify barriers to transit growth;

it being noted that the LTCWG heard the ~~attached~~ presentation from J. Lucas, Divisional Manager, Transportation Planning and Design, G. Barrett, Manager, Land Use Planning Policy, and L. Ducharme, General Manager, London Transit Commission.

Motion made by Councillor H.L. Usher to Approve clause 12.

12. Amendments to the Traffic and Parking By-law

That the following actions be taken with respect to amendments to the Traffic and Parking By-law:

- a) the ~~attached~~ proposed by-law (Appendix “A”) BE INTRODUCED at the Municipal Council meeting to be held on October 9, 2012, for the purpose of amending the Traffic and Parking By-law (P.S. 111); and,
- b) the Civic Administration BE REQUESTED to report back at a future meeting of the Civic Works Committee (CWC) with respect to extending the provisions for no parking on Trowbridge Avenue for the period of May 1 to October 31, every year; it being noted that the report back should include any financial impacts, such as lost revenue, that would be incurred with the proposed no parking extension;

it being noted that the CWC received a communication dated September 12, 2012 and heard a verbal delegation from D. Engel, 220 Trowbridge Avenue and received the following communications with respect to parking on Trowbridge Avenue:

- S. Martin and R. Hanshaw, 209 Trowbridge Avenue;

- D. Lowe, 189 Trowbridge Avenue, dated October 1, 2012;
- R. Turner, 200 Trowbridge Avenue; and,
- R. Hanson, email; it also being noted that K. MacAdam was unavailable to attend as a delegation. (2012-S09-00) (2012-S04-00)

Motion made by Councillor H.L. Usher and seconded by Councillor S. Orser to Amend clause 12 by deleting part b) in its entirety and by replacing it with a new part b) as follows:

- b) the Civic Administration BE REQUESTED to report back at a future meeting with respect to allowing overnight parking from May 1 to October 31, every year; it being noted that the report back should include any financial impacts, such as lost revenue, that would be incurred as a result of extending the period when overnight parking is allowed;

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 and seconded by Councillor S. Orser to Approve clause 12, as amended.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, 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 (14)

RECUSED: M. Brown (1)

Clause 12, as amended, reads as follows:

That the following actions be taken with respect to amendments to the Traffic and Parking By-law:

- a) the ~~attached~~ proposed by-law (Appendix "A") BE INTRODUCED at the Municipal Council meeting to be held on October 9, 2012, for the purpose of amending the Traffic and Parking By-law (P.S. 111); and,
- b) the Civic Administration BE REQUESTED to report back at a future meeting with respect to allowing overnight parking from May 1 to October 31, every year; it being noted that the report back should include any financial impacts, such as lost revenue, that would be incurred as a result of extending the period when overnight parking is allowed;

it being noted that the CWC received a communication dated September 12, 2012 and heard a verbal delegation from D. Engel, 220 Trowbridge Avenue and received the following communications with respect to parking on Trowbridge Avenue:

- S. Martin and R. Hanshaw, 209 Trowbridge Avenue;
- D. Lowe, 189 Trowbridge Avenue, dated October 1, 2012;
- R. Turner, 200 Trowbridge Avenue; and,
- R. Hanson, email; it also being noted that K. MacAdam was unavailable to attend as a delegation. (2012-S09-00) (2012-S04-00)

16th Report of the Investment and Economic Prosperity Committee
Councillor J.B. Swan presents.

Motion made by Councillor J.B. Swan to Approve clauses 1 to 5.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. South Street Campus Lands Redevelopment Process - Master Development and Secondary Plans

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken:

- a) the interim report prepared by Michael Downie, Community Development Consultant, which provides information relating to the South Street Campus lands redevelopment process BE RECEIVED for information;
- b) the Civic Administration BE DIRECTED to submit a source of funding at the October 16, 2012 meeting of the Investment and Economic Prosperity Committee (IEPC) for the completion of the necessary servicing and planning studies to complete the Master Development and Secondary Plans, including:
 - Hydro-geotechnical
 - Transportation Impacts
 - Environmental Impacts
 - Cultural Heritage (north side of South Street)
 - Secondary Plan;
- c) the Civic Administration BE DIRECTED to submit, to the October 16, 2012 meeting of the Investment and Economic Prosperity Committee (IEPC), a report providing the following information:
 - timelines for the completion of the Secondary Plan
 - phasing of development
 - marketing information and potential financial benefits to the community;
- d) the Civic Administration BE DIRECTED to submit a report at a future meeting of the IEPC outlining potential instruments that could be put in place, such as a Development Corporation, to market the associated development initiatives; it being noted that the IEPC received the ~~attached~~ presentation from John Fleming, Managing Director Planning and City Planner regarding this matter.

3. Due Diligence Checklist for Establishing Priority List of Projects

That the communication dated July 12, 2012 from Gerry Macartney, CEO, London Chamber of Commerce regarding the due diligence checklist for establishing a priority list of economic development projects BE RECEIVED.

4. A Paradigm for Economic Prosperity

That, on the recommendation of the Director of Corporate Investments and Partnerships, the ~~attached~~ report entitled 'A Paradigm for Economic Prosperity' BE RECEIVED; it being noted that the Investment and Economic Prosperity Committee received the ~~attached~~ presentation from the Director of Corporate Investments and Partnerships, regarding this matter.

5. Phase 1 Strategy for Employing Solar PV Systems on City of London's Municipal Buildings and Properties

That, on the recommendation of the Director of Corporate Investments and Partnerships and the Director of Environmental Programs & Solid Waste, the following actions be taken with respect to the City of London's solar photovoltaic (PV) power strategy:

- a) the ~~attached~~ Phase 1 Strategy for the pursuit of Offer Notices from the Ontario Power Authority (OPA) for Small FIT rooftop solar power generation systems on the City of London buildings BE APPROVED for implementation by Civic Administration; it being noted that Ameresco will continue to develop the Phase 2 and Phase 3 Strategies with respect to microFIT solar and large FIT solar opportunities and that all submissions to the OPA are occurring in a highly competitive environment (See Report ~~attached~~); and
- b) the Civic Administration BE DIRECTED to provide a report at the April 29, 2013 Investment and Economic Prosperity Committee meeting with respect to the status of the City of London's Energy Strategy.

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)

At 9:18 PM, Councillor W.J. Armstrong leaves the meeting.

4th Report of the Audit Committee
Councillor P. Hubert presents.

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

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Engagement of PricewaterhouseCoopers for Advisory Services

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the report dated September 27, 2012 with respect to the engagement of PricewaterhouseCoopers (PwC) for advisory services BE RECEIVED for information; it being noted that PwC LLP has been engaged by the Finance Division to provide advisory services to the JD Edwards Upgrade Project.

3. Municipal Performance Measurement Program (MPMP) Three Year Comparative Values 2009-2011

That, on the recommendation of the Deputy City Treasurer, the report dated September 27, 2012 outlining the MPMP comparative measures for the three years ending December 31, 2009, 2010 and 2011, BE RECEIVED for information.

4. Quarterly Report on Internal Audit Results

That the following actions be taken with respect to the Quarterly Report on Internal Audit Results, dated September 27, 2012, from PricewaterhouseCoopers:

- a) Development and Compliance Services – Building Control –
 - i) prior to the submission of the annual report, the Civic Administration BE REQUESTED to provide an information report to the appropriate standing committee with respect to cash flow projections based on available information, as it relates to the departmental budget and reserve fund balances and contributions; and,
 - ii) the Action Plans included as Appendix 'A' of the above-noted report BE IMPLEMENTED;
- b) Parks & Recreation – Health & Safety – the Action Plans included as Appendix 'B' of the above-noted report BE IMPLEMENTED; and,
- c) Corporate Services – Finance – Purchasing Cards – the Action Plans included as Appendix 'C' of the above-noted report BE IMPLEMENTED;

it being noted that the Audit Committee also reviewed the Internal Audit Schedule going forward, the "Internal Audit Scorecard" as at September 2012 and the status of past project Action Plans.

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)

14th Report of the Strategic Priorities and Policy Committee
Councillor P. Hubert presents.

Motion made by Councillor P. Hubert to Approve clause 1.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, J.B. Swan, S. Orser, J.L. Baechler, 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 9:21 PM, Councillor W.J. Armstrong enters the meeting.

IX DEFERRED MATTERS

None.

X ENQUIRIES

None.

XI EMERGENT MOTIONS

Motion made by Councillor H.L. Usher and seconded by Councillor D. Brown to Approve leave for introduction of emergent motion, pursuant to section 19.2 of the Council Procedure By-law.

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 and seconded by Councillor J.L. Baechler to Approve that:

WHEREAS the current worldwide generation of young people is the largest in human history with nearly half the world's population-more than 3 billion people-under the age of 25, of which approximately 51 percent or 1.51 billion are female;

AND WHEREAS sixty percent of girls say that they experience stereotypes that limit their right to be themselves; 52 percent of girls say they experience stereotypes that limit their right to express themselves with originality and enthusiasm; more than a third (37 percent) of girls feel constrained by these stereotypes, saying they don't like them;

AND WHEREAS gender equality is a fundamental right for all people as well as a cornerstone of global development, as research shows that investing in girls can create a ripple effect that not only improves the lives of girls but also benefits the economic growth and the health and well-being of communities;

AND WHEREAS the United Nations has declared October 11, 2012 as the first International Day of the Girl Child and Canada has led the international community in adopting this day

THAT all citizens BE URGED to support and participate in programs and events to improve the lives of girls everywhere in support of the first International Day of the Girl Child.

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)

XII BY-LAWS

Motion made by Councillor N. Branscombe and seconded by Councillor D. Brown to Approve 1st reading of Bill No.s 394 to 415, excluding Bill No.s 398 and 405.

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 N. Branscombe and seconded by Councillor H.L. Usher to Approve 2nd reading of Bill No.s 394 to 415, excluding Bill No.s 398 and 405.

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 B. Polhill and seconded by Councillor J.L. Baechler to Approve 3rd reading and enactment of Bill No.s 394 to 415, excluding Bill No.s 398 and 405.

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 and seconded by Councillor N. Branscombe to Approve that pursuant to section 13.6 of the Council Procedure By-law, clause 4 of the 26th Report of the Finance and Administrative Services Committee BE RECONSIDERED.

Motion Passed

Motion made by Councillor D.G. Henderson and seconded by Councillor B. Polhill to Refer clause 4 back to the Finance and Administrative Services Committee for a report back by the Civic Administration regarding the environmental integrity of the subject property after the environmental report has been completed; it being noted that in the meantime, the Civic Administration was instructed to seek an Agreement of Purchase and Sale with an irrevocable date that provides sufficient time for the environmental investigation and analysis.

Motion Passed

Motion made by Councillor D. Brown and seconded by Councillor N. Branscombe to Approve 1st reading of Bill No. 405.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, 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 (14)

RECUSED: M. Brown (1)

Motion made by Councillor B. Polhill and seconded by Councillor N. Branscombe to Approve 2nd reading of Bill No. 405.

Motion Passed

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

NAYS: D.G. Henderson (1)

RECUSED: M. Brown (1)

Motion made by Councillor H.L. Usher and seconded by Councillor D. Brown to Approve 3rd reading and enactment of Bill No. 405.

Motion Passed

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

NAYS: D.G. Henderson (1)

RECUSED: M. Brown (1)

Motion made by Councillor J.P. Bryant and seconded by Councillor N. Branscombe to Approve leave to introduce Bill No.s 416 to 418.

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 and seconded by Councillor D. Brown to Approve 1st reading of Bill No.s 416 to 418.

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

NAYS: D.G. Henderson (1)

Motion made by Councillor B. Polhill and seconded by Councillor N. Branscombe to Approve 2nd reading of Bill No.s 416 to 418.

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

NAYS: D.G. Henderson (1)

Motion made by Councillor N. Branscombe and seconded by Councillor D. Brown to Approve 3rd reading and enactment of Bill No.s 416 to 418.

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

Bill No. 394, By-law No. A.-	A by-law to confirm the proceedings of the Council Meeting held on the 9th day of October, 2012. (City Clerk)
Bill No. 395, By-law No. A.-	A by-law to designate an area as an improvement area and to establish the board of management for the purpose of managing the Argyle Business Improvement Area. (7//FASC)
Bill No. 396, By-law No. A.-	A by-law relating to the signing of the cheques drawn or authorization of electronic funds or wire transfers on certain bank accounts of The Corporation of the City of London. (9//FASC)
Bill No. 397, By-law No. A.-	A by-law to repeal Council Policy 12(1) entitled, "Denial of Claims" as the Policy is no longer necessary or appropriate. (5//FASC)
Bill No. 399, By-law No. A.-	A by-law to authorize a Memorandum of Understanding between A.U.G. Signals Ltd. and The Corporation of the City of London to install an "Intelligent Drinking Water Monitoring System" (IDWMS) connected to the City of London Water Distribution System, and act as a pilot demonstration site for the IDWMS; and to authorize the Mayor and the City Clerk to execute the Agreement. (//CWC)

Bill No. 400, By-law No. A.-5273()-amend	A by-law to amend By-law No. A.-5273-82 entitled, "A by-law to appoint Municipal Law Enforcement Officers for the City of London." (//)
Bill No. 401, By-law No. A.-5895()-amend	A by-law to amend By-law No. A.-5895-232 entitled, "A by-law to appoint Property Standards Officers." (Manager By-law Enforcement)
Bill No. 402, By-law No. C.P.-	A by-law to exempt from Part Lot Control, lands located on the south side of Silverfox Crescent, at Denview Avenue, legally described as part of Block 80 in Registered Plan 33M-622, more particularly described as Parts 1-10 in Plan 33R18390 in the City of London and County of Middlesex. (//PEC)
Bill No. 403, By-law No. L.S.P.-	A by-law to designate Meadowlily Bridge to be of historical and contextual value or interest. (City Solicitor)
Bill No. 404, By-law No. PR-2-amend	A by-law to amend By-law PR-2 entitled, "A by-law relating to the use, protection and regulation of public parks and recreation areas in the City of London." (//)
Bill No. 405, By-law No. PS-111-amend	A by-law to amend By-law PS-111 entitled, "A by-law to regulate traffic and the parking of motor vehicles in the City of London." (//CWC)
Bill No. 406, By-law No. S.-	A by-law to assume certain works and services in the City of London. (Talbot Village – Phase 3; Plan No. 33M-562) (City Engineer)
Bill No. 407, By-law No. S.-	A by-law to lay out, constitute, establish and assume certain reserves in the City of London. (As widening to Old Garrison Boulevards, between Settlement Trail and Crane Avenue) (Chief Surveyor)
Bill No. 408, 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 Huron Street, at Sandford Street) (Chief Surveyor)
Bill No. 409, 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 Windermere Road, west of Richmond Street; And as widening to Windermere Road and Richmond Street) (Chief Surveyor)
Bill No. 410, By-law No. W.-	A by-law to authorize the 2012 Road Rehab – Local & Rural Project. (Project No. TS3014-12) (7/14/CWC)
Bill No. 411, By-law No. WM-12-amend	A by-law to amend By-law WM-12 entitled, "A by-law to provide for the collection of municipal waste and resource materials in the City of London." (//CWC)
Bill No. 412, By-law No. WM-15-amend	A by-law to amend By-law WM-15 entitled, "A by-law for imposing a sewer system charge." (//CWC)
Bill No. 413, By-law No. Z.-1-122136	A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for a portion of land located at 995 Fanshawe Park Road West (5/23/PEC)
Bill No. 414, By-law No. Z.-1-122137	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 707 & 711 Waterloo Street. (17/23/PEC)
Bill No. 415, By-law No. Z.-1-122138	A by-law to amend By-law No. Z.-1 to extend the Temporary Use (T-53) for an area of land located at 299 King Street. (18/23/PEC)
Bill No. 416 By-law No. C.P.- 1284(sr)-305	A by-law to amend the Official Plan for the City of London, 1989 relating to 4551 Wellington Road South. (19/24/PEC)

Bill No. 417 A by-law to amend By-law No. Z.-1 to remove the holding provisions
By-law No. Z.-1- from the zoning on land located at 1461 Huron Street. (16/24/PEC)
122139

Bill No.418 A by-law to amend By-law No. Z.-1 to rezone an area of land located
By-law No. Z.-1- at 4551 Wellington Road South (19/24/PEC)
122140

XIII COMMITTEE OF THE WHOLE, IN CAMERA

MOTION FOR IN CAMERA SESSION

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

- a) A matter pertaining to personal matters about identifiable individuals, including municipal or local board employees, relating to the 2013 Mayor's New Year's Honour List and the 2012 Ontario Heritage Community Recognition Award. (PEC)
- b) A matter pertaining to reports, advice and recommendations of officers and employees of the Corporation concerning labour relations and employee negotiations in regard to one of the Corporation's associations or unions and litigation or potential litigation, including matters before administrative tribunals, affecting the municipality and advice which is the subject of solicitor client privilege, including communications necessary for that purpose and for the purpose of providing instructions and directions to officers and employees of the Corporation. (FASC)
- c) A matter pertaining to personal matters about identifiable individuals, including municipal employees and labour relations related to the PricewaterhouseCoopers' Quarterly Report on Internal Audit Results: Development and Compliance Services - Building Control. (Audit)

Motion Passed

The Council rises and goes into Committee of the Whole, in camera, at 9:45 PM with Mayor J.F. Fontana in the Chair and all Members present except Councillor H.L. Usher.

At 9:55 PM, G. Kotsifas leaves the meeting.

At 9:56 PM, Councillor Usher enters the meeting.

The Committee of the Whole rises and Council resumes in regular session at 10:17 PM with Mayor J.F. Fontana in the Chair and all Members present.

Councillor P. Hubert reports progress with respect to the following matters:

- a) A matter pertaining to personal matters about identifiable individuals, including municipal or local board employees, relating to the 2013 Mayor's New Year's Honour List and the 2012 Ontario Heritage Community Recognition Award;
- b) A matter pertaining to reports, advice and recommendations of officers and employees of the Corporation concerning labour relations and employee negotiations in regard to one of the Corporation's associations or unions and litigation or potential litigation, including matters before administrative tribunals, affecting the municipality and advice which is the subject of solicitor client privilege, including communications necessary for that purpose and for the purpose of providing instructions and directions to officers and employees of the Corporation; and,
- c) A matter pertaining to personal matters about identifiable individuals, including municipal employees and labour relations related to the PricewaterhouseCoopers' Quarterly Report on Internal Audit Results: Development and Compliance Services - Building Control.

XIV ADJOURNMENT

Motion made by Councillor P. Van Meerbergen and seconded by Councillor S. Orser to Adjourn.

Motion Passed

The meeting adjourned at 10:19 PM.

Joe Fontana, Mayor

Catharine Saunders, City Clerk