



**London**  
C A N A D A

## COUNCIL MINUTES 18TH MEETING

October 30, 2012

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

**PRESENT:** Mayor J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, 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).

**ABSENT:** J.L. Baechler.

**ALSO PRESENT:** A. Zuidema, G. Barrett, J. Braam, B. Coxhead, P. Christiians, J. Edward, J.M. Fleming, T. Grawey, M. Hayward, G.T. Hopcroft, J. Kobarda, G. Kotsifas, B. Krichker, L. Livingstone, S. Mathers, V. McAlea Major, J. Page, M. Ribera, L.M. Rowe, E.Soldo, J. Taylor, B. Warner, R. Welker and B. Westlake-Power.

At the beginning of the Meeting all Members are present except Councillors J.B. Swan and J.L. Baechler.

### **I RECOGNITIONS**

At this time, His Worship the Mayor acknowledges the passing of former Mayor of Westminster, David Murray.

1. His Worship the Mayor presents a certificate for "London's Featured Community Organization" to the Unity Project for Relief for Homelessness in London.
2. His Worship the Mayor recognizes Cassandra Hodgins for her part on the CBC television program Over the Rainbow.

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

Councillor B. Polhill discloses a pecuniary interest in clause 9 of the 27th Report of the Finance and Administrative Services Committee, having to do with an offer from 1803302 Ontario Limited to purchase 2.87 acres identified as Part Lot 27, Plan 33M-251, by indicating that the subject property is within the circulation distance of his business.

Councillor P. Hubert discloses a pecuniary interest in clause 5 of the 14th Report of the Community Services Committee, having to do with the Community Start-up and Maintenance Benefit and the Community Homelessness Prevention Initiative funding allocation for January 1, 2013 to March 31, 2014, by indicating that he is the Executive Director of a social service agency with an Ontario Works contract. Councillor P. Hubert further discloses a pecuniary interest in clause 8 of the 25th Report of the Planning and Environment Committee, having to do with the property located at 199 Queens Avenue; clause C-2 of the Confidential Appendix to the 27th Report of the Finance and Administrative Services Committee, having to do with a matter pertaining to instructions and directions to officers and employees of the Corporation pertaining to a proposed acquisition of land; reports or advice or recommendations of officers and employees of the Corporation pertaining to a proposed acquisition of land; commercial and financial information supplied in confidence pertaining to the proposed acquisition the disclosure of which could reasonably be expected to, prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of the Corporation, result in similar information no longer being supplied to the Corporation where it is in the public interest that similar information continue to be so supplied, and result in undue loss or gain to any person, group, committee or financial institution or agency; commercial, information relating to the proposed acquisition that belongs to the Corporation that has monetary value or potential monetary value; information concerning the proposed acquisition whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or its competitive position; information concerning the proposed acquisition whose disclosure could reasonably be expected to be injurious to the financial interests of the Corporation; and instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the Corporation concerning the proposed acquisition; and clause 11 of the 8th Report of the

Public Safety Committee, having to do with Banner Signs, by indicating that he is the Executive Director of a social service agency that leases property from the proponent involved in these matters. Councillor P. Hubert also discloses a pecuniary interest in clause 10 of the 8th Report of the Public Safety Committee, having to do with an inquiry on the graffiti double victimization/proposed pilot project, by indicating that he is the president of a company that does graffiti removal.

Councillor M. Brown discloses a pecuniary interest in clause 9 of the 14th Report of the Community Services Committee, having to do with the City of London and Thames Valley District School Board (TVDSB) Liaison Committee, by indicating that the TVDSB is his employer.

Councillor J.B. Swan discloses a pecuniary interest in clause 8 of the 25th Report of the Planning and Environment Committee, having to do with the property located at 199 Queens Avenue; clause C-2 of the Confidential Appendix to the 27th Report of the Finance and Administrative Services Committee, having to do with matter pertaining to instructions and directions to officers and employees of the Corporation pertaining to a proposed acquisition of land; reports or advice or recommendations of officers and employees of the Corporation pertaining to a proposed acquisition of land; commercial and financial information supplied in confidence pertaining to the proposed acquisition the disclosure of which could reasonably be expected to, prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of the Corporation, result in similar information no longer being supplied to the Corporation where it is in the public interest that similar information continue to be so supplied, and result in undue loss or gain to any person, group, committee or financial institution or agency; commercial, information relating to the proposed acquisition that belongs to the Corporation that has monetary value or potential monetary value; information concerning the proposed acquisition whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or its competitive position; information concerning the proposed acquisition whose disclosure could reasonably be expected to be injurious to the financial interests of the Corporation; and instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the Corporation concerning the proposed acquisition; and clause 11 of the 8th Report of the Public Safety Committee, having to do with Banner Signs, by indicating that his employer, Orchestra London, in all cases leases property from the proponent.

### **III CONFIRMATION AND SIGNING OF THE MINUTES OF THE SEVENTEENTH MEETING HELD ON OCTOBER 9, 2012**

Motion made by Councillor B. Polhill and seconded by Councillor S. Orser to Approve the Minutes of the Seventeenth Meeting held on October 9, 2012.

Motion Passed

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

### **IV REVIEW OF CONFIDENTIAL MATTERS TO BE CONSIDERED IN PUBLIC**

None.

### **V COMMUNICATIONS AND PETITIONS**

Motion made by Councillor P. Van Meerbergen and seconded by Councillor N. Branscombe to Approve referral of the following communications for consideration with the clauses noted:

1. J. Brophy, Centra Transmission Holdings Inc. - Property located at 2332 Main Street (Refer to the Planning and Environment Committee stage for consideration with clause 15 of the 25th Report of the Planning and Environment Committee.)
2. Southwest Area Secondary Plan (O-7609) (Refer to the Planning and Environment Committee stage for consideration with clause 20 of the 25th Report of the Planning and Environment Committee and with clause 2 of the 27th Report of the Planning and Environment Committee.)
  - a) V. Labreche, Labreche Patterson & Associates Inc.;

- b) C. Wiebe, MHBC Planning;
  - c) S.A. Zakem, Aird & Berlis LLP; and
  - d) J. Kennedy, London Development Institute
  - e) (ADDED) S. Pompili, Sergio E. Pompili & Assoc. Ltd.; and
  - f) (ADDED) K. Patpatia, 1787996 Ontario Inc.
3. S. Hosack, Western Day Care Centre - Property located at 425 Wharncliffe Road South (Z-8063) (Refer to the Planning and Environment Committee stage for consideration with clause 2 of the 26th Report of the Planning and Environment Committee.)
- a) (ADDED) M. Slade-Scott, 95 Byron Avenue East;
  - b) (ADDED) J. Falconer, London Bridge Child Care Services Inc.;
  - c) (ADDED) M. Walker, London Abused Women's Centre; and
  - d) (ADDED) A.R. Patton, Patton Cormier & Associates
4. (ADDED) Stanton Drain (Refer to the Planning and Environment Committee stage for consideration with clause 21 of the 25th Report of the Planning and Environment Committee.)
- a) T. O'Brien, 10 Huntley Street; and
  - b) F. Morrison, London Animal Alliance

Motion Passed

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

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

None.

## **VII ADDED REPORTS**

15th Report of the Strategic Priorities and Policy Committee

28th Report of the Finance and Administrative Services Committee

Motion made by Councillor D. Brown and seconded by Councillor H.L. Usher to Approve that pursuant to section 7.4 of the Council Procedure By-law, the order of business be changed to permit consideration of clause 2 of the 26th Report of the Planning and Environment Committee, having to do with a Zoning By-law Amendment application relating to the property located at 425 Wharncliffe Road South, to be heard as the first report item of the Council Meeting.

Motion Passed

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

## VIII REPORTS

26th Report of the Planning and Environment Committee  
Councillor B. Polhill presents.

Motion made by Councillor B. Polhill to Approve Clause 2.

2. Property located at 425 Wharncliffe Road South (Z-8063)

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of 1279154 Ontario Limited, relating to the property located at 425 Wharncliffe Road South:

- a) the ~~attached~~ proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on October 30, 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 Highway Service Commercial Special Provision (HS2(4)) Zone, which permits automobile sales and service establishments, offices, medical/dental offices, clinics, laboratories, retail stores, and liquor, beer and wine stores TO a Holding Highway Service Commercial Special Provision (h-5•HS2(\_)) Zone to add to the list of permitted uses to include a methadone clinic, dispensing methadone to a maximum of 200 clients per day, subject to a holding provision that requires a public site plan process;
- b) the Civic Administration BE DIRECTED to address the following matters through the site plan process, prior to recommending the removal of the h-5 holding provision:
  - i) enhanced landscaping fronting onto Wharncliffe Road South;
  - ii) a direct and easily identifiable pedestrian walkway from Wharncliffe Road South through the parking lot to the main entrance of the facility;
  - iii) adequate bicycle parking facilities;
  - iv) fencing, made of high quality and lasting materials, to avoid any opportunity for pedestrian movement from the subject site to adjacent sites;
  - v) adherence to Crime Prevention Through Environmental Design principles; and,
  - vi) discrete entrance facilities to allow for client privacy;
- c) the Managing Director, Planning and City Planner BE DIRECTED to undertake a review, after March 20, 2013, of By-law No. Z.-1-122090, which sets out regulations with respect to the establishment of methadone clinics and methadone pharmacies in the City of London, to consider the appropriateness of including separation distances between methadone clinics and to include separation distances between methadone clinics and methadone pharmacies and Day Care Centres, using a similar public consultation process as was undertaken prior to By-law No. Z.-1-122090 being enacted;

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

- a communication, dated June 25, 2012, from S.A. Campbell, Bayfield Realty Advisors Inc.;
- a communication, dated September 11, 2012, from M. Gutz, by e-mail;
- a communication from J. Langille, 29-368 Belgrave Ave.; and,
- a communication from G & E Markes, 44 MacKay Ave;

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

- A. Patton, Patton Cormier and Associates, on behalf of the applicant – indicating that his client operations 47 clinics throughout Ontario; indicating that his client specializes in treating persons with addictions, including addiction to OxyContin, which requires the use of methadone to treat the addiction; indicating that addiction touches everyone; indicating that there are other methadone clinics in the City of London that many people are not aware of; indicating that methadone clinics are safe, unobtrusive and have no impact on neighbouring properties; indicating that the by-law amendment undertaken to introduce regulations for methadone clinics and pharmacies was a result of public consultation and no appeals to the by-law were received; indicating that his client's proposal meets the regulations set out in the by-law; expressing concern with the proposed limit on the dispensing of methadone to a maximum of 200 clients per day;

indicating that his client was not advised of the proposed cap on dispensing; indicating that there are legal issues with respect to the proposed cap; indicating that the proposal represents sound land use planning; referring to page 12 of the staff report and expressing concern that potential impacts are being tested against the 528 Dundas Street clinic which is unfair as 528 Dundas Street is a very large clinic; indicating that he had advised Councillor Denise Brown that his client had placed an offer to purchase the subject property; indicating that the subject property exceeds the location criteria established by the Zoning By-law; indicating that concerns expressed must be related to land use matters only; indicating that placing a cap on dispensing is a human rights issue and impacts an individual's rights to access health care; and requesting that the Planning and Environment Committee approve the application as submitted, without a restriction on the number of clients that can be dispensed to a day.

- Penny Moore – indicating that she was a health care worker and is a cancer survivor; indicating that there are myths about methadone and that methadone is also a treatment for pain and not only to treat addiction; indicating that there are concerns raised with respect to the disposal of needles and that this is not just a concern relating to clinics; indicating that clinics need to be more spread out throughout the city; indicating that the administration of methadone is controlled by the College of Physicians; indicating that providing more clinics throughout the city, more patients would be served without lineups; indicating that people have a right to access health care; indicating that she lives in the area of the proposed clinic; and indicating that patients are required to sign a contract indicating that they will not sell methadone.
- Kelly Armstrong – indicating his concern is with the intensity of the use and the number of clinics in one area; indicating concern that it will be difficult to implement a cap of 200 patients a day without the proper tools; indicating that an intensity of bars in an entertainment district would be negative; questioning if due diligence was undertaken regarding the number of patients to be served in this area; indicating that clinics need to spread out in the community to ensure that the patients are being served; indicating that the number of clinics in one area causes an undue burden on the area; indicating that smaller clinics throughout the city would be better; and indicating that a more conservative approach should be undertaken.
- Sarah Metcalf – indicating that there is too much concentration of clinics in the area; indicating that this clinic does not treat pain, but rather addiction; indicating concern with the disposal of needles and the closeness of day cares to the proposed clinic; indicating concern with the exposure to children waiting for buses; and indicating concern that the lawyer for the applicant has threatened legal action.
- Roger Depauw – indicating concern that there are three methadone dispensing clinics within 1 ½ kilometers of each other; questioning how many wards have methadone clinics; indicating concern with respect to the number of methadone clinics in old south; indicating concern that the patients being treated do not live in the area; and indicating no objection to methadone clinics, but rather concern with 3 methadone clinics being located in one area.
- Cheryl Austin, owner of Western Animal Clinic – indicating concern that the establishment of another methadone clinic in the area will effect businesses in the area; indicating that her Clinic has been broken into on a number of occasions; indicating that veterinary clinics are routinely broken into to access drugs; indicating that her staff pick up disposed needles and she pays to have those needles disposed of; indicating that the area already is serviced by existing methadone clinics; indicating that the Dairy Queen and daycare will not survive; indicating that Mr. Patton's comment that he will be appealing the placement of a cap on the number of patients that can be served in a day is an indication that this will be a high volume clinic; and indicating concern with the concentration of methadone clinics in the area.
- Abe Oudshoorn - indicating that he is a nurse; indicating that people need to focus on facts; indicating that the five methadone clinics are full, with one overflowing with patients; indicating that methadone is a synthetic replacement to opiates; indicating that patients do not get high on methadone; indicating that patients can continue to work when taking methadone; indicating that the impact of addiction is worsening and is a result of the lack of treatment being made available; indicating that lack of treatment results in increased costs to policing and health care; indicating that treating addiction will reduce crime and other related impacts; indicating that all clinics are for profit; indicating that people need to stick to the facts; and indicating that he supports the application.
- Lauren Star – indicating that she has small children; indicating concern with the volume of people that will be accessing the clinic; indicating that the patients will be stigmatized; indicating that the applicant has never indicated how many patients he intends to treat at the clinic; indicating lack of trust for the company given recent charges; and indicating that spreading the clinics throughout the city would be better.

- Nicholas Black – indicating that he is entitled to voice his opinion; indicating that 95 percent of the people who have spoken have indicated that they oppose the clinic; indicating that there is another clinic a block and a half away from this clinic; indicating that allowing this clinic would be a poor decision; indicating concern with the impact to business and residential values; and indicating that a class action suit will be brought against this City for loss of property value.
- Sam Osak – Western Day Care Centre – indicating concern that day care centres were not included in the separation distance requirement; indicating that Day Care Centres were not included in order to allow for more clinics; indicating that there are other opportunities to dispense methadone at smaller clinics; indicating that public safety should be one of the highest priorities; indicating that primary clinics and pharmacies should be separated; and requesting that amendments to the by-law be made to include licensed day care centres in the separation distance requirements.
- Megan Telfer – indicating that she is the child of an addict; indicating concerns with the competency of the doctors operating the clinics as a result of the recent allegations of improper practices and poor management; indicating concern that the clinic would back on to a large green space area which provides a good place for people to hide; indicating that separation distance should include Montessori schools; indicating concern for the children attending the day care as they are vulnerable and are being exposed; indicating that addicts have the option of not being addicts, but children do not have a choice; requesting that the Zoning By-law be amended to include a separation distance for day care centres; enquiring as to whether minutes were taken from the meeting at the Hillside Church; indicating that there were allegations against the company discussed at the Hillside meeting; and indicating that Council needs to consider the credibility of the applicant.
- Stephen Hunt – indicating that he has no issues with smaller clinics; asking if there has been a specific study undertaken that identifies the need for an additional methadone clinic in this area: references the discussion paper that had been prepared as part of the original study regarding methadone clinics; indicating concern with five dispensaries within a five kilometer area; indicating that methadone clinics should be separated from one another; requesting that policies restrict methadone clinics from being located within the vicinity of schools, daycares, parks and places of worship; and indicated that he does not want a repeat of 528 Dundas Street.
- Dan Procap – thanking those people who attended the Hillside Drive meeting; indicating that each ward has a responsibility to host a methadone clinic; indicating an unfairness that three of the five existing clinics are in this ward; and indicating that house sales in the area have increased as a result of the methadone clinics.
- Ms. Rogerson, Dance London – advising that she has 350 students; indicating that the dance studio is not shown on the location map; indicating that during their camps, the children are walked to Dairy Queen daily; indicating that there is always staff at the studio; and indicating that she wants to keep her students safe.
- Justin Langille – indicating that he is documenting the project to determine whether or not the planning stages lead to the right conclusion; indicating that he worked and lived in East Vancouver, which is one of the worst, roughest areas in Canada and he came to know it as a great community; advising that he works in housing stability, which means that he works shifts to ensure that people that are ill are kept safe and clean and to help people from becoming homeless; advising that methadone provides people with a resource to get on with another phase of their life; indicating that he wholeheartedly welcomes another methadone clinic in Old South; advising that he has seen how people can become integrated in their community, not marginalized; indicating that it is hard when people cannot access what they need every day; advising that heroin is coming back on the market now that OxyContin is more controlled; advising that they should be seeking to integrate addicts into their neighbourhoods; noting that it is not safe for addicts to be in the same area as children; advising that this is an important decision that will help people now; and advising that this also supports safe injection sites, safe smoking sites for crack and can assist addicts and the community.
- Lori – indicating that her biggest concern is not children; advising that there are seniors in the area and you need to be concerned about them; recognizing that there is a need for methadone clinics; advising that if you put the clinic here, you will have lawsuits as people will get hit by traffic on Wharnclyffe Road if they are in pain or cannot think straight; advising that there needs to be a reality check; and advising that having them enter a clinic and then go back home is not solving the problem.
- Holly Doty – advising that the limit of health care may be limited by the Municipal Council; indicating that a family member or neighbour may not be able to receive the help that they need; requesting that addicts be thought of as people; and requesting that health care not be limited.
- Megan Walker, - expressing support for a harm reduction model; advising that she has

seen many people struggle with addiction, die of overdose or commit suicide; advising that she is 100% supportive of methadone clinics; advising that having the clinics saves lives, allows people to restore their self-respect, and allows families to stay together; advising that methadone works and should not be feared; advising that methadone is prescribed in clinics, like other medication; indicating that this is a health care issue between a patient and a doctor; indicating that it doesn't matter if there is a clinic close to seniors; advising that these people are not to be feared; indicating that the discrimination that she continues to hear is appalling; advising that it is a basic human right for everyone to have health care; advising that she is extremely upset that the community does not realize that, while property values have soared, there is a clinic in the neighbourhood; indicating that there are 150 patients accessing the clinic every day; indicating that there is nothing to fear; recommending that the cap of 200 clients per day be removed; noting that whether the number is met or not, it is arbitrary; advising that people cannot discriminate based on a disability, which addiction is; and reiterating that a cap on the number of clients is not appropriate.

- Holly and Grant Doty – advising that this has been a huge learning curve for the community; advising that they are attending the meeting to hear the real answers; advising that they have no idea who is coming, how many or how much they will be paying; noting that this is where the fear is coming from; advising that other businesses have a sense of what their business plan will be; advising that Mr. Patton's comments were concerning; and enquiring as to the comparison that was made to the AIDS Hospice.
- Trish Harding – advising that she is all for helping people that are troubled and addicted; advising that on a W-5 documentary, OxyContin was thought to be a solution; enquiring as to where all the addicted people are coming from; also enquiring as to what is being done to assist people before they become addicted; and requesting that people be helped in a discreet manner; noting that this is not a discreet site.
- Frank Felice – advising that he has been following the news on the property located at 528 Dundas Street; requesting that when a community comes forward, please respect their comments and opinions; indicating that the City of London is the only player; advising that the College of Physicians and Surgeons should be part of this debate as they have tools to assist with these matters; noting that the Ministry of Health should also be at the meeting; indicating that there are problems with methadone clinics; advising that citizens are concerned as there is no recourse for the clinic at 528 Dundas Street; expressing appreciation to the City for tackling the problem with limited tools; enquiring whether the debate needs to be widened to find better solutions to these problems; advising that a good example of the problem is that the clinic operator brought his lawyer to the meeting; noting that business owners do not want to deal with the community; requesting the establishment of a Task Force on Methadone Treatment to have the operators engage the community; and advising that none of the recommendations have been adopted by any of the people who provide this service.
- Bev Irwin – advising that she is a nurse; indicating that this is a for profit clinic; and indicating concern with the number of dispensaries in the area.
- Jim Watkin – advising that he is a registered social worker who has been working with people who use drugs; reminding people that we are talking about "people"; indicating that there are needles in the area as there are no facilities to properly dispose of them; advising that this is marginalizing and stigmatizing people; advising that this substance has been used since the 1960's; advising that methadone only works for opiates, not cocaine or methamphetamines; advising that this is not about homeless people, drug dealers or sex workers; indicating that there are 21 active crack houses on Hamilton Road; and advising that the City is handling addictions very poorly.
- Steve Alexander – advising that the AIDS facility provided one million needles over a year and a half; advising that he takes the bus 92 times per month; expressing empathy for the addicts; advising that the Middlesex London Health Unit should open its own methadone clinic and make a lot of money; and advising that the agencies that receive money from the City need to be more accountable.
- David Ward – advising that he heard a lot of good information at the community meeting held at Hillside Church; noting that the City is better prepared this time; advising that the Civic Administration plans for the uses that best meet the needs of those that use pharmacies and clinics; enquiring as to whether or not most of the people in attendance live in this area of London; requesting that this proposal be fair and equitable across the City and not concentrated in one part of London; requesting that the Civic Administration's recommendation be denied; requesting that people stop thinking of it as being in your backyard; advising that at the meeting held at the Hillside Church and the meeting tonight, it is clear that no one is being denied medical assistance; indicating that it is better to have a diverse range of facilities throughout London, rather than in one area; expressing disappointment with Mr. Patton's

- comments relating to business people using methadone; and advising that it is a community service to clean up needles.
- Peter VanEsche – advising that methadone clinics serve a valuable need in the community; noting that there are already three clinics in the area; enquiring as to whether or not the City is responsible for the location of the clinics; noting that four clinics are not necessary in the Old South area; and advising that there should be no objection to the 200 client cap.
  - Sharon Halbury – advising that the proposed methadone clinic is within view of her house; advising that, when she moved here, she was looking for a good neighbourhood to raise her daughter; noting that there is an excellent education system in the area and it is close to all amenities; indicating that she never dreamed she would live close to five methadone clinics; indicating that they are the voices for the children, the seniors and the neighbourhood; recommending that if it does not feel good, then do not do it; indicating that they brought all of the neighbours out so that you could hear their voices and deny the application; advising that she will have trouble selling her house; and stating that, if this was your neighbourhood, you would not recommend the placement of the methadone clinic.
  - Laura Peralla – advising that she uses the bus system and sees the problem; indicating that she comes from a family background; advising that she does not want three methadone clinics in the area; advising that methadone users are not going to take two buses to utilize this methadone clinic; enquiring as to a different location for this clinic; advising that it will affect businesses and their green spaces.
  - Michael Jamieson – advising that he is a resident of Lockwood Park and a neighbour of Councillor H.L. Usher; advising that there is another methadone clinic proposed for a property located on Wellington Road; indicating that he is not originally from London; advising that there are huge issues with the Downtown area; advising that he has seen the City grow in a better direction; advising that it is nice to see younger people moving into the area; advising that there are lots of stigmatism with methadone clinics; advising that he is attending the meeting to educate himself on the issue; advising that London has very strong communities; advising that he is the father of a newborn and he works seven days a week to give his family a nice life; and indicating that a methadone clinic at this location does not allow his family to live that dream.
  - Chris Innison – advising that he is on the Board of Directors of the London Model Railroad; indicating that there is a lack of information and education for the public; requesting information on how large the clinic will be in terms of patients per day; noting that, as a business, they should have reasonable expectations; expressing concern with the perception; advising that more information would go a long way; and noting that the City of London's by-law helps to propagate the stigmatism.
  - Michael – indicating that he had been notified that another clinic would be opening up in his area; providing an example of Lockwood Park and that there are huge issues in the Downtown; indicating that the problems are systemic; and indicating that he is a new father.
  - Marvin Sumner – advising that the cap was put in place after the application was submitted; noting that when the meeting was held at Hillside Church, the cap was raised; also noting that the Ministry of Health indicates that the cap can be put into place; requesting that the by-law be revised to allow a cap to be put into place before any more applications are received; indicating that these meetings could have been avoided if the cap was put in place; and requesting that the operation of the clinics be verified.
  - Matt Shaw, Owner, Dairy Queen – advising that he purchased the Dairy Queen this year; advising that they cater to large groups of children and that this will impact their business; advising that his female staff have expressed concern working near a methadone clinic; and requesting that a better location for the clinic be found.
  - Joseph Fisher – indicating that he will try not to waste too much oxygen on this subject; indicating that Mr. Patton is paid to be here; advising that his motive is profit; noting that he is not against profit; indicating that you cannot tell someone that they cannot make a living; advising that his client has a right to set up a methadone clinic; advising that he does not want one in his neighbourhood; enquiring as to how many people have been able to get off the treatment; and advising that people go from one addiction to another.
  - Jeremy Hanford – indicating that he has owned and operated a tire service since 1971; expressing support for assisting people; agreeing that disbursement of the clinics across the City is correct; and advising that there is a bus stop at the corner of Wharnccliffe Road South and Lambeth Avenue.
  - Andrew Binks – enquiring as to the maximum number of people who can be assisted at this facility; also enquiring as to what would happen if another application is received; recommending separation distances be established so that there are not so many clinics close together.



- Eric Saunder – advising that there are already two clinics in the area; advising that there was a truck set on fire in the area when a drug deal went bad; advising that he has the police on speed dial; advising that he can smell marijuana being smoked across the street; expressing disbelief in the validity of methadone clinics; noting that some addicts end up on cocaine; advising that more research on a cure needs to be completed; indicating that this legalizes drug dealers in their area; advising that this is hurting the businesses and daycares; and indicating that licensing may assist in addressing problems.
- Gary Brown, 35A – 59 Ridout Street – advising that he is involved in the community; advising that it is a knee-jerk reaction that is happening in this area; advising that he did not realize that there is a methadone clinic three blocks from his house; advising that the City's policies should be given a chance; requesting that clinics be restricted to busy areas where they can be shut down; and advising that there is clearly a need for methadone clinics in the City.
- Patrick Chadwick – advising that if dance schools, karate schools and daycares are in the restrictions, they are being discriminated against; advising that there are seniors in the area who need consideration; and advising that this application is discriminatory and will be appealed.
- Paul Lecks – expressing support for smaller clinics spread throughout the City; indicating that a large clinic is not a good idea; recommending that fences be installed around the property; advising that the applicant does not want a limit set on the number of people they are allowed to treat as it would limit his profit; and advising that Mr. Patton's comments that he will take this matter to the Ontario Municipal Board if the cap is set at 200 people per day should be taken into consideration.
- Brenda Sherwell – enquiring as to whether or not Councillors are aware that petitions were circulated with over 500 signatures on them.
- Chris Nielson – questioning how many have been open; questioning if any of the community concerns have been addressed; and indicating that the London Model Railway group is opposed to the application.
- Marsha Pip, Beale Street – advising that her main concern is the limit of 200 people; advising that if you work an eight hour day, you will see 25 people; noting that this is one person every 2 minutes; advising there may be a large number of clients showing up at once; advising that there are only three or four parking spaces available.
- Trisha Harding – advising that the proposed clinic should not be allowed at this location; indicating that she cannot keep up with what is going on; enquiring as to who makes the decisions; and indicating that there are no specifics and that there are too many loose ends.
- Rita Crawley – advising that she is against the installation of the proposed clinic; advising that she has worked in the mental health field as a nurse in group homes; noting that in every area that she has worked in, there have been caps for the safety of the employees and clients; advising that she loves where she lives; advising that the other clinics have succeeded because the owner has placed caps on the limits of clients seen per day; indicating that if this clinic is installed, without caps, it will change the City; advising that people have been stealing copper pipes; and advising that her children will not be able to go to Source for Sports.
- John Carter – advising that the information is provided on the City of London website; advising that this is the wrong location for this company; advising that he has spent time talking to the neighbours; advising that people who attended the Hillside Church meeting were unable to attend the meeting tonight; and advising that there were several signatures on the petitions. (2012-D11-06)

Motion made by Councillor S.E. White and seconded by Councillor S. Orser to Approve that Council rise and go into Committee of the Whole, in camera, for the purpose of considering a matter pertaining to advice that is subject to solicitor-client privilege, including communications necessary for that purpose, and litigation or potential litigation, with respect to the property located at 425 Wharncliffe Road South (Z-8063).

Motion Passed

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

NAYS: W.J. Armstrong (1)

Motion made by Councillor P. Van Meerbergen and seconded by Councillor M. Brown to Approve that Council recess for 10 minutes.

Motion Passed

The Council rises and goes into Committee of the Whole, in camera at 5:28 PM with Mayor J.F. Fontana in the Chair and all Members present except Councillors J.B. Swan and J.L. Baechler.

At 5:29 PM, V. McAlea Major enters the meeting.

At 5:32 PM, Councillor J.B. Swan enters the meeting.

The Committee of the Whole rises and Council resumes in regular session at 6:00 PM with Mayor J.F. Fontana in the Chair and all Members present except Councillor J.L. Baechler.

At 6:06 PM, His Worship the Mayor places Councillor P. Hubert in the Chair and takes a seat at the Council Board.

Motion made by Mayor J.F. Fontana and seconded by Councillor D.G. Henderson to Approve postponement of consideration of the application pertaining to the property located at 425 Wharncliffe Road South (Z-8063), to a future meeting of Council, following the consideration of a licensing by-law related to the licensing of methadone clinics.

At 6:22 PM, His Worship the Mayor resumes the Chair and Councillor P. Hubert takes his seat at the Council Board.

Motion Failed

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

NAYS: B. Polhill, W.J. Armstrong, J.B. Swan, N. Branscombe, M. Brown, P. Hubert, H.L. Usher, J.P. Bryant, S.E. White (9)

The motion to adopt clause 2 is put.

Motion Passed

YEAS: B. Polhill, W.J. Armstrong, J.B. Swan, N. Branscombe, M. Brown, P. Hubert, H.L. Usher, J.P. Bryant, S.E. White (9)

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

Motion made by Councillor N. Branscombe and seconded by Councillor P. Hubert to Approve that pursuant to section 7.4 of the Council Procedure By-law, the order of business be changed to permit consideration of the emergent motion at this time.

Motion Passed

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

NAYS: S. Orser, D.G. Henderson, P. Van Meerbergen (3)

Motion made by Councillor N. Branscombe and seconded by Councillor P. Hubert to Approve that, pursuant to section 18.2 of the Council Procedure By-law, leave be given for the introduction of an emergent motion with respect to a leave of absence for the Mayor.

Motion Failed

YEAS: W.J. Armstrong, N. Branscombe, M. Brown, P. Hubert, J.P. Bryant, S.E. White (6)

NAYS: J.F. Fontana, B. Polhill, J.B. Swan, S. Orser, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher (8)

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

Motion Passed

The Council recesses at 7:00 PM and reconvenes at 7:48 PM with Mayor J.F. Fontana in the Chair and all Members present except Councillors W.J. Armstrong, S. Orser, J.L. Baechler and D. Brown.

14th Report of the Community Services Committee  
Councillor M. Brown presents.

Motion made by Councillor M. Brown to Approve clauses 1 to 13, excluding clauses 5 and 9.

At 7:49 PM, Councillor S. Orser enters the meeting.

1. Disclosures of Pecuniary Interest

Councillor M. Brown discloses a pecuniary interest in clause 9 of this Report, having to do with the City of London and Thames Valley District School Board (TVDSB) Liaison Committee, by indicating that the TVDSB is his employer.

2. 2nd Report of the London Housing Advisory Committee

That the 2nd Report of the London Housing Advisory Committee, from its meeting held on October 10, 2012, BE RECEIVED.

3. City of London Response to the Draft Standards for the Design of Public Spaces in the Built Environment

That, on the recommendation of the City Manager, the ~~attached~~ letter to the Minister of Community and Social Services regarding the response to the Draft Requirements for the Design of Public Spaces (Accessibility Standards for the Built Environment) BE APPROVED for submission. (2012-S10-00)

4. June Callwood Outstanding Achievement Award for Voluntarism in Ontario

That the correspondence dated September 2012, from the Honourable Charles Sousa, Minister Citizenship and Immigration, with respect to the June Callwood Outstanding Achievement Award for Voluntarism in Ontario BE RECEIVED. (2012-M00-00)

6. Age Friendly London: Three Year Action Plan

That, on the recommendation of the Managing Director, Neighbourhood, Children and Fire Services, on behalf of the Age Friendly London Task Force, the following actions be taken:

- a) the Age Friendly London Task Force: Three-Year Implementation Plan, included as Appendix "A" to the associated staff report, dated October 22, 2012 BE ENDORSED; it being noted that this document was prepared by over 100 members of the Age Friendly London Task Force with input from over 500 Londoners;
- b) the Civic Administration BE DIRECTED to submit the Age Friendly London: A Three-Year Action Plan to the World Health Organization's Network of Age Friendly Cities;
- c) the Civic Administration BE AUTHORIZED and BE DIRECTED to proceed with the implementation of the Three-Year Action Plan, subject to annual budget approvals;
- d) the Age Friendly London Task Force members, as identified in Appendix "B" to the associated staff report, dated October 22, 2012, BE THANKED and BE COMMENDED by City Council for their time and effort in developing the Plan over the period of September 2011 to June 2012; and
- e) the Civic Administration BE DIRECTED to provide the Age Friendly London: A Three-Year Action Plan to the Association of Municipalities of Ontario and the Federation of Canadian Municipalities;

it being noted that the Community Services Committee (CSC) received the ~~attached~~ presentation from B. Ryan, R. Walters and N. Sauter with respect to this matter; it being further noted that the CSC received the "Age Friendly London A Three-Year Action Plan" document. Secretary's Note: Copies of this document are available for viewing in the City Clerk's Office. (2012-C06-00)

7. 2nd Report of the Accessibility Advisory Committee

That the following actions be taken with respect to the 2nd Report of the Accessibility Advisory Committee (ACCAC) from its meeting held on September 27, 2012:

- a) clause 1 BE AMENDED to read as follows:

“That the following actions be taken with respect to the Streets By-law amendment to allow bicycles on sidewalks:

- a) the Civic Administration BE REQUESTED to provide additional information to the Accessibility Advisory Committee (ACCAC) related to the enforcement of the above-noted by-law;
- b) the by-law, as adopted, BE PROVIDED to the AACAC By-laws, Policy and Training Sub-Committee for review and to the Education Sub-Committee to prepare a report with respect to educational opportunities”; and,
- b) clauses 2 to 14, inclusive, BE RECEIVED.

8. 4th Report of the Accessibility Advisory Committee

That the following actions be taken with respect to the 4th Report of the Accessibility Advisory Committee (ACCAC) from its meeting held on May 24, 2012:

- a) clause 1 BE AMENDED to read as follows:

“That the Wheelchair Ballroom Dance program, through the Spectrum recreation programming, BE ENDORSED; it being noted that the Accessibility Advisory Committee supports, in principle, the program.”; and,

- b) clauses 2 to 9, inclusive, BE RECEIVED.

10. Westminster Optimist Park Redevelopment Tender 12-83

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the Westminster Optimist Park Redevelopment (Tender 12-83):

- a) the tender submitted by PLS Landscaping and Excavation Ltd., 1124 Gainsborough Road, London, Ontario N6H 5N1, at their contract price of \$352,592.00, including contingency of \$33,000.00, (HST extra) BE ACCEPTED; it being noted that PLS Landscaping and Excavation Limited submitted the lowest bid and meets the City's terms and conditions;
- b) the funding for this project BE APPROVED as set out in the Source of Financing Report included as Appendix “A” to the associated staff report, dated October 22, 2012;
- c) the future additional annual operating costs of \$16,000.00 BE CONSIDERED as a first priority commitment in the Parks Operations 2013 Operating Budget, subject to final budget approval;
- d) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this purchase; and,
- e) the approval hereby given BE CONDITIONAL upon the Corporation entering into a formal contract or having a purchase order, or contract record relating to the subject matter of this approval. (2012-A03-00)

11. Sole Source Purchase of a Centralized Child Care Waitlist Application

That, on the recommendation of the Managing Director of Neighbourhood, Children & Fire Services, consideration of the sole source purchase of a centralized child care waitlist application BE DEFERRED to a future meeting to allow additional information to be researched and presented to the Community Services Committee. (2012-C06-00)

12. Execution of Declaration of Compliance - Local Health Integration Network Service Accountability Agreements - Dearness Home

That, on the recommendation of Tim Dobbie – Consultant, the authority to make declarations of compliance with the terms of the service accountability agreements with the South West Local Health Integration Network regarding the Dearness Home's Long-Term Care Home, the Adult Day Program and Homemaking Services Program, BE DELEGATED to the City Manager, or written designate. (2012-C11-00)

13. Make your Municipality more Cardiac Safe

That the request for delegation status from M. Holland, Director, Health Promotion and Public Affairs, Heart & Stroke Foundation of Ontario, with respect to a presentation regarding how to make your municipality more cardiac safe, BE APPROVED; it being noted that delegation status for M. Holland will be arranged for a future meeting of the Community Services Committee. (2012-C09-00)

Motion Passed

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

At 7:52 PM, Councillor D. Brown enters the meeting.

5. Community Start-Up and Maintenance Benefit and the Community Homelessness Prevention Initiative Funding Allocation for January 1, 2013 to March 31, 2014

Motion made by Councillor M. Brown to Approve that the following actions be taken with respect to the elimination of the Community Start Up and Maintenance Benefit (CSUMB) and the Community Homelessness Prevention Initiative Funding Allocation (CHPI):

- a) a letter BE SENT to the Province to urge reconsideration of the discontinuation of the CSUMB program, or at the very least to delay the discontinuation to December 31, 2013, to allow adequate preparation for the program's cessation;
- b) the report of the Acting Ontario Works Administrator, dated October 22, 2012, with respect to the elimination of the CSUMB, BE RECEIVED;
- c) the report of the Managing Director of Neighbourhood, Children and Fire Services, dated October 22, 2012, with respect to the Community Homelessness Prevention Initiative Funding, BE RECEIVED;

it being noted that the Community Services Committee received a verbal report from J. Thompson, LIFE\*SPIN, and M. Laliberte, Neighbourhood Legal Services, with respect to this matter. (2012-C10-00)

Motion Passed

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

RECUSED: P. Hubert (1)

9. City of London Thames Valley District School Board Liaison Committee

Motion made by Councillor H.L. Usher to Approve that, on the recommendation of the City Clerk, the proposed Terms of Reference, ~~attached~~ as Appendix "A", to establish the City of London and Thames Valley District School Board Liaison Committee, BE APPROVED. (2012-C08-00)

Motion Passed

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

RECUSED: M. Brown (1)

27th Report of the Finance and Administrative Services Committee  
Councillor P. Hubert presents.

Motion made by Councillor P. Hubert to Approve clauses 1 to 20, excluding clauses 9, 11 and 21.

1. Disclosures of Pecuniary Interest

That it BE NOTED that Councillor P. Hubert disclosed a pecuniary interest in clause C-2 of the Confidential Appendix to this Report pertaining to a matter pertaining to instructions and directions to officers and employees of the Corporation pertaining to a proposed acquisition of land; reports or advice or recommendations of officers and employees of the Corporation pertaining to a proposed acquisition of land; commercial and financial information supplied in confidence pertaining to the proposed acquisition the disclosure of which could reasonably be expected to, prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of the Corporation, result in similar information no longer being supplied to the Corporation where it is in the public interest that similar information continue to be so supplied, and result in undue loss or gain to any person, group, committee or financial institution or agency; commercial, information relating to the proposed acquisition that belongs to the Corporation that has monetary value or potential monetary value; information concerning the proposed acquisition whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or its competitive position; information concerning the proposed acquisition whose disclosure could reasonably be expected to be injurious to the financial interests of the Corporation; and instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the Corporation concerning the proposed acquisition, by indicating that he is the Executive Director of a Social Services agency that leases space from the proponent.

2. Tender 12-98 - Supply and Delivery of Crew Cab and Chassis - Irregular Result

That, on the recommendation of the Managing Director, Engineering & City Engineer, the following actions be taken:

- a) the tender for the supply and delivery of two (2) Crew Cab & Chassis submitted by Carrier Centers, 645 Athlone Place, Woodstock, Ontario N4S 7V8 at their tendered price of \$158,796.00 (excluding HST), BE ACCEPTED; it being noted that this bid was the only bid received and meets the City's terms, conditions, specifications and requirements in all areas;
- b) the Source of Financing BE APPROVED as detailed in Appendix "A" of the associated staff report dated October 15, 2012;
- c) the Civic Administration BE AUTHORIZED to undertake all administrative acts which are necessary in connection with this award; and
- d) the approvals hereby given BE CONDITIONAL upon the Corporation entering into a formal contract or issuing a purchase order relating to the subject matter of this approval.

3. Emergency Repairs - City Hall Loading Dock and Drop Off Circle Access Routes

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

- a) the actions taken by the Civic Administration to effect emergency repairs to the City Hall loading dock and drop off circle access routes in accordance with section 14.2 of the Procurement of Goods and Services Policy for a cost of \$56,447.15 (excluding HST) through a time & material contract with Abbott Construction, 611 Industrial Road, London, ON, N5V 1V2 BE ENDORSED;
- b) the Source of Financing BE APPROVED as detailed in Appendix "A" of the associated staff report dated October 15, 2012; and

- c) the Civic Administration BE AUTHORIZED to undertake all administrative acts which are necessary in connection with this work.

#### 4. Procurement of Goods and Services Policy Revisions

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 City of London's Procurement of Goods and Services Policy:

- a) the ~~attached~~ proposed by-law to amend By-Law No. A.-6151-17, BE INTRODUCED at the Municipal Council meeting on October 30, 2012, to revise Schedule "C" to By-Law No. A.-6151-17 being the "Procurement of Goods and Services Policy" to:
  - i) replace Executive Directors and Directors with Managing Directors and replace of Departments with Service Areas, in addition to updates made for other current organizational changes;
  - ii) add a new section 20.3 regarding Contract Amendments/Extensions to Schedule A; and
  - iii) make various other minor "housekeeping" changes as required.

#### 5. Amendment to Council Policy 22(3) - City of London Community Suite Policy

That the following actions be taken with respect to the City of London Community Suite Policy:

- a) on the recommendation of the City Clerk, the ~~attached~~ proposed by-law (Appendix "A") BE INTRODUCED at the Municipal Council meeting on October 30, 2012 to delete and replace Council Policy 22(3) entitled "City of London Community Suite Policy" with a new Policy which reflects the elimination of the Board of Control;
- b) on the recommendation of the City Manager:
  - i) the City of London Community Suite BE UTILIZED by the City of London during the 2013 World Figure Skating Championships for the purposes of community promotion, and industrial and tourism promotion, in accordance with Council Policy 22(3);
  - ii) the City Clerk BE DIRECTED to include a business case for funding the costs associated with the above-noted use of the Suite in its 2013 Budget submission; and
  - iii) the Mayor's Office BE DESIGNATED responsibility for coordinating the use of the Community Suite during the above-noted event, with a view to maximizing the positive exposure of the City through the use of the Suite by dignitaries from communities who are participating in the event.

#### 6. Amendment to Council Policy 3(8) - City of London Days

That, on the recommendation of the City Clerk, the ~~attached~~ proposed by-law (Appendix "A") BE INTRODUCED at the Municipal Council meeting on October 30, 2012 to delete and replace Council Policy 3(8) entitled "City of London Days at the John Labatt Centre" with a new Policy which reflects the facility's name change to "Budweiser Gardens".

#### 7. Business Continuity Initiative (Server Co-Location) Between the City of London and London Hydro

That, on the recommendation of the Chief Technology Officer of the City of London, the following actions be taken with respect to the business continuity initiative:

- a) the ~~attached~~ proposed by-law (Appendix "A") BE INTRODUCED at the Municipal Council meeting on October 30, 2012 to:
  - i) approve an agreement (~~attached~~ as Schedule 1 to the by-law) with London Hydro Inc. for co-locating some of the servers, switches, etc. in each other's data centres to provide business continuity;

- ii) delegate to the Mayor and City Clerk the authority to execute the agreement; and
- b) the Civic Administration BE AUTHORIZED to undertake all the necessary administrative acts in connection with this matter.

8. Declare Surplus and Sale of City Landlocked Parcel off Horton Street in Exchange for Acquisition of Lands fronting on Bathurst Street

That, on the recommendation of the Manager Realty Services, with respect to a portion of the City owned vacant landlocked parcel of land off Bathurst Street, measuring approximately 15.5 meters X 21.7 meters, containing an area of approximately 337 square meters, being Part 3, Plan 33R-18372, as shown on Schedule "A" ~~attached~~, the following actions be taken:

- a) declare the subject property being Part 3 , Plan 33R-18372 surplus;
- b) accept the offer from 598419 Ontario Limited to purchase from the City, lands described as Part 3, Plan 33R-18372, for the nominal sum of \$2.00;
- c) accept the offer from 598419 Ontario Limited, the adjacent property owner, to sell to the City the lands described as Part 4, Plan 33R-18372, for the nominal sum of \$2.00; and
- d) the ~~attached~~ proposed by-law (Appendix "A") BE INTRODUCED at the Municipal Council meeting to be held on October 30, 2012 to approve the sale and acquisition and to authorize the Mayor and City Clerk to execute the Agreements of Purchase and Sale.

10. Civic Administration By-law A-43 Amendment

That the ~~attached~~ revised proposed by-law (Appendix "A") BE INTRODUCED at the Municipal Council meeting on October 30, 2012 for the purpose of repealing and replacing By-law No. A-43, the Civic Administration By-law, with a new Civic Administration By-law to take effect on October 31, 2012, to:

- (i) better reflect all organizational changes recently completed;
- (ii) provide clarity with respect to reporting relationships;
- (iii) address consistency and housekeeping matters;
- (iv) ensure flexibility for Administration in carrying out its work; and
- (v) reflect "economic development" within the by-law.

12. Tax Adjustment Agenda

That the recommendations in the Tax Adjustment Agenda dated October 15, 2012 BE APPROVED; it being noted that there were no members of the public in attendance to speak to the Finance and Administrative Services Committee, at the public hearing associated with the Tax Adjustment Agenda.

13. Request for Delegation Status at the Finance and Administrative Services Committee re Pensions

That the Committee Secretary BE REQUESTED to make contact with Mr. Bill Tufts, Fair Pensions For All, in order to make arrangements for him to appear as a delegation at the next meeting of the Finance and Administrative Services Committee, in response to his request for delegation status regarding pensions.

14. Reserve Expenditure

That the Covent Garden Market BE AUTHORIZED to draw down on its reserve in the amount of \$25,000 to replace the existing lighting in the underground parking at the Covent Garden Market.

15. The Pledge 2012 Campaign

That the following actions be take with respect to the request from "The Pledge 2012 Campaign" for sponsorship funding:

- a) the organizers BE REFERRED to the City of London's grant process in the event that



they wish to have their request considered in accordance with established guidelines for requests such as theirs; and

- b) the Mayor BE REQUESTED to write to the organizers advising them of the Municipal Council's recent pledge against bullying and reiterating the Municipal Council's ongoing support for the elimination of bullying.

16. Federation of Canadian Municipalities Board of Directors Meeting -  
Laval, Quebec - September 5-8, 2012

That the communication dated September 25, 2012 from Councillor H.L. Usher and Councillor J.L. Baechler regarding the Federation of Canadian Municipalities Board of Directors meeting held on September 5 - 8, 2012 in Laval, Quebec BE RECEIVED.

17. Resignation from the Accessibility Advisory Committee

That the communication from Deb Wilson-MacLeod, resigning her appointment to the Accessibility Advisory Committee, BE ACCEPTED and Deb Wilson-MacLeod BE THANKED for participating on the Accessibility Advisory Committee.

18. Resignation from the Accessibility Advisory Committee

That the communication dated September 19, 2012, from Avril Rinn, resigning her appointment to the Accessibility Advisory Committee, BE ACCEPTED and Avril Rinn BE THANKED for participating on the Accessibility Advisory Committee.

19. Resignation of Dayle Allan from the London Diversity and Race  
Relations Advisory Committee

That the communication dated October 2, 2012, from Elisabete Rodrigues, resigning the appointment of Dayle Allan to the London Diversity and Race Relations Advisory Committee, BE ACCEPTED and Dayle Allan BE THANKED for participating on the London Diversity and Race Relations Advisory Committee.

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

That the communication dated September 25, 2012, from Bill Urquhart, resigning his appointment to the Community Safety and Crime Prevention Advisory Committee, BE ACCEPTED and Bill Urquhart BE THANKED for participating on the Community Safety and Crime Prevention Advisory Committee.

Motion Passed

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

9. Offer from 1803302 Ontario Limited to Purchase 2.87 Acres Identified as  
Part Lot 27, Plan 33M-251 - Trafalgar Industrial Park - Phase III

Motion made by Councillor P. Hubert to Approve that, on the recommendation of the Manager, Realty Services, with respect to the offer submitted by 1803302 Ontario Limited to purchase approximately 2.87 acres of land located on the west side of Sovereign Road, described as Part Lot 27, Plan 33M-251, as shown on Appendix "B", the following actions be taken:

- a) the offer submitted by 1803302 Ontario Limited to purchase the land noted above in the amount of \$215,500.00, reflecting a price of \$75,000.00 per acre, BE ACCEPTED, subject to the following condition:
  - i) the City will require that the existing natural vegetation be retained by the Purchaser as much as possible on the east and north property frontages and to be included into site landscaping. Densely planted trees are to implement the required tree management plan in areas where existing mature vegetation is removed on the north and east property frontages; and

- b) the ~~attached~~ proposed by-law (Appendix "C") BE INTRODUCED at the Municipal Council Meeting held on October 30, 2012, to approve this transaction and to authorize the Mayor and the City Clerk to execute the Agreement of Purchase and Sale.

Motion Passed

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

RECUSED: B. Polhill (1)

11. Repeal and Replacement of By-law No. A-41 - Council Procedure By-law

Motion made by Councillor P. Hubert to Approve that, on the recommendation of the City Clerk, the ~~attached~~ revised proposed by-law (Appendix "A") BE INTRODUCED at the Municipal Council meeting on October 30, 2012 for the purpose of repealing and replacing By-law No. A-41, the Council Procedure By-law, with a new Council Procedure By-law to take effect on December 1, 2012, to implement a slightly modified standing committee structure and minor housekeeping changes, for the purpose of clarification; it being noted that there were no members of the public in attendance to speak to the Finance and Administrative Services Committee at the public meeting associated with this matter.

Motion Passed

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

21. Resignation of Emily Marcoccia from the Town and Gown Committee

Motion made by Councillor P. Hubert to Approve that the communication dated September 11, 2012, from Sabina Di Loreto, resigning the appointment of Emily Marcoccia to the Town and Gown Committee, BE ACCEPTED and Emily Marcoccia BE THANKED for participating on the Town and Gown Committee.

Motion Passed

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

16th Report of the Civic Works Committee  
Councillor H.L. Usher presents.

Motion made by Councillor H.L. Usher to Approve clauses 1 to 11, excluding clause 7.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. 2nd Report of the Transportation Advisory Committee

That the 2nd Report of the Transportation Advisory Committee, from its meeting held on October 2, 2012, BE RECEIVED.

3. The Standard of Care Provision in Ontario's *Safe Drinking Water Act, 2002*

That the following actions be taken with respect to the Standard of Care Provision in Ontario's Safe Drinking Water Act, 2002:

- a) the report dated October 22, 2012 from the Managing Director, Engineering and City Engineer, with respect to Section 19 of the Ontario's Safe Drinking Water Act, 2002, commonly referred to as the "Standard of Care Provision", BE RECEIVED for information; and,
- b) the City Solicitor BE REQUESTED to provide a report back at a future meeting of the Civic Works Committee with respect to legal protection for Councillors in regard to the associated legal liabilities and penalties, as well as any other implications or

repercussions of the legislation outlined in Section 19 of the Ontario's Safe Drinking Water Act, 2002, that extends legal responsibility to people with decision-making authority over municipal drinking water systems. (2012-W13-00)

4. Amendments to the Traffic and Parking By-law

That, on the recommendation of the Managing Director, Engineering and City Engineer, the ~~attached~~ proposed by-law (Appendix "A") BE INTRODUCED at the Municipal Council meeting to be held on October 30, 2012, for the purpose of amending the Traffic and Parking By-law (P.S. 111). (2012-G05-00)

5. Appointment of Consulting Services for the Dingman Creek Subwatershed Study - Climate Change Update

That, on the recommendation of the Managing Director, Engineering and City Engineer, the following actions be taken with respect to the appointment of a consultant for the Dingman Creek Subwatershed Study, climate change update:

- a) Delcan (Consultant), 1069 Wellington Road South, Suite 214, London, ON, N6E 2H6, BE APPOINTED as Consulting Engineers for the Dingman Creek Subwatershed Study Update in the amount of \$327,159, excluding H.S.T., including allowances for contingency and provisional items for a physical survey and a Westminster Wetland Investigation and Water Balance Review, in accordance with Section 15, Clause 15.2(d) of the Procurement of Goods and Services Policy;
- b) the financing for this project BE APPROVED as set out in the Sources of Financing Report included as Appendix "A" to the associated staff report, dated October 22, 2012;
- c) the consulting fees for the project identified in (a), above, BE IN ACCORDANCE with the estimate, on file, which is based upon the Fee Guideline for Professional Engineering Services, 2006, recommended by the Ontario Society of Professional Engineers;
- d) the approvals hereby BE CONDITIONAL upon the Corporation entering into a formal contract with the consultant for the work; and,
- e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2012-A03-00)

6. Appointment of Consulting Services for Medway Creek Subwatershed Study Update

That, on the recommendation of the Managing Director, Engineering and City Engineer, the following actions be taken with respect to the appointment of a consultant for the Medway Creek Subwatershed Study Update:

- a) Dillon Consulting, 1400-130 Dufferin Avenue, London ON, N6A 5R2, BE APPOINTED as Consulting Engineers for the Medway Creek Subwatershed Study Update, in the amount of \$293,814, including a contingency allowance of \$50,000, excluding H.S.T., in accordance with Section 15, Clause 15.2(d) of the Procurement of Goods and Services Policy;
- b) the financing for this project BE APPROVED as set out in the Sources of Financing Report included as Appendix "A" to the associated staff report, dated October 22, 2012;
- c) the consulting fees for the project identified in (a), above, BE IN ACCORDANCE with the estimate, on file, which are based upon the Fee Guideline for Professional Engineering Services, 2006, recommended by the Ontario Society of Professional Engineers;
- d) the approvals hereby BE CONDITIONAL upon the Corporation entering into a formal contract with the consultant for the work; and,
- e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2012-A03-00)

8. Repaving of Berkshire Court

That the communication dated September 21, 2012, from R.J. Tolmie, Secretary, London Condominium Corporation No. 11 and K. W. Sadler, President and Director, London Condominium Corporation No. 4, BE RECEIVED; it being noted that the Civic Administration communicated with Mr. Tolmie and Mr. Sadler on September 28, 2012, indicating that Berkshire Court has been included in the 2013 work program proposed in the 2013 Capital Works Budget. (2012-S08-00)

9. Parallel Parking at End of Driveway

That the Director, Roads and Transportation BE REQUESTED to review and report back at a future meeting of the Civic Works Committee (CWC) with respect to the communication dated October 4, 2012, from David Burdan, 68 Hillhead Road, related to parallel parking at the end of driveways; it being noted that Mr. Burdan is to be given delegation status when the report comes back to the CWC.

10. Water Usage Charges

That the Managing Director, Engineering and City Engineer BE REQUESTED to review and report back at a future meeting of the Civic Works Committee (CWC) with respect to the communication dated September 28, 2012, from Lynne Stein, 20-475 McGarrell Drive, relating to a request for a refund on water usage charges; it being noted that Ms. Stein is to be given delegation status when the report comes back to the CWC; it being further noted that the CWC heard a verbal update from Councillor M. Brown, with respect to this matter. (2012-W13-00)

11. Economic Development Opportunities for London

That the following actions be taken with respect to the communication dated October 5, 2012, from H. Brown, President, Brown and Cohen Communications and Public Affairs Inc., requesting delegation status for G. Mulhern, Executive Director, Ontario Concrete Pipe Association and B. Brown, President, Coldstream Concrete, with respect to economic development opportunities for London:

- a) the communication BE REFERRED to the Investment and Economic Prosperity Committee (IEPC); and,
- b) the Managing Director, Engineering and City Engineer BE REQUESTED to provide a report advising on the policies for the procurement of services or products followed by the Engineering service area.

Motion Passed

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

7. New "Value Based" Funding Model for Water and Wastewater Services

Motion made by Councillor H.L. Usher to Approve that the following actions be taken with respect to the new "Value Based" funding model for Water and Wastewater Services:

- a) the report dated October 22, 2012, from the Managing Director of Engineering and City Engineer BE RECEIVED for information;
- b) a Public Participation Meeting BE HELD at the November 12, 2012 meeting of the Civic Works Committee, to hear from the public with respect to the proposed new "Value Based" funding model for Water and Wastewater Services; and,
- c) the Civic Administration BE REQUESTED to include Schedules B1 through B5 of Appendix B – "Schedule for Various Customer Benefits", associated to the staff report dated October 22, 2012, for consideration at the above-noted Public Participation Meeting;

it being noted that the Civic Works Committee heard the ~~attached~~ presentation and received the ~~attached~~ additional presentation, entitled "Total Annual Charges", from the Managing Director of Engineering and City Engineer, and R. Welker, Division Manager, Water Engineering, with respect to this matter. (2012-F17-00)

Motion Passed

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

NAYS: S. Orser (1)

25th Report of the Planning and Environment Committee  
Councillor B. Polhill presents.

Motion made by Councillor B. Polhill to Approve clauses 1 to 21, excluding clauses 8, 9, 16 and 21.

1. Disclosures of Pecuniary Interest

That Councillor J.B. Swan disclosed a pecuniary interest in clause 8 of this Report having to do with the application of S. Farhi, Farhi Holdings Corporation, relating to the property located at 199 Queens Avenue, by indicating that his employer leases property owned by Farhi Holdings Corporation.

2. 1st Report of the Agricultural Advisory Committee

That the 1st Report of the Agricultural Advisory Committee from its meeting held on September 19, 2012, BE RECEIVED.

3. Property located at 1030 Oakcrossing Gate (H-8081)

That, on the recommendation of the Senior Planner, Development and Compliance Division, based on the application of The Ironside Building Company Inc., relating to the property located at 1030 Oakcrossing Gate, the ~~attached~~ proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on October 30, 2012, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of 1030 Oakcrossing Gate FROM a Holding Residential R4/R5/R6 (h.-65 R4-6(3)/R5-6(3)/R6-5(20)) Zone TO a Residential R4/R5/R6 (R4-6(3)/R5-6(3)/R6-5(20)) Zone, to remove the h-65 holding provision. (2012-D11-04)

4. Property located at 280 Callaway Road (P-8093)

That, on the recommendation of the Manager of Development Services and Planning Liaison, the following actions be taken with respect to the application by Donald A. Riley to exempt the following lands from Part Lot Control:

- a) pursuant to subsection 50(7) of the Planning Act, R.S.O. 1990, c. P.13, the ~~attached~~ proposed by-law BE INTRODUCED at a future Municipal Council meeting, to exempt Block 98 in Plan 33M-633 from the Part Lot Control provisions of subsection 50(5) of the Planning Act, for a period not to exceed three (3) years; it being noted that these lands are subject to a registered Development Agreement and are zoned Residential R4/R6 (R4-3/R6-5(23)); it being further noted that the Residential R4(R4-3) Zone permits street townhouses with a lot frontage minimum of 5.5m and a lot area of 200m<sup>2</sup>; and the Residential R6 Special Provision (R6-5(23)) Zone permits triplexes, fourplexes, townhouses, stacked townhouses and apartment building dwellings with a minimum lot frontage of 10m and a minimum lot area of 850m<sup>2</sup>;
- b) the following conditions of approval BE REQUIRED to be completed prior to the passage of a Part Lot Control By-law for Block 98 in Plan 33M-633 as noted in part a), above:
  - i) the applicant submit a draft reference plan to the Building Division for review and approval to ensure the proposed part lots and development plans comply with the regulations of the Zoning By-law, prior to the reference plan being deposited in the Land Registry Office;
  - ii) the applicant submits, to the Development Services Division, a digital copy, together with a hard copy, of each reference plan, as noted in part i), above, to be deposited; it being noted that the digital file shall be assembled in accordance with the City of London's Digital Submission / Drafting Standards

and be referenced to the City's NAD83 UTM Control Reference;

- iii) the applicant shall obtain confirmation from the Development Services Division that the assignment of municipal numbering has been completed, in accordance with the reference plan(s) to be deposited, should there be further division of property contemplated as a result of the approval of the reference plan prior to the reference plan being deposited in the Land Registry Office;
  - iv) the applicant shall submit to the Managing Director, Engineering & City Engineer and the Manager of Development Services, confirmation that an approved reference plan for final lot development has been deposited in the Land Registry Office; and,
  - v) the subdivider be required to enter into any amending subdivision agreement with the City, if necessary;
- c) the Municipal Council BE REQUESTED to approve this by-law; and,
- d) the applicant BE ADVISED that the cost of registration of this by-law is to be borne by the applicant in accordance with City policy.

5. Property located at 2280 Wickerson Road (39T-00519)

That, on the recommendation of the Manager, Development Services and Planning Liaison, the following actions be taken with respect to the request from Kape Developments Limited, relating to the property located at 2280 Wickerson Road:

- a) the Approval Authority BE ADVISED that the Municipal Council supports granting a three (3) year extension of the draft approval for plan 39T-00519, prepared by AGM Surveying and certified by Bruce Baker, (dated April 1, 2001, Drawing No. 1058 dwg Wickerson-3.dwg), which shows 86 single detached dwelling lots and a park block, served by 3 local public streets, the extension of a secondary collector road and Wickerson Road, SUBJECT TO the Municipal Council endorsement of proposed changes to the Growth Management Implementation Strategy (GMIS) and Development Charges Background Study for stormwater management facilities SWMF SA-2 & SWMF-SB, and the revised conditions contained in ~~attached~~ Appendix "39T-00519-1"; and,
- b) the financing for the project BE APPROVED in accordance with the "Estimated Claims and Revenues Report" provided as Appendix "A" to the associated staff report, dated October 15, 2012. (2012-D26-03)

6. Property located at 2332 Wickerson Road (39T-08507)

That, on the recommendation of the Manager, Development Services and Planning Liaison, the following actions be taken with respect to the request from Mike Meddaoui, on behalf of 911578 Ontario Limited, relating to the property located at 2332 Wickerson Road:

- a) the Approval Authority BE ADVISED that the Municipal Council supports granting a three (3) year extension of the draft approval for plan 39T-08507, submitted by Mike Meddaoui, prepared by Archibald, Gray and McKay Ltd., and certified by Bruce S. Baker (Drawing No. 06.174, dated November 18, 2008), which shows 173 single detached lots, 3 future residential development blocks, 1 walkway block and 1 park block, served by 3 local roads, 2 secondary collector roads and Wickerson Road, SUBJECT TO the Municipal Council endorsement of proposed changes to the Growth Management Implementation Strategy (GMIS) and Development Charges Background Study for stormwater management facilities SWMF SA-2 & SWMF-SB, and the revised conditions contained in ~~attached~~ Appendix "39T-08507-1"; and,
- b) the financing for the project BE APPROVED in accordance with the "Estimated Claims and Revenues Report" provided as Appendix "A" to the associated staff report, dated October 15, 2012. (2012-D26-04)

7. Development Charges Background Study Amendments: SWMF SA-2 and SWMF SB

That, on the recommendation of the Director, Development Finance, the following actions be taken with respect to the 2009 Development Charges Background Study:

- a) the source of financing for SWMF SB, which is currently funded by the Urban Works Reserve Fund, BE EXCHANGED for the financing for SWMF SA-2, which is currently funded by the City Service Reserve Fund;
- b) SWMF SB BE ADDED to the Growth Management Implementation Strategy in 2014, at an estimated cost of \$2,201,100;
- c) SWMF SA-2 BE REMOVED from the Growth Management Implementation Strategy in 2014, with an estimated cost of \$3,226,700 and BE OMITTED from the upcoming 2014 Development Charges Background Study; and,
- d) SWMF SB BE CONSTRUCTED by the City due to its hydrologically sensitive location;

it being noted that SWMF SA-2 is not required to service any development within the current Urban Growth Boundary. (2012-F06-00)

10. 1st Report of the Trees and Forests Advisory Committee

That, the following actions be taken with respect to the 1st Report of the Trees and Forests Advisory Committee (TFAC), from its meeting held on September 26, 2012:

- a) the TFAC Terms of Reference BE AMENDED to add a representative from the London Development Institute/London Home Builders Association (jointly) as a voting member of the TFAC;
- b) subject to the approval of a), above, C. Linton, who is currently a Member-at-Large with the TFAC, BE APPOINTED as the representative of the London Development Institute/London Home Builders Association, resulting in a vacancy for the Member-at-Large position; and,

it being noted that the TFAC reviewed and received a Municipal Council resolution adopted at its meeting held on June 12, 2012 with respect to the TFAC appointments for the term ending February 28, 2015;

- c) that clauses 2 through 10, inclusive, of the 1st Report of the TFAC, BE RECEIVED AND NOTED;

it being noted that the Planning and Environment Committee heard a verbal presentation from B. Shiell, Chair, TFAC, with respect to these matters.

11. Beaufort/Irwin/Gunn/Saunby/Essex ("BIGS") Street Neighbourhood Plan

That, on the recommendation of the Managing Director, Planning and City Planner, the Beaufort/Irwin/Gunn/Saunby/Essex ("BIGS") Streets Neighbourhood Draft Plan BE CIRCULATED for public, agency and City review in advance of the formal public participation meeting required under the Planning Act, to be held on November 26, 2012;

it being noted that the Planning and Environment Committee received the ~~attached~~ presentation from P. Carabott and A. Harrington, Peter J. Smith & Company, Inc., with respect to this matter. (2012-D11-00)

12. Property located at 699 Village Green Avenue (Z-8072)

That, on the recommendation of the Managing Director, Planning and City Planner, with respect to the application of 1079591 Ontario Limited, relating to the property located at 699 Village Green Avenue, the proposed ~~attached~~ by-law BE INTRODUCED at the Municipal Council meeting to be held on October 30, 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 Convenience Commercial (CC) Zone, which permits convenience service establishments without a drive-through facility, convenience stores without a drive-through facility, financial institutions without a drive-through facility and personal service establishments without a drive-through facility TO a Convenience Commercial Special Provision (CC( )) Zone, to add florist

shops, restaurants, day cares, professional and service offices as additional permitted uses all within the existing building without a drive-through, and to maintain existing parking;

it being pointed out that there were no oral submissions made at the public participation meeting associated with this matter. (2012-D11-03)

13. Property located at 3278 Colonel Talbot Road (39CD-12511)

That, on the recommendation of the Manager, Development Services and Planning Liaison, the following actions be taken with respect to the application of Middlesex Vacant Land Condominium Corporation No. 698, relating to the property located at 3278 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 draft plan of condominium;
- b) the Approval Authority BE REQUESTED to exempt the amendment to the Vacant Land Condominium from draft approval, under Section 51 of the Planning Act, pursuant to Section 9(3) of the Condominium Act, for the residential plan of condominium, submitted by Middlesex Vacant Land Condominium Corporation No. 698;
- c) the Manager, Development Services and Engineering Liaison, BE REQUESTED to reassign municipal addressing for the lots fronting on Colonel Talbot Road to recognize the adjusted number of units; and,
- d) the Condominium Corporation BE REQUESTED to ensure owner approval of the proposed amendment to the Vacant Land Condominium Plan and declaration, in accordance with the Condominium Act, 1998;

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

14. Property located at 205 Commissioners Road West

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 of Four Feathers Housing Co-op, for the addition of 8 units to the 25 unit apartment building under construction at the property located at 205 Commissioners Road West:

- 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; and,
- b) the Approval Authority BE ADVISED that the Municipal supports the Site Plan application for an addition of 8 units, to the 4 storey apartment building, with 25 units currently under construction;

it being pointed out that there were no oral submissions made at the public participation meeting associated with this matter. (2012-D25-00)

15. Property located at 2332 Main Street

That, on the recommendation of the Director, Land Use Planning and City Planner, with the advice of the Heritage Planner, the following actions be taken with respect to the property located at 2332 Main Street:

- a) the Chief Building Official BE ADVISED that the Municipal Council does not object to the request for demolition for the Priority 1 listed property located at 2332 Main Street; and,
- b) the Chief Building Official BE ADVISED that the Municipal Council does not wish to issue a notice of Intent to Designate this property under Section 29 of the Ontario Heritage Act;

it being noted that the London Advisory Committee on Heritage has been consulted on this request for demolition;



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

17. City of London Growth Projections 2011-2041

That, on the recommendation of the Managing Director, Planning and City Planner, the baseline growth projections, outlined in the final report prepared by Altus Group Economic Consulting, entitled "Employment, Population, Housing and Non-Residential Construction Projections, City of London, Ontario, 2011 Update", BE ENDORSED for use in the 2011 Official Plan Review and the 2014 Development Charges Study;

it being noted that the Municipal Council, through the Investment and Economic Prosperity Committee, is aggressively working to accelerate London's economy to reach a growth target of 2% per year; it being further noted that an average of more than 6,100 net new jobs per year will be required to achieve this growth rate target;

it being pointed out that the Planning and Environment Committee received the ~~attached~~ presentation from P. Norman, Altus Group Economic Consulting, with respect to this matter. (2012-D18-00)

18. Highland Ridge Subdivision - Phase 2 (39T-07503)

That, on the recommendation of the Manager of Development Services and Planning Liaison, the following actions be taken with respect to entering into a subdivision agreement between The Corporation of the City of London and Highland Ridge Land Corp., for the subdivision of land over Part of Lot 42, Concession 1, (Geographic Township of Westminster), City of London, County of Middlesex:

- a) the ~~attached~~ Special Provisions, to be contained in a Subdivision Agreement between The Corporation of the City of London and Highland Ridge Land Corp., for the Highland Ridge Subdivision (39T-07503), BE APPROVED;
- b) the Mayor and the City Clerk BE AUTHORIZED to execute this Agreement, any amending agreements and all documents required to fulfill its conditions
- c) the financing for the project BE APPROVED in accordance with the "Sources of Financing Report" and the "Estimated Claims and Revenues Report" provided as Appendices "A" and "B", respectively, to the associated staff report, dated October 15, 2012;

it being noted that the Civic Administration will meet with the applicant to continue to try to resolve the outstanding issues;

it being further noted that the Planning and Environment Committee heard a verbal presentation from C. Linton, Norquay Developments, with respect to this matter. (2012-D26-03)

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

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

- a) the ~~attached~~ proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on October 30, 2012, to amend the Official Plan to change the designation of the subject lands FROM a Low Density Residential designation TO a Multi Family Medium Density Residential designation, to permit apartment buildings with a maximum density of 75 units per hectare;
- b) the ~~attached~~ proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on October 30, 2012, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan, as amended in part a), above), to change the zoning of the subject property FROM Residential R2 (R2-2) Zone and a Residential R1 Special Provision /Residential R2 Special Provision (R1-1 (4)/R2-1 (7)) Zone, which permits single, semi, duplex and converted dwelling maximum two units with a 15m setback from the CN railway right-of-way TO a Holding Residential R9 Special Provision (h\*5\*h-18\*h-65\*R9-1 ( )\*H15) Zone, which permits apartment buildings with a maximum height of

15m, density of 75 units/ha, a minimum setback of 15m from the CN railway right-of-way, a 0.0m sight triangle setback from the point of intersection of the centre line of both the railway and the road, subject to holding provisions to ensure adequate provision of municipal servicing, noise and vibration mitigation measures, archaeological evaluation be completed and a development agreement, be entered into with the City, to the satisfaction of the Municipal Council and to ensure that urban design matters are addressed following public site plan review;

- c) a public participation meeting of the Planning and Environment Committee **BE HELD** for consideration of the site plan required for this development prior to the removal of the "h-5" symbol;
- d) the site plan approval authority **BE REQUESTED** to consider the following items through the site plan approval process:
- provide landscaping which:
  - provides for the preservation of the existing mature vegetation along westerly and northerly property line for the purpose of providing a privacy buffer to abutting properties;
  - enhances street based landscaping along existing easterly berming;
  - defines the pedestrian realm, highlights the street edge and provides a prominent pedestrian entrance off of Westminster Avenue;
  - includes plant/tree species and landscaping techniques tolerant of minimal watering; and,
  - preserves the heritage tree currently existing on the property;
  - provide a building which:
  - clearly expresses a base, middle, and top (roof) on all elevations, predominantly using masonry materials;
  - uses variations in massing, materials, scaling and architectural features to identify the east façade and entrance as the front of the building and the south façade and entrance as a service egress;
  - location of 47 underground parking spaces;
  - location of the garbage storage be located within the building;
  - all lighting be oriented and its intensity controlled so as to prevent glare on adjacent residential properties and roadways;
  - addresses drainage issues on the property;
- e) a development agreement **BE ENTERED** into with the City of London prior to the removal of the "h" symbol;
- f) the proponent **BE DIRECTED** to carry out an archaeological resource assessment of the subject site and mitigate, through avoidance or documentation, adverse impacts to any significant archaeological resources found, to the satisfaction of the Ministry of Citizenship, Culture and Recreation, and the City of London, to ensure that lands are assessed for the presence of archaeological resources prior to development, prior to the removal of the h-18 symbol; it being noted that no grading or other soil disturbance shall take place on the subject property prior to the issuance of a letter of clearance by the City of London Planning Division; and,
- g) the owner **BE DIRECTED** to implement all noise and vibration attenuation measures, recommended in noise and vibration assessment reports, acceptable to the City of London, to ensure there are no land use conflicts between the adjacent arterial roads and/or rail line and the proposed residential uses, prior to the removal of the "h-65" symbol;

it being noted that the Planning and Environment Committee reviewed and received a communication, dated October 14, 2012, from J. Csoborko, by e-mail, with respect to this matter;

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

- Mike Pease, IBI Group and Jerry Knoester, proponent, on behalf of the applicant – see attached presentation.
- Brian Smith, 20 Fairview Court – advising that he has lived in his house for five years; advising that every year, the land fills with water; advising that, when he purchased his

property, he was informed that Labatt owned the subject property and that it was to remain a green area; indicating that every year, there is a pair of deers who have fawns on the property; advising that the building will start being constructed at 6 or 7 a.m. and work will continue until 8:00 p.m.; advising that he has young children; and enquiring as to how many people would like this in their backyard when they were expecting it to remain green space.

- Heather Picton, 16 Fairview Court – advising that there is a 15 meter buffer zone between the subject property and the properties on Fairview Avenue, while the residents on Fairview Court are stuck with a 6 meter buffer; and indicating that they get stuck with the parking garage and the lights for the parking garage.
- Alex Pieteron, 793 Fleet Street – advising that the pictures of the streetscape are great, but there is no context to the size of the buildings; advising that the proposed 2½ storey apartment building is twice the building height of the other residences in the neighbourhood; advising that this is going to be a 5 storey building and will dominate the area; expressing concern with the size of the proposed building; requesting that something more in context with the neighbourhood be built instead; indicating that, at the backyard of the building, the houses are 1½ storeys in height; advising that this will create a big impact; advising that the land slopes northward; advising that the largest structure in the area is the church spire; advising that traffic is gridlocked at 4:30 p.m.; noting that he can sit at the stop sign for 5 to 15 minutes; advising that the developer mentioned that people would walk to the hospital; however, people will be using their cars; indicating that this project might be better to be built in SoHo; and enquiring if there can be a land swap.
- Gary House, 107 Alexandra Street – enquiring as to what guarantees they have that there will not be an increase in water in their basements; and advising that, with the volume of traffic, there is the need for a crossing guard in order to cross Adelaide Street.
- Jessica Csoborko, 130 Fairview Avenue – advising that she works at the hospital and walks to work; advising that it is very busy at the crosswalk; indicating that no one stops at the stop signs; indicating that her driveway is at the side of her property and she can't get out of her driveway now; and indicating that, with the extra units, no one will be able to get out of their driveways.
- Jeff Briggs, 124 Fairview Avenue – advising that he is almost 90 years old; indicating that the project will never be what the developers say it will be; indicating that people are not going to pay \$1,000/ month rent when there are heavy trains running beside their property; indicating that Westminster Avenue is not Wellington Road, but it is getting close to it; indicating that the developer mentioned renting to hospital interns; noting that interns are only at the hospital for a few months; advising that people of high intelligence don't pay other people for a roof over their head; asking if the City will provide guarantees that everything the developer says he will do will be done; and advising that the developer did not speak to him or any of his neighbours about the proposed development.
- James, 116 Fairview Avenue – expressing concerns relating to lighting and noise pollution, the volume of traffic and the loss of trees and wildlife on the property; and asking for guarantees that the developer will build what they say they will build.
- 24 Fairview Court – advising that Labatt gave the City the property for \$1.00 to remain as parkland; advising that there is a tree on the property as old as Confederation; advising that his mother has lived on her property for 60 years; and advising that the proposal will decrease her property values.
- Carol Anne Séguin, 4 Fairview Court – expressing concern with the property line between the subject property and her property; advising that she has maintained the property with the assistance of a neighbor; indicating that the potential easement could be a threat to the 250-300 year old oak tree on the subject property; noting that she has applied to have the 250-300 year old oak tree designated a "heritage" tree; advising that she circulated approximately 250 flyers to inform her neighbours of the proposal; enquiring as to why they were not informed of the development proposals; indicating that, from the delivery of the flyers, she has had people call her from as far away as Bond Street; indicating that her phone is ringing off the hook; indicating that people should know what the elected officials are doing; and, she would like to know that the Councillors and the Mayor stand for the people and the environment. (*Secretary's Note: A petition signed by approximately 78 individuals is on file in the City Clerk's Office*).
- Robert Séguin, 4 Fairview Court – indicating that he measured the old growth trees in the area; noting that there is a tree over 150 years old; hoping for a positive outcome on an easement for his property or he will lose his driveway; advising that there is a historic creek on the property that runs almost beside the former Angelo's property; indicating that no one has dealt with the water table issues; advising that with the

inclusion of an underground parking garage, people are going to have more water in their basements; indicating that sand has been dumped on the lands for about 30 to 60 days and the sand is wet from the creek running through the property; and advising that the shadow mapping is insufficient and that 10 properties won't have sun until 8:30 a.m.

- Joyce Zimmer, 118 Fairview Avenue - enquiring where the children are going to play. (2012-D11-06)

## 20. Southwest Area Secondary Plan (O-7609)

That, the Civic Administration BE ASKED to prepare a report addressing questions presented at the public participation meeting, at a special meeting of the Planning and Environment Committee to be held on Wednesday, October 24, 2012 at 1:00 p.m.;

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

- a communication, dated October 9, 2012, from J. MacDonald, Executive Director, Downtown London, R.T. Usher, Board Chair, London Downtown Business Association and J. Adams, Board Chair, MainStreet London;
- a communication, dated October 12, 2012, from D. Young, Senior Planner and J. Paul, Managing Principal, Stantec Consulting Ltd.;
- a communication from E. Saulesleja, GSP Group Inc.;
- a communication, dated October 11, 2012, from E. Bustard, 6654 Beattie Street;
- a communication from A. Soufan, President, York Developments;
- communications, dated October 12, 2012, from C. Wiebe, MHBC Planning, Urban Design & Landscape Architecture;
- a communication, dated October 14, 2012, from S. Stapleton, Vice-President, Auburn Developments;
- a communication from T. Boyes, 6931 James Street;
- a communication, dated October 12, from R.-L. Gillis, Shaver-Brockley Coalition;
- a communication, dated October 15, 2012, from J. Kennedy, London Development Institute;
- a communication, dated October 12, 2012, from K. Patpatia, Flexion Properties Inc., 1787996 Ontario Inc. and J. Manocha;
- a communication, dated October 15, 2012, from J. Chisholm, President, New Urban Retail Inc.; and,
- a communication from T. Brown, West Talbot Landowners Association;

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

- Jeanette MacDonald, Downtown London – advising that the City's investment in the Downtown area is paying off; advising that there are now 43,000 residents living in the Downtown; noting that this represents 9% of property taxes; indicating that they are not opposing the SWAP; requesting that the office space be protected; noting that this Plan allows 200,000 square feet; and advising that any more office space availability will impact the Downtown.
- C. Friar, Lambeth – requesting that natural heritage areas be protected; indicating that they have had requests to increase their density and have been asked to remove their woodlot; and indicating that the volume of traffic will increase.
- Jeff, 1787996 Ontario Inc., 3405 Dingman Drive, 3226 and 3356 Westminster Drive – indicating that he likes the SWAP; expressing appreciation to the Civic Administration for their efforts with respect to this Plan; indicating that, historically, everything has been built along the Highway 401 corridor; advising that their properties have been downsized from M-1 and M-2 Zones; advising that he has some Open Space zoning on his properties and enquiring why the Open Space zone is being applied as he has never seen anyone on his properties; and advising that the land is vital to future growth.
- Gina Brummit, on behalf of Farhi Holdings Corporation – advising that the 200,000 square feet of office space being permitted in the Plan is a huge concern to the Downtown; asking that the Plan be postponed until revitalization is realized; advising that Mr. S. Farhi, Farhi Holdings Corporation, owns land in the SWAP and he would like to develop the land in the shorter term, not wait for 20 years; and advising that when Mr. Farhi approached staff about his plans, he was advised to wait until next year when ReThink London is completed.
- Tim Brown, on behalf of the West Talbot Landowners – reiterating his comments from his submission on the Added Agenda.

- David Gillis, 2753 Dingman Drive, on behalf of the Shaver-Brockley Coalition – advising that the residents in the Shaver-Brockley area have strong feelings on the use of the Light Industrial Zone; advising that Roma-Lynn Gillis submitted a communication to the Planning and Environment Committee Added Agenda, item 20 i); requesting that a South Central Area Study be conducted before any other Light Industrial Zoning be undertaken; and indicating that they are looking for compassion.
- Allan Tipping, 2809 Dingman Drive – advising that he owns three acres of land; indicating that an Industrial Zone is recommended beside his property; advising that this will landlock his property; indicating that no one is going to want to live there; advising that his property was originally located in the Urban Growth Boundary (UGB), but with the stroke of a pen, his property is outside the UGB; indicating that the SWAP area is too large; advising that Brockley-Shaver has been in an urban stalemate for years; enquiring as to where the hotels and casinos are going to be built; requesting that the Industrial Zone be moved outside of the City; indicating that there will be odour issues all over the City; indicating that the Area Plan is too premature; noting that the proposed new overpass may change the City; advising that their hamlet has a public school and high school; advising that there is a creek in the area that needs to be protected; and advising that the people living near Lambeth are going to get the run-off.
- Gary Brown, 35A – 59 Ridout Street – requesting that nature be left for everyone to enjoy; advising that water and wastewater must be pumped further; suggesting that the land be used more efficiently; advising that the zero percent tax increase puts the burden onto the next Municipal Council; indicating that he has been to several ReThink London events; indicating that London should be a city of people for people; indicating that spreading out London is unnecessary; and advising that Peter Mansbridge indicated that you should not ask for people's comments and then ignore them.
- Geoffrey Faul, on behalf of the Lambeth Community Association – see attached communication.
- James Street – advising that “vision” and “imagination” are great words; advising that there is disconnect between the Plan and the execution of the Plan; and requesting a balanced approach for the area.
- 151 Pine Valley Boulevard – advising that the cloverleaf at Wonderland and Highway 402 is an improvement; encouraging the Planning Division to straighten the boundary line to include the cloverleaf; and noting that all other boundaries are straight.
- Jim Kennedy, President, London Development Institute, on behalf of the London Chamber of Commerce, the London Development Institute and the Urban League of London – indicating that they did not receive the information until late last week; and asking for more time to review the Plan.
- Carol Wiebe, MHBC Planning – advising that she has several communications on the Added Agenda; advising that the property located on the southeast corner of Southdale Road and Bostwick Road is 50 acres, zoned medium density residential; requesting that the property be zoned higher density residential; indicating that on the other side of Wonderland Road corridor, no new high density sites are proposed; indicating that there is a shortfall of high density zoning; recommending a combination of medium and high density; and requesting this property be rezoned to high density; advising that the second parcel consists of 13 acres adjacent to the hydro corridor; noting that it is the former Wally World site; advising that this property has been purchased by the Muslim Association of Canada and advising that they would like to build a mosque and residences on the property; advising that they are asking the property be zoned high density residential; and indicating that this is a narrow strip of land.
- Jim Harbell, Lawyer, York Developments – advising that York Developments owns property west of Wonderland Road, north of Wharncliffe Road; commending the Civic Administration for this complicated enterprise; advising that he has four specific points he would like to raise; indicating that his client has filed a complete application that he hopes will be before the Committee shortly; expressing concern on the numerical limit on the retail; requesting that there not be a number at all; advising that using twenty-five percent of building form and 75 percent of lands for parking creates debate; advising that, with the Wonderland Road reconstruction, there is a 57 metre wide approach to the arterial gateway; requesting that the numbers be taken out and the vision put in; advising that the number of lanes required is acceptable; advising that numbers belong in the implementation plan; advising that, with respect to the shadow road network, it is appropriate 20 to 30 years from now; advising that it looks like it is required; advising that lenders will have financial difficulties; recommending that the vision be put in place; advising that, with respect to the 30 metre development buffers on either side of natural features, the scientific approach be used; and advising that York Developments and MHBC Planning have submitted letters with respect to this matter; and advising that he is not suggesting a delay of the Plan.
- Dan Young, Stantec Consulting, on behalf of Z Group and the Aarts family – advising

that the Z Group owns 80 acres in the proposed Plan; indicating that they are satisfied, for the most part; expressing concern with the medium density designation on Wharncliffe Road; advising that the Aarts family owns property located at 17 and 31 Exeter Road; noting that there are a mix of uses on this site; expressing disappointment with the low density designation; advising that his clients were hoping for a mixed use; advising that his clients wanted to create a small business park, with a 24 hour population basis and an auto oriented commercial zone in the south end of the property; and requesting that the property be rezoned high density residential.

- Sergio Pompili, Sergio E. Pompili & Associates - see attached presentation.
- Steven Zakem, on behalf of Sifton Properties Limited – advising that Elizabeth Housen-McCauly was the principal author of the Wellington Road corridor study when she worked for the City; advising that the Planners today are doing what the previous Planners did; expressing concern that the implementation has not gone far enough; and enquiring as to what plan will result in what you see on Wellington Road.
- Bob Stratford, on behalf of Sifton Properties Limited – advising that it will cost \$90 million to service the Wonderland Road corridor; indicating that the full build out is intended to recover the costs; indicating that he looked at the revenue generation; noting that in one zone, the revenues are \$19 million; advising that the commercial uptake is part of the 15 year plan; noting that the City will be carrying large debt burdens for a long time; indicating that he cannot see where the development revenue comes from to pay for the costs; enquiring as to whether or not this could stifle growth elsewhere; advising that there are no soft costs; noting that he is not sure whether or not the costs will offset the balance; advising that there will be \$1.2 million in sanitary costs; requesting that further analysis of the costs be done; requesting that the Plan be sent back; advising that this new version is a fundamental departure from earlier versions; indicating that the Plan was only released six days ago; advising that this will not result in a stunning approach to the City; advising that there is additional pressure for commercial lands; advising that this is a new approach, not a refinement of the previous approach; indicating that the Official Plan is a legal document; and requesting that the Plan be referred to the Civic Administration for full costs and a proposed phasing plan.
- Michael Hughes, New Urban Retail – see attached presentation.
- David Wood, on behalf of Green Hills and Smart!Centres – see attached presentation.
- Jeff Thomas, Development Engineering – advising that he has prepared detailed drawings and prepared estimated servicing costs; noting that the stormwater management facility is on their lands; and requesting that the City install the ultimate servicing from Dingman Drive to Wonderland Road.
- Laverne Kirkness, Kirkness Consulting on behalf of the Johnstone family – see attached communication.
- Richard Zelinka, Zelinka Priamo Ltd. – advising that he was unable to receive solid direction from his clients as the Plan was released a few days before this meeting; reiterating comments from the Auburn Developments communication on the Added Agenda relating to this matter; requesting that the validity of the SWAP be tested during a five year process; advising that the policies created for the southwest area should be tested city-wide; advising that the urban design policies are very prescriptive, and are far from allowing for distinctive character; advising that the policies should be placed into guidelines and not be as prescriptive; advising that their previous comments have not been incorporated into this version of the SWAP; indicating that there will be a further submission on behalf of his clients. (2012-D11-09/2)

## 21. Stanton Drain

Motion made by Councillor B. Polhill to Approve that, on the recommendation of the Managing Director Environmental and Engineering Services and City Engineer, the Civic Administration BE DIRECTED to undertake the appropriate actions to engage a licensed trapper to relocate the beavers in the Stanton Drain to Munsee-Delaware First Nation's lands, remove the beaver dam as it is creating flooding conditions, impacting the safety of people and property within the Stanton Drain servicing area, compromising the operation of water resources/SWM infrastructure and is interfering with the construction of the Stanton Drain remediation works and Hyde Park SWM Facility #4:

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

- a communication, dated October 4, 2012, from F. Morrison and A.M. Valastro, by e-mail;
- a communication, dated October 14, 2012, from A. Papmehl, by e-mail;

- a communication, dated October 14, 2012, from W. Lyons, 36 – 1511 Aldersbrook Road; and,
- a communication from V. Van Linden, 431 Ridgewood Crescent;

it being pointed out that the Planning and Environment Committee heard verbal presentations from the following:

- A.M. Valastro;
- F. Morrison;
- P. Harris, on behalf of D. Harris;
- J. Larivee;
- S. Rans, Vice-Chair, Animal Welfare Advisory Committee;
- V. Van Linden; and,
- L. White and B. MacKay – see attached presentation. (2012-W05-00)

Motion made by Councillor B. Polhill and seconded by Councillor N. Branscombe to Amend clause 21 to add the following wording, “to the Aspen Valley Wildlife Sanctuary for the winter months, then subsequently move them” after the words “Stanton Drain” in the third line.

Motion Passed

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

The motion to adopt clause 21, as amended is put.

Motion Passed

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

Clause 21, as amended, reads as follows:

That, on the recommendation of the Managing Director Environmental and Engineering Services and City Engineer, the Civic Administration **BE DIRECTED** to undertake the appropriate actions to engage a licensed trapper to relocate the beavers in the Stanton Drain to the Aspen Valley Wildlife Sanctuary for the winter months, then subsequently move them to the Munsee-Delaware First Nation’s lands in the Spring, and remove the beaver dam as it is creating flooding conditions, impacting the safety of people and property within the Stanton Drain servicing area, compromising the operation of water resources/SWM infrastructure and is interfering with the construction of the Stanton Drain remediation works and Hyde Park SWM Facility #4:

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

- a communication, dated October 4, 2012, from F. Morrison and A.M. Valastro, by e-mail;
- a communication, dated October 14, 2012, from A. Papmehl, by e-mail;
- a communication, dated October 14, 2012, from W. Lyons, 36 – 1511 Aldersbrook Road; and,
- a communication from V. Van Linden, 431 Ridgewood Crescent;

it being pointed out that the Planning and Environment Committee heard verbal presentations from the following:

- A.M. Valastro;
- F. Morrison;
- P. Harris, on behalf of D. Harris;
- J. Larivee;
- S. Rans, Vice-Chair, Animal Welfare Advisory Committee;
- V. Van Linden; and,
- L. White and B. MacKay – see attached presentation. (2012-W05-00)

16. Property located at 1476 Aldersbrook Road (OZ-8069)

Motion made by Councillor B. Polhill to Approve that, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the

application of 2138836 Ontario Limited, relating to the property located at 1476 Aldersbrook Road:

- a) the ~~attached~~ proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on October 30, 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 R5 (R5-4) Zone, which permits cluster townhouse dwellings and cluster stacked townhouse dwellings TO a Convenience Commercial Special Provision (CC6( )) Zone, to permit medical/dental offices, clinics, offices, laboratories, pharmacies, financial institutions, personal service establishment, restaurants – take-out and restaurants – eat-in; and,
- b) the Site Plan Approval Authority BE REQUESTED to consider the following design issues through the site plan process:
  - i) address this street-corner site, through measures such as siting the building close to the corner, varying the building massing/height at the corner, adding a corner entrance and/or providing overhead extensions off the building;
  - ii) ensure building street frontages adequately offer a face to the street through the ample use of windows and doors, and a balanced proportion of transparent and non-transparent materials;
  - iii) optimize pedestrian and transit access to the site by ensuring direct pedestrian connections between building entrances and the public sidewalks along Gainsborough Road and Aldersbrook Road;
  - iv) balance the commercial expression of the building to separately define and distinguish the various tenants within the building, and its compatibility with the adjacent residential properties, using measures such as architectural proportioning and incorporating materials such as brick or stone;
  - v) use landscaping features and paving materials to reinforce the vehicular entrance to the site and mitigate the environmental performance of the parking lot; and,
  - vi) ensure the positioning of exterior lighting and illumination levels and site landscaping minimize impacts on adjacent residential properties;

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

Motion made by Councillor B. Polhill and seconded by Councillor S.E. White to Amend part b), by adding an additional part vii) as follows: “restrict access to a left-in from Gainsborough Road (in addition to the right-in/right-out) and a left-out onto Aldersbrook Road (in addition to the right-in/right-out) using raised concrete medians and following the City Access Management Guidelines”.

Motion Passed

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

The motion to adopt clause 16, as amended, is put.

Motion Passed

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

Clause 16, as amended reads as follows:

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of 2138836 Ontario Limited, relating to the property located at 1476 Aldersbrook Road:

- a) the ~~attached~~ proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on October 30, 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 R5 (R5-4) Zone, which permits cluster townhouse dwellings and cluster stacked townhouse dwellings TO a Convenience Commercial Special Provision (CC6( )) Zone, to permit medical/dental offices, clinics, offices, laboratories, pharmacies, financial institutions, personal service establishment, restaurants – take-out and restaurants – eat-in; and,



- b) the Site Plan Approval Authority BE REQUESTED to consider the following design issues through the site plan process:
- i) address this street-corner site, through measures such as siting the building close to the corner, varying the building massing/height at the corner, adding a corner entrance and/or providing overhead extensions off the building;
  - ii) ensure building street frontages adequately offer a face to the street through the ample use of windows and doors, and a balanced proportion of transparent and non-transparent materials;
  - iii) optimize pedestrian and transit access to the site by ensuring direct pedestrian connections between building entrances and the public sidewalks along Gainsborough Road and Aldersbrook Road;
  - iv) balance the commercial expression of the building to separately define and distinguish the various tenants within the building, and its compatibility with the adjacent residential properties, using measures such as architectural proportioning and incorporating materials such as brick or stone;
  - v) use landscaping features and paving materials to reinforce the vehicular entrance to the site and mitigate the environmental performance of the parking lot; and,
  - vi) ensure the positioning of exterior lighting and illumination levels and site landscaping minimize impacts on adjacent residential properties;
  - vii) restrict access to a left-in from Gainsborough Road (in addition to the right-in/right-out) and a left-out onto Aldersbrook Road (in addition to the right-in/right-out) using raised concrete medians and following the City Access Management Guidelines.

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

At 8:13 PM, Councillor J.B. Swan leaves the meeting.

#### 8. Property located at 199 Queens Avenue

Motion made by Councillor B. Polhill to Approve that the following actions be taken with respect to the property located at 199 Queens Avenue:

- a) pursuant to section 13.8 of the Council Procedure By-law, the actions of the Municipal Council taken at its meeting held on October 9, 2012, with respect to clause 23 of the 23rd Report of the Planning and Environment Committee, related to the request of Mr. S. Farhi, Farhi Holdings Corporation, relating to the proposed demolition of the priority 2 listed property located at 199 Queens Avenue, BE RECONSIDERED;
- b) the said Clause 23 of the 23rd Report of the Planning and Environment Committee from its meeting held on September 24, 2012 BE RESCINDED; and,
- c) the Chief Building Official BE DIRECTED to grant S. Farhi, Farhi Holdings Corporation, a demolition permit for the building located at 199 Queens Avenue;

it being noted that Mr. S. Farhi offered to provide \$25,000 to assist in the costs of the possible relocation of the heritage structure;

it being further noted that the Municipal Council has a policy that does not support the demolition of heritage properties for the installation of temporary surface parking lots;

it being further noted that the Planning and Environment Committee reviewed and received a communication, dated October 12, 2012, from A.R. Patton, Patton Cormier & Associates, with respect to this matter;

it being pointed out that the Planning and Environment Committee heard verbal presentations from E. Cormier, on behalf of A.R. Patton, Patton Cormier & Associates and M. Manuel and B. Mortimer, London Music Hall, with respect to this matter. (2012-D10-00)

Motion made by Councillor B. Polhill and seconded by Councillor S. Orser to Amend Clause 8 by adding a new part d) as follows:

- “d) the applicant **BE ADVISED** that a private party has expressed an interest with respect to the applicant’s offer to provide \$25,000 to assist in the costs of the possible relocation of the heritage structure.”

Motion Passed

YEAS: J.F. Fontana, B. Polhill, N. Branscombe, M. Brown, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (10)

NAYS: S. Orser (1)

RECUSED: P. Hubert (1)

Motion made by Councillor J.P. Bryant and seconded by Councillor N. Branscombe to Approve referral of consideration of clause 8 to a future meeting of the Planning and Environment Committee.

Motion Failed

YEAS: N. Branscombe, J.P. Bryant (2)

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

RECUSED: P. Hubert (1)

Motion made by Councillor B. Polhill and seconded by Councillor S.E. White to Approve clause 8, as amended.

Motion Passed

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

RECUSED: P. Hubert (1)

Councillor J.B. Swan returns to the meeting.

9. 1st Report of the Environmental and Ecological Planning Advisory Committee

Motion made by Councillor S.E. White to Approve that the following actions be taken with respect to the 1st Report of the Environmental and Ecological Planning Advisory Committee (EEPAC), from its meeting held on September 20, 2012:

- a) the Civic Administration BE REQUESTED to inform and engage the EEPAC with respect to the compensation design plan at the Hyde Park SWM Facility 5;
- b) the new compensation design plan, noted in a), above, BE DESIGNED to replicate the habitat being lost in Hyde Park SWM Facility 4;

it being noted that the EEPAC reviewed and received the following with respect to this matter:

- a communication dated October 24, 2011, from B. Haklander, Environmental Services Engineer;
  - a communication dated October 19, 2011 from the EEPAC Working Group; and,
  - a communication dated August 24, 2012, from S. Rans, Chair, Wildlife Sub-committee, Animal Welfare Advisory Committee;
- c) the Civic Administration BE ASKED to provide an update to the EEPAC related to the restoration plans for the Kains Woods area;
  - d) the Civic Administration BE REQUESTED to provide a copy of the completed application related to this matter to the EEPAC for its October meeting; and,
  - e) that clauses 3 through 23, inclusive, of the 1st Report of the EEPAC, BE RECEIVED AND NOTED;

it being noted that the Planning and Environment Committee heard a verbal presentation from D. Sheppard, Chair, EEPAC, with respect to these matters.

Motion Passed

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

26th Report of the Planning and Environment Committee  
Councillor B. Polhill presents.

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

27th Report of the Planning and Environment Committee  
Councillor B. Polhill presents.

2. Southwest Area Secondary Plan (O-7609)

*(Secretary's Note: a copy of the revised Southwest Area Plan is available for viewing in the City Clerk's Office.)*

His Worship the Mayor rules that reconsideration is not required by the Municipal Council, with respect to Clause 2 of the 27th Report of the Planning and Environment Committee.

Councillor P. Hubert appeals the decision of the Chair. The City Clerk put the quest "shall the ruling of the Chair be sustained?"

Motion Passed to sustain the ruling Chair.

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

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

Motion made by Councillor B. Polhill to Approve that further to the direction of Municipal Council at its meeting held on June 25, 2012, with respect to the application by the City of London for an Official Plan Amendment to change the existing land uses designations and to adopt a Secondary Plan for the area generally bounded by Southdale Road West, White Oak Road, Exeter Road, Wellington Road South, Green Valley Road, and the Urban Growth Boundary, the following actions be taken:

- a) the ~~attached~~, revised, proposed by-law **BE INTRODUCED** at the Municipal Council meeting on October 30, 2012 to:
  - i) amend Chapter 20-Secondary Plans, **BY ADDING** "Southwest Area Secondary Plan" to the list of Secondary Plans adopted by the Municipal Council in Section 20.2 of the Official Plan for the City of London;
  - ii) amend Chapter 20-Secondary Plans, **BY ADDING** Section 20.5-Southwest Area Secondary Plan to the Official Plan for the City of London;
  - iii) amend Chapter 4-Commercial **BY ADDING** a new land use designation "Wonderland Road Community Enterprise Corridor" to be applied along the Wonderland Road corridor between Southdale Road West and Hamlyn Street to permit a broad range of commercial, residential, office and institutional uses; subject to servicing and financing plans being provided to support development to ensure that it is economically viable;
  - iv) change the land use designation of the subject lands within the Southwest Area Planning Area on Schedule "A"- Land Use of the Official Plan **FROM** "Urban

Reserve- Community Growth”, “Urban Reserve- Industrial Growth”, “Environmental Review”, “Agriculture”, “Low Density Residential”, “Multi-family, Medium Density Residential”, “Auto-oriented Commercial Corridor”, “Light Industrial”, and “Open Space” TO “Urban Reserve- Community Growth”, “Urban Reserve- Industrial Growth”, “Environmental Review”, “Low Density Residential”, “Multi-family, Medium Density Residential”, “Multi-family, High Density Residential”, “Community Facility”, “Auto-oriented Commercial Corridor”, “Main Street Commercial Corridor”, “Neighbourhood Commercial Node”, “Community Commercial Node,” “New Format Regional Commercial Node”, “Office Area”, “Light Industrial”, “Community Facility”, “Open Space”, “Rural Settlement” and “Wonderland Road Community Enterprise Corridor”;

- v) change to the southerly and easterly limits of the Urban Growth Boundary in the vicinity of the Brockley Area on Schedule “A”-Land Use of the Official Plan to remove a portion of the lands in the “Urban Reserve – Industrial Growth” designation, generally located north and south of Dingman Drive, and west of easterly limit of the Urban Growth Boundary;
- vi) change Schedule “B-1”-Natural Heritage Features of the Official Plan by adding “Environmentally Significant Area (ESA)”, “Potential ESAs”, “Significant Woodlands”, “Woodlands”, “Unevaluated Vegetation Patches”, “Significant Corridors”, “Locally Significant Wetlands”, and “Potential Naturalization Areas”;
- vii) change Schedule “C”-Transportation Corridors of the Official Plan by adding Primary Collector Roads, and Secondary Collector Roads; and,
- viii) change Schedule “D”- Planning Areas of the Official Plan to add the naming and delineation of the Southwest Area Secondary Plan;
- ix) the property located at 457 Southdale Road West, the property located at 3080 Bostwick Road and the properties located at 491 and 499 Southdale Road West be designated “Multi-Family, High Density Residential”;

it being noted that any changes to Schedule “B-1” Natural Heritage features will be subject to the completion of an Environmental Impact Study (EIS) to the satisfaction of the City; it being further noted that the Secondary Plan will be amended to remove reference to the 57 metre road width along Wonderland Road South, noting that the road grid in the Secondary Plan is conceptual;

- b) the proposed Official Plan Amendment to delete references to the Southside Pollution Control Plant and interim servicing policies, (File O-7971), **BE CIRCULATED** for public review and comment in advance of a public participation meeting to be scheduled at a future Planning and Environment Committee meeting;
- c) 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;

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

- a communication, dated October 18, 2012, from L. Kirkness, Kirkness Consulting Inc.;
- a communication, dated October 23, 2012, from J.W. Harbell, Stikeman Elliott;
- a communication, dated October 23, 2012, from C. Wiebe, MHBC Planning;
- communications, dated October 19 and October 22, 2012, from R. Zelinka, Zelinka Priamo Ltd. (2012-D11-09/2)

Motion made by Councillor D.G. Henderson and seconded by Councillor S.E. White to Approve that part a) ii) of Clause 2 of the 27th Report of the Planning and Environment Committee be amended by deleting the part in its entirety and replacing it with the following new part a) ii):

- “ii) amend Chapter 20-Secondary Plans, BY ADDING the ~~attached~~ revised Section 20.5 – Southwest Area Secondary Plan to the Official Plan for the City of London which reflects an amendment to section 20.5.6.3 iii) a) to delete the part in its in entirety and replace it with the following new part:

20.5.6.3 iii) a) Development shall occur at a minimum density of 15 units per hectare. A residential density exceeding 30 units per hectare may be permitted through a

site specific zoning by-law, site plan application, and urban design review.

it being noted that the Lambeth area, including the area on Wonderland Road South, west of the Hydro Corridor and the area immediate north and adjacent to Lambeth Walk, will be designated Low Density Residential, with a density of 15 to 30 units per hectare.”

Motion Passed

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

NAYS: N. Branscombe, M. Brown (2)

At 9:12 PM Mayor J.F. Fontana places Councillor M. Brown in the Chair, and leaves the meeting.

At 9:12 PM Councillor J.B. Swan leaves the meeting.

At 9:13 PM Councillor J.B. Swan enters the meeting.

At 9:14 PM Mayor J. F. Fontana enters the meeting and takes a seat at the Council Board.

At 9:24 PM Councillor P. Van Meerbergen leaves the meeting.

At 9:33 PM Mayor J.F Fontana resumes the Chair, and Councillor M. Brown takes his seat at the Council Board.

At 10:09 PM Councillor H.L. Usher leaves the meeting.

Motion made by Councillor P. Hubert and seconded by Councillor J.P. Bryant to Approve that clause 2 BE REFERRED back to the Planning and Environment Committee in order for staff to bring forward high level cost estimates for expanding the Enterprise Zone, timing and how this will integrate with the GMIS and the Development Charges Study.

Motion Failed

YEAS: N. Branscombe, M. Brown, P. Hubert, D. Brown, J.P. Bryant (5)

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

Pursuant to section 17.2 of the Council Procedure By-law, Councillor P. Hubert calls for a separate vote on part a) iii) of clause 2.

At 10:21 PM, Councillor H.L. Usher returns to the meeting.

Motion made by Councillor B. Polhill and seconded by Councillor S.E. White to Approve an amendment to part a) iii) of clause 2, by adding the words, "subject Council approval".

Motion Passed

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

Motion made by Councillor M. Brown and seconded by Councillor N. Branscombe to Approve an amendment to part a) ii) by deleting the part in its entirety and by replacing it with the following new part a) ii):

a) ii) amend Chapter 20-Secondary Plans, BY ADDING the ~~attached~~ revised section 20.5 – Southwest Area Secondary Plan to the Official Plan for the City of London which reflects an amendment to section 20.5.6.1 v) a) and 20.5.6.2 vi) a) to delete the parts in their entirety and replace them with the following new parts:

Amend 20.5.6. v) a) Commercial development for the entire Wonderland Road Community Enterprise Corridor designation shall not exceed 100,000 m<sup>2</sup> gross floor area. For the purposes of this limit, this shall not include those lands generally located north of the Bradley Avenue extension that are

currently developed or are approved/under construction as of October, 2012, TO Commercial development for the entire Wonderland Road Community Enterprise Corridor designation shall not exceed 50,000 m2 gross floor area. When 80% or more of this floor area is constructed and occupied, Council may re-evaluate this commercial cap, with the possibility of increasing it to a total of 100,000 m2 gross floor area through an Official Plan amendment, considering any impact that the development of these lands has had on existing planned commercial nodes and corridors. For the purposes of this limit, this shall not include those lands generally located north of the Bradley Avenue extension that are currently developed or are approved/under construction as of October, 2012.

Amend 20.5.6 vi)a) Office development for the entire Wonderland Road Community Enterprise Corridor shall not exceed 20,000 square metres gross floor area. TO Office development for the entire Wonderland Road Community Enterprise Corridor shall not exceed 10,000 m2 gross floor area. When 80% or more of this floor area is constructed and occupied, Council may re-evaluate this office cap, with the possibility of increasing it to a total of 20,000 m2 gross floor area through an Official Plan amendment, considering any impact that the development of these lands has had on the Downtown office market and other planned Office Area nodes.

Motion Failed

YEAS: N. Branscombe, M. Brown, P. Hubert, J.P. Bryant, S.E. White (5)

NAYS: J.F. Fontana, B. Polhill, J.B. Swan, S. Orser, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher (8)

Motion made by Councillor B. Polhill and seconded by Councillor J.B. Swan to Approve part a) iii) of clause 2.

Motion Passed

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

NAYS: P. Hubert, J.P. Bryant (2)

Motion made by Councillor B. Polhill and seconded by Councillor J.B. Swan to Approve the remainder of clause 2, as amended.

Motion Passed

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

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

Clause 2, as amended reads as follows:

That, further to the direction of Municipal Council at its meeting held on June 25, 2012, with respect to the application by the City of London for an Official Plan Amendment to change the existing land uses designations and to adopt a Secondary Plan for the area generally bounded by Southdale Road West, White Oak Road, Exeter Road, Wellington Road South, Green Valley Road, and the Urban Growth Boundary, the following actions be taken:

- a) the ~~attached~~, revised, proposed by-law BE INTRODUCED at the Municipal Council meeting on November 20, 2012 to:
  - i) amend Chapter 20-Secondary Plans, BY ADDING "Southwest Area Secondary Plan" to the list of Secondary Plans adopted by the Municipal Council in Section 20.2 of the Official Plan for the City of London;

- ii) amend Chapter 20-Secondary Plans, BY ADDING the ~~attached~~ revised Section 20.5 – Southwest Area Secondary Plan to the Official Plan for the City of London which reflects an amendment to section 20.5.6.3 iii) a) to delete the part in its entirety and replace it with the following new part:

20.5.6.3 iii) a) Development shall occur at a minimum density of 15 units per hectare. A residential density exceeding 30 units per hectare may be permitted through a site specific zoning by-law, site plan application, and urban design review;

it being noted that the Lambeth area, including the area on Wonderland Road South, west of the Hydro Corridor and the area immediate north and adjacent to Lambeth Walk, will be designated Low Density Residential, with a density of 15 to 30 units per hectare.

- iii) amend Chapter 4-Commercial BY ADDING a new land use designation “Wonderland Road Community Enterprise Corridor” to be applied along the Wonderland Road corridor between Southdale Road West and Hamlyn Street to permit a broad range of commercial, residential, office and institutional uses; subject to servicing and financing plans being provided to support development to ensure that it is economically viable, subject Council approval;
- iv) change the land use designation of the subject lands within the Southwest Area Planning Area on Schedule “A”- Land Use of the Official Plan FROM “Urban Reserve- Community Growth”, “Urban Reserve- Industrial Growth”, “Environmental Review”, “Agriculture”, “Low Density Residential”, “Multi-family, Medium Density Residential”, “Auto-oriented Commercial Corridor”, “Light Industrial”, and “Open Space” TO “Urban Reserve- Community Growth”, “Urban Reserve- Industrial Growth”, “Environmental Review”, “Low Density Residential”, “Multi-family, Medium Density Residential”, “Multi-family, High Density Residential”, “Community Facility”, “Auto-oriented Commercial Corridor”, “Main Street Commercial Corridor”, “Neighbourhood Commercial Node”, “Community Commercial Node,” “New Format Regional Commercial Node”, “Office Area”, “Light Industrial”, “Community Facility”, “Open Space”, “Rural Settlement” and “Wonderland Road Community Enterprise Corridor”;
- v) change to the southerly and easterly limits of the Urban Growth Boundary in the vicinity of the Brockley Area on Schedule “A”-Land Use of the Official Plan to remove a portion of the lands in the “Urban Reserve – Industrial Growth” designation, generally located north and south of Dingman Drive, and west of easterly limit of the Urban Growth Boundary;
- vi) change Schedule “B-1”-Natural Heritage Features of the Official Plan by adding “Environmentally Significant Area (ESA)”, “Potential ESAs”, “Significant Woodlands”, “Woodlands”, “Unevaluated Vegetation Patches”, “Significant Corridors”, “Locally Significant Wetlands”, and “Potential Naturalization Areas”;
- vii) change Schedule “C”-Transportation Corridors of the Official Plan by adding Primary Collector Roads, and Secondary Collector Roads; and,
- viii) change Schedule “D”- Planning Areas of the Official Plan to add the naming and delineation of the Southwest Area Secondary Plan;
- ix) the property located at 457 Southdale Road West, the property located at 3080 Bostwick Road and the properties located at 491 and 499 Southdale Road West be designated “Multi-Family, High Density Residential”;

it being noted that any changes to Schedule “B-1” Natural Heritage features will be subject to the completion of an Environmental Impact Study (EIS) to the satisfaction of the City; it being further noted that the Secondary Plan will be amended to remove reference to the 57 metre road width along Wonderland Road South, noting that the road grid in the Secondary Plan is conceptual;

- c) the proposed Official Plan Amendment to delete references to the Southside Pollution Control Plant and interim servicing policies, (File O-7971), BE CIRCULATED for public review and comment in advance of a public participation meeting to be scheduled at a future Planning and Environment Committee meeting;

- c) 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;

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

- a communication, dated October 18, 2012, from L. Kirkness, Kirkness Consulting Inc.;
- a communication, dated October 23, 2012, from J.W. Harbell, Stikeman Elliott;
- a communication, dated October 23, 2012, from C. Wiebe, MHBC Planning;
- communications, dated October 19 and October 22, 2012, from R. Zelinka, Zelinka Priamo Ltd. (2012-D11-09/2)

Motion made by Councillor B. Polhill to Approve clause 1.

1. Disclosures of Pecuniary Interest

That it BE NOTED no pecuniary interests were disclosed.

Motion Passed

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

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

Motion Passed

18th Report of the Investment and Economic Prosperity Committee  
Councillor J.B. Swan presents.

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

1. Disclosures of Pecuniary Interest

That it BE NOTED no pecuniary interests were disclosed.

2. 1st Report of the London Diversity and Race Relations Advisory Committee

That the 1st Report of the London Diversity and Race Relations Advisory Committee from its meeting held on September 20, 2012, BE RECEIVED.

3. South Street Campus Lands Redevelopment Process

That the following actions be taken with respect to the South Street Campus Lands Redevelopment Process:

- a) the Municipal Council resolution adopted at its meeting held on October 9, 2012 with respect to South Street Campus Lands Redevelopment BE RECEIVED; and,
- b) the ~~attached~~ Source of Financing for the South Street Campus Redevelopment Servicing Studies and Secondary Plan BE APPROVED;

it being noted that the Manager, Community Planning & Urban Design provided a verbal update with respect to the timelines for the completion of the related Secondary Plan, indicating that it is anticipated that a report regarding this matter will be submitted to the Planning and Environment Committee in March 2013.

4. Request for Delegation Status at the Next Investment and Economic Prosperity Committee Meeting – J. deLange

That the following actions be taken with respect to the request for delegation regarding the catering services for the Elsie Perrin Williams Estate:



- a) the Civic Administration BE REQUESTED to review the procurement and purchasing requirements of Boards and Commissions that operate on City-owned land and report back at a future Investment and Economic Prosperity Committee (IEPC) meeting regarding this matter;
- b) a representative of the Elsie Perrin Williams Estate BE REQUESTED to appear before the IEPC to provide information with respect to their procurement and purchasing policy; and
- c) the Committee Secretary BE REQUESTED to make contact with Mr. Jerry deLange, A&B Party & Tent Rental, in order to make arrangements for him to appear as a delegation at the same IEPC meeting when the representative of the Elsie Perrin Williams Estate will be in attendance.

5. Request for Delegation Status for Deb Harvey, Executive Director, Grand Theatre at the December 18, 2012 Investment and Economic Prosperity Committee Meeting

That the following actions be taken with respect to the request for delegation status from Deb Harvey, Executive Director, Grand Theatre:

- a) the Civic Administration BE DIRECTED to review the report of the Grand Theatre providing an update of Grand Theatre activities and report back at a future meeting of the Investment and Economic Prosperity Committee (IEPC) with respect to this matter; and
- b) the Civic Administration BE REQUESTED to advise Deb Harvey, Executive Director, Grand Theatre of the recommended reporting process with respect to this matter and invite her to attend the IEPC meeting when the Civic Administration's report is submitted.

6. Cancellation of the Eldon House Service Agreement with Museum London

That, on the recommendation of the Director of Corporate Investments and Partnerships, the City Clerk BE AUTHORIZED to give notice to Museum London that the Eldon House Service Agreement dated December 22, 2010 between the City and Museum London for the operation of Eldon House will be terminated effective December 31, 2012, noting that operating responsibilities will be transferred to the Eldon House Corporation January 1, 2013.

Motion Passed

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

8th Report of the Public Safety Committee  
Councillor D. Brown presents.

Motion made by Councillor D. Brown to Approve clauses 1 to 11.

1. Disclosures of Pecuniary Interest

That it BE NOTED that Councillor P. Hubert declared a pecuniary interest in clause 10 of this Report, having to do with the development of a preventative anti-graffiti pilot project in the downtown, by indicating that he is the Executive Director of a social service agency that has an anti-graffiti business. Councillor P. Hubert further declared a pecuniary interest in clause 11 having to do with banner signs, by indicating that he is the Executive Director of a social service agency that leases space from Farhi Holdings.

2. 1st and 2nd Reports of the Town and Gown Committee

That the following actions be taken with respect to the 1st and 2nd Reports of the Town and Gown Committee from its meetings held on June 27, 2012 and August 27, 2012, respectively:

- a) the Terms of Reference and the composition of the Town & Gown Committee (TGC) BE AMENDED to include a non-voting resource member from the London Property Management Association and the London St. Thomas Real Estate Board; it being noted that the TGC will review the Western University Affiliated Colleges

Representative position;

- b) the Civic Administration BE REQUESTED to review the modifications to parking on Waterloo Street and Epworth Avenue proposed in the ~~attached~~ communication from D. Ennett, President, King's University College Students' Council; it being noted the Town and Gown Committee requested its Committee Secretary to invite a representative from the London Transit Commission to a future meeting of the TGC, with respect to this matter;
- c) clauses 3 through 5 of the 1st Report of the Town and Gown Committee BE RECEIVED; and,
- d) the 2nd Report of the Town and Gown Committee BE RECEIVED.

3. 1st Report of the Community Safety & Crime Prevention Advisory Committee

That the 1st Report of the Community Safety & Crime Prevention Advisory Committee, from its meeting held on September 27, 2012, BE RECEIVED.

4. Single Source Supply & Delivery of Fire Services Tanker

That, on the recommendation of the Fire Chief, with the concurrence of the Managing Director, Neighbourhood, Children's & Fire Services, the following actions be taken:

- a) the negotiated amount with Carl Thibault Fire Trucks Inc., 38 Thibault Street, Pierreville, PQ., for the supply and delivery of one (1) 2,500 Imperial Gallon Tanker at their proposed price of \$358,826.00, HST extra, BE ACCEPTED on a single source basis as per section 14.4 (d). of the Procurement of Goods and Services Policy;
- b) the funding for this purchase BE APPROVED as set out in the Source of Finance Report included as Appendix "A" to the associated staff report;
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this purchase; and,
- d) the approval hereby given BE CONDITIONAL upon the Corporation entering into a formal contract or having a purchase order, or contract record relating to the subject matter of this approval.

5. Housekeeping Changes - Fence-Viewers By-law

That, on the recommendation of the City Clerk, the ~~attached~~ proposed by-law BE INTRODUCED at the Municipal Council meeting on October 30, 2012 to repeal and replace By-law No. A.-5324-61 "A by-law to appoint fence-viewers and livestock and poultry valuers for that area of the City of London annexed to the Municipality on January 1, 1993 as described in the London-Middlesex Act, 1992", and its amendments, for consistency with the provisions of City of London By-law No. PS-6 entitled "A by-law to provide for regulating and governing fences in the City of London" and for compliance with the Protection of Livestock and Poultry from Dogs Act, 1990.

6. Neighbourhood Watch London re Empowering Neighbours for a Safer City

That the presentation from S. Pont, Neighbourhood Watch London, with respect to "Empowering Neighbours for a Safer City" BE RECEIVED.

7. 1st, 2nd and 3rd Reports of the Animal Welfare Advisory Committee

That the following actions be taken with respect to the 1st, 2nd and 3rd Reports of the Animal Welfare Advisory Committee (AWAC) from its meetings held on August 2, 2012, September 6, 2012 and October 4, 2012, respectively:

- a) the 1st Report of the AWAC from its meeting held on August 2, 2012 BE RECEIVED;
- b) the Environmental and Ecological Planning Advisory Committee (EEPAC) BE REQUESTED to work cooperatively with the AWAC Wildlife Sub-committee with

respect to potential recommendations concerning the review of the protection of the Stanton Drain wetland and the delay of the proposed drainage works; it being noted that :

- i) Council has previously passed resolutions with respect to beaver activity in the vicinity of infrastructure;
  - ii) Fall is not an optimal time to move beavers;
  - iii) EEPAC has identified the area to be an ecological wetland; and,
  - iv) the Ministry of Environment has identified the need for an updated Environmental Assessment noting that the last assessment was completed 10 years ago;
- c) that part (a) of clause 2 and clause 3 of the 2nd Report of the AWAC BE NOTED; as these clauses were amended and replaced by clauses of the 3rd Report of the AWAC;
- d) clauses 4 through 11 of the 2nd Report of the AWAC BE RECEIVED;
- e) that the following actions be taken with respect to clause 1 of the 3rd Report of the AWAC:
- i) part a) BE REFERRED to the Civic Administration to consider the proposed terminology change; it being noted that part a) reads as follows: "The Corporation of the City of London BE REQUESTED to discontinue the use of the term owner and alternatively use the term owner/guardian in all references and in all documents referring to people and their pets, with the intent to transition to discontinue the use of the term owner/guardian and alternatively use the term guardian in all references and in all documents referring to people and their pets";
  - ii) the Mayor BE REQUESTED to write a letter expressing concern with respect to the two seals, known as Larry and Baby, that were born in London's Storybook Gardens, and who were transferred to Marineland, Niagara Falls, Ontario, in 2004 and to request these seals be re-homed to other facilities; and,
  - iii) the Civic Administration BE REQUESTED to prepare a timeline with respect to the provision of grassed grazing areas for the domestic animals at Storybook Gardens;

it being noted that the AWAC heard a verbal update from J. Riddell, Manager, Storybook Gardens with respect to the remaining captive domestic animals housed at Storybook Gardens; it being further noted that the AWAC provided the ~~attached~~, additional information with respect to this matter;

- f) that the following actions be taken with respect to the Wildlife Sub-Committee report:
- i) the committee Agendas and Reports from the Environmental and Ecological Planning Advisory Committee, Planning and Environment Committee and Public Safety Committee BE PROVIDED to the AWAC, when there are items related to wildlife;
  - ii) subject to f) i), above, the AWAC Chair BE DIRECTED to seek delegation status at applicable meetings where wildlife matters are reviewed, to ensure the involvement of the AWAC; and,
  - iii) the Chair BE DIRECTED to send a letter of thanks to B. Salt, on behalf of the AWAC, in recognition of his work related to the rescue of a deer from a construction site in September;

it being noted that the AWAC received the Sub-Committee report, from its meeting held on October 4, 2012;

- g) that the Civic Administration BE REQUESTED to work with the Animal Welfare Advisory Committee to develop a protocol to discontinue the practice of ear tipping to identify feral cats that have been determined adoptable by City of London-recognized

rescue groups;

- h) that clause 4 of the 3rd Report of the AWAC BE REFERRED back to the AWAC in order to gather additional information including, but not limited to, the actions of other municipalities; and,
- i) clauses 5 through 9 of the 3rd Report of the Animal Welfare Advisory Committee BE RECEIVED;

it being noted that the Public Safety Committee received the ~~attached~~ presentation from S. Rans, with respect to this matter.

8. Sign and Canopy By-law for the London Knights Hockey Club

That the request from G. Hare, London Knights Hockey Club, for an exemption under the Sign and Canopy By-law BE REFERRED to the Civic Administration for review and report back at a future meeting of the PSC; it being noted that the PSC received a presentation from G. Hare, with respect to this matter.

9. Pool Fence By-law for Steve Taylor Installations

That the request from S. Taylor, Taylor Installations, for an exemption under the Sign and Canopy By-law BE REFERRED to the Civic Administration for review and report back at the next meeting of the Public Safety Committee (PSC); it being noted that the PSC received a communication and a delegation from S. Taylor, with respect to this matter.

10. Inquiry on the Topic of Graffiti Double Victimization/Proposed Pilot Project

That the proposal from Councillor M. Brown to establish a Pilot Project to address graffiti removal BE REFERRED to the Civic Administration for review and report back at a future meeting; it being noted that the Public Safety Committee received a communication from Shmuel Farhi with respect to this matter.

11. Banner Signs

That the Civic Administration BE REQUESTED to report back to the appropriate standing committee with respect to a review of temporary real estate banner signs for the Downtown area including the potential removal of the 210 day restriction within that area; it being noted that the Public Safety Committee received a communication dated May 9, 2012, from R. T. Usher, LDBA and J. MacDonald, Downtown London with respect to this matter.

Pursuant to section 17.2 of the Council Procedure By-law, Councillor P. Hubert calls for a separate vote on clauses 10 and 11.

Motion made by Councillor D. Brown and seconded by Councillor J.P. Bryant to Approve that clause 9 be amended in line 2 by deleting the words "Sign and Canopy By-law" and replacing them with the words "Pool Fence By-law".

Motion Passed

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

Clause 9, as amended reads as follows:

That the request from S. Taylor, Taylor Installations, for an exemption under the Pool Fence By-law BE REFERRED to the Civic Administration for review and report back at the next meeting of the Public Safety Committee (PSC); it being noted that the PSC received a communication and a delegation from S. Taylor, with respect to this matter.

The motion to Approve clauses 1 to 8 and clause 9, as amended, is put.

Motion Passed

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

Councillor J.B. Swan leaves the meeting.

The motion to Approve clauses 10 and 11 is put.

Motion Passed

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

Councillor J.B. Swan returns to the meeting.

28th Report of the Finance and Administrative Services 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, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (13)

15th Report of the Strategic Priorities and Policy Committee  
Councillor J.B. Swan presents.

Motion made by Councillor J.B. Swan to Approve clauses 1 to 7.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. 2013 Budget Development Process and Community Engagement Plan

- a) That the previous decision of the Municipal Council to hold Shopping Mall Budget Information Sessions on Saturday, January 12, 2012 BE RECONSIDERED.
- b) That, subject to the adoption of a), above, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, having considered alternative methods of better engaging the public in the Budget process, the 2013 Budget Development Process and schedule BE AMENDED as denoted in the ~~attached~~ Appendix "A", which replaces the Shopping Mall Budget Information Sessions with Community Engagement "Build-A-Budget" Workshops at London City Hall; it being noted that the Strategic Priorities and Policy Committee heard a verbal overview from the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer with respect to this matter.

3. Tabling of the 2013 Water and Wastewater Budgets

That, on the recommendation of the Managing Director, Engineering and City Engineer, the following actions be taken with respect to the 2013 Water and Wastewater and Treatment Budgets:

- a) the 2013 Draft Operating Budget, 2013 Capital Budget and associated forecasts for Water Services BE RECEIVED and BE REFERRED to the 2013 Budget process; and
- b) the 2013 Draft Operating Budget, 2013 Capital Budget and associated forecasts for Wastewater and Treatment Services BE RECEIVED and BE REFERRED to the 2013 Budget process;

it being noted that the Managing Director, Engineering and City Engineer gave a verbal overview with respect to this matter.

4. Service London Implementation Plan

Recommendation: That further consideration of the Service London Implementation Plan (Appendix "A") BE DEFERRED for report back at the December 4, 2012 meeting of the Strategic Priorities and Policy Committee with additional detail regarding the longer-term operating costs, funding, measurement tools and the efficiencies that are expected as a result of implementing the Plan; it being noted that the Strategic Priorities and Policy Committee heard the ~~attached~~ presentation from the Managing Director of Neighbourhood, Children's and Fire Services with respect to this matter.

5. Rationale for Continuing the Service Delivery Review Process

Recommendation: That the presentation by KPMG regarding the rationale for continuing the service delivery review process BE DEFERRED until a future meeting of the Strategic Priorities and Policy Committee.

6. Appointment to the Eldon House Board of Directors

Recommendation: That the following individual BE APPOINTED to the Eldon House Board of Directors for the term ending November 30, 2014;

- John Richard Lisowski (background in and experience with law)

7. Committee Appointment Preferences submitted by Council Members

- a) That the membership of the Civic Works Committee for the term December 1, 2012 to November 30, 2013 BE ESTABLISHED as follows:

Councillor P. Van Meerbergen(Chair)  
Mayor J. Fontana (ex-officio)  
Councillor M. Brown  
Councillor S. Orser  
Councillor H.L. Usher  
Councillor S.E. White

- b) That the membership of the Community and Protective Services Committee for the term December 1, 2012 to November 30, 2013 BE ESTABLISHED as follows:

Councillor D. Brown (Chair)  
Mayor J. Fontana (ex-officio)  
Councillor W.J. Armstrong  
Councillor J.L. Baechler  
Councillor J.P. Bryant  
Councillor H.L. Usher

- c) That the membership of the Corporate Services Committee for the term December 1, 2012 to November 30, 2013 BE ESTABLISHED as follows:

Mayor J. Fontana (Chair)  
Councillor J.P. Bryant  
Councillor N. Branscombe  
Councillor B. Polhill  
Councillor J.B. Swan

- d) That the membership of the Investment and Economic Prosperity Committee for the term December 1, 2012 to November 30, 2013 BE ESTABLISHED as follows:

Councillor J.B. Swan (Chair)  
Mayor J. Fontana (ex-officio)  
Councillor M. Brown  
Councillor S. Orser  
Councillor P. Van Meerbergen  
Councillor D. Henderson

- e) That the membership of the Planning and Environment Committee for the term December 1, 2012 to November 30, 2013 BE ESTABLISHED as follows:

Councillor B. Polhill(Chair)

Mayor J. Fontana (ex-officio)  
Councillor S. White  
Councillor P. Hubert  
Councillor N. Branscombe  
Councillor D. Henderson

The motion to Approve clauses 1 to 6, inclusive is put.

Motion Passed

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

The motion to adopt clause 7 a) is put.

Motion Passed

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

NAYS: N. Branscombe, P. Hubert, J.P. Bryant (3)

The motion to adopt clause 7 b) is put.

Motion Passed

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

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

The motion to adopt clause 7 c) is put.

Motion Passed

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

NAYS: N. Branscombe, P. Hubert, H.L. Usher, J.P. Bryant (4)

The motion to adopt clause 7 d) is put.

Motion Passed

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

NAYS: N. Branscombe, P. Hubert, H.L. Usher, J.P. Bryant (4)

The motion to adopt clause 7 e) is put.

Motion Passed

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

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

## **IX DEFERRED MATTERS**

None.

## **X ENQUIRIES**

None.

## **XI EMERGENT MOTIONS**

## **XII BY-LAWS**

Motion made by Councillor D. Brown and seconded by Councillor P. Van Meerbergen to Approve the 1st Reading of Bill No. 425.

Motion Passed

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

RECUSED: B. Polhill (1)

Motion made by Councillor M. Brown and seconded by Councillor P. Van Meerbergen to Approve the 2nd Reading of Bill No. 425.

Motion Passed

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

RECUSED: B. Polhill (1)

Motion made by Councillor M. Brown and seconded by Councillor D. Brown to Approve the 3rd Reading of Bill No. 425.

Motion Passed

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

RECUSED: B. Polhill (1)

Motion made by Councillor B. Polhill and seconded by Councillor P. Van Meerbergen to Approve the 1st Reading of Bills No.s 419 to 442, except Bill No.s 425 and 443.

Motion Passed

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

Motion made by Councillor H.L. Usher and seconded by Councillor J.P. Bryant to Approve the 2nd Reading of Bills No.s 419 to 442, except Bill No.s 425 and 443.

Motion Passed

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

Motion made by Councillor M. Brown and seconded by Councillor P. Van Meerbergen to Approve the 3rd Reading of Bills No.s 419 to 442, except Bill No.s 425 and 443.

Motion Passed

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

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

Bill No. 419 By-law No. A.- 6877-306	A by-law to confirm the proceedings of the Council Meeting held on the 30th day of October, 2012. (City Clerk)
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Bill No. 420 By-law No. A.- 6151(e)-307	A By-law to amend By-law A.-6151-17, being a by-law to establish policies for the sale and other disposition of land, hiring of employees, procurement of goods and services, public notice, accountability and transparency, and delegation of powers and duties, as required under section 270(1) of the Municipal Act,
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2001. (4/27/FASC)

- Bill No. 421  
By-law No. A.-  
6878-308
- A by-law to delete and replace Council Policy 22(3) entitled "City of London Community Suite Policy". (5/27/FASC)
- Bill No. 422  
By-law No. A.-  
6879-309
- A by-law to delete and replace Council Policy 3(8) entitled "City of London Days at the John Labatt Centre" (6/27/FASC)
- Bill No. 423  
By-law No. A.-  
6880-310
- A by-law to authorize and approve an agreement between The Corporation of the City of London and London Hydro Inc. to co-locate IT equipment (servers, switches, etc.). (7/27/FASC)
- Bill No. 424  
By-law No. A.-  
6881-311
- A By-law to declare Part 3, Plan 33R-18372 surplus, and to authorize the Agreements of Purchase and Sale between The Corporation of the City of London and 598419 Ontario Limited for the sale of Part 3, Plan 33R-18372 and the acquisition Part 4, Plan 33R-18372, and to authorize the Mayor and City Clerk to execute the Agreements. (8/27/FASC)
- Bill No. 425  
By-law No. A.-  
6882-312
- A By-law to authorize an Agreement between The Corporation of the City of London and 1803302 Ontario Limited, and to authorize the Mayor and the City Clerk to execute the Agreement. (9/27/FASC)
- Bill No. 426  
By-law No. A-44
- A by-law respecting the Civic Administration. (10/27/FASC)
- Bill No. 427  
By-law No. A-45
- A by-law to provide for the Rules of Order and Procedure for the Council of The Corporation of the City of London. (11/27/FASC)
- Bill No.428  
By-law No. A.-  
6883-313
- A by-law to appoint livestock and poultry valuers for the City of London for the purposes of the Protection of Livestock and Poultry from Dogs Act, 1990. (5/8/PSC)
- Bill No. 429  
By-law No. C.P.-  
1284(ss)-314
- A by-law to amend the Official Plan for the City of London, 1989 relating to 8 Fairview Court and 770 Whetter Avenue. (19a/24/PEC)
- Bill No.430  
By-law No. PS-  
111-12113
- A by-law to amend By-law PS-111 entitled, "A by-law to regulate traffic and the parking of motor vehicles in the City of London." (4/16/CWC)
- Bill No. 431  
By-law No. S.-  
5480-315
- A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Bessemer Road, north of Hargrieve Road) (Chief Surveyor)
- Bill No. 432  
By-law No. S.-  
5481-316
- A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (As widening to Commissioners Road West, west of Grand View Avenue) (Chief Surveyor)
- Bill No. 433  
By-law No. S.-  
5482-317
- A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Horton Street East, west of Richmond Street and as widening to Richmond Street, north of Horton Street East) (Chief Surveyor)
- Bill No. 434  
By-law No. S.-  
5483-318
- A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (As widening to Windermere Road, at Corley Drive) (Chief Surveyor)
- Bill No. 435  
By-law No. S.-  
5484-319
- A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (As widening to Colonel Talbot Road, south of Pack Road) (Chief Surveyor)
- Bill No. 436  
By-law No. S.-
- A by-law to permit Daniel & Linda Forget to maintain and use a boulevard parking area upon the road allowance for the

5485-320	untravelling portion of the highway known municipally as 95 Oak Street, City of London. (Manager of Licensing and Elections)
Bill No. 437 By-law No. S.- 5486-321	A by-law to permit The Roman Catholic Episcopal Corporation of the Diocese of London in Ontario to maintain and use an encroachment upon the road allowance for Epworth Avenue, City of London. (City Solicitor)
Bill No. 438 By-law No. Z.-1- 122141	A by-law to amend By-law No. Z.-1 to remove the holding provision from the zoning for a portion of land located at 1030 Oakcrossing Gate. (3/25/PEC)
Bill No. 439 By-law No. Z.-1- 122142	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 699 Village Green Ave. (12/25/PEC)
Bill No. 440 By-law No. Z.-1- 122143	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 1476 Aldersbrook Road. (16/25PEC)
Bill No. 441 By-law No. Z.-1- 122144	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 8 Fairview Court and 770 Whetter Avenue. (19b/25/PEC)
Bill No. 442 By-law No. Z.-1- 122145	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 425 Wharncliffe Road South. (2a/26/PEC)

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

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

Councillor J.P. Bryant leaves the meeting.

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

- a) A personal matter Pertaining to identifiable individuals, including municipal employees, with respect to the 2013 Mayor's New Year's Honour List (CSC)
- b) A personal matter Pertaining to identifiable individuals, including municipal employees, with respect to the 2013 Mayor's New Year's Honour List (CSC)
- c) A matter pertaining to the purpose of instructions and directions to officers and employees of the Corporation pertaining to a proposed acquisition of land; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; reports or advice or recommendations of officers and employees of the Corporation pertaining to a proposed acquisition of land; commercial and financial information supplied in confidence pertaining to the proposed acquisition the disclosure of which could reasonably be expected to, prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of the Corporation, result in similar information no longer being supplied to the Corporation where it is in the public interest that similar information continue to be so supplied, and result in undue loss or gain to any person, group, committee or financial institution or agency; commercial, information relating to the proposed acquisition that belongs to the Corporation that has monetary value or potential monetary value; information concerning the proposed acquisition whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or its competitive position; information concerning the proposed acquisition whose disclosure could reasonably be expected to be injurious to the financial interests of the Corporation; and instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the Corporation concerning the proposed acquisition. (FASC)

- d) A matter pertaining to instructions and directions to officers and employees of the Corporation pertaining to a proposed acquisition of land; reports or advice or recommendations of officers and employees of the Corporation pertaining to a proposed acquisition of land; commercial and financial information supplied in confidence pertaining to the proposed acquisition the disclosure of which could reasonably be expected to, prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of the Corporation, result in similar information no longer being supplied to the Corporation where it is in the public interest that similar information continue to be so supplied, and result in undue loss or gain to any person, group, committee or financial institution or agency; commercial, information relating to the proposed acquisition that belongs to the Corporation that has monetary value or potential monetary value; information concerning the proposed acquisition whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or its competitive position; information concerning the proposed acquisition whose disclosure could reasonably be expected to be injurious to the financial interests of the Corporation; and instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the Corporation concerning the proposed acquisition. (FASC)
- e) 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.
- f) A matter pertaining to a proposed or pending acquisition of land by the municipality in connection with the Springbank Drive road widening project and related expropriations; litigation or potential litigation with respect to the expropriation of temporary easement on a property located at 339 Springbank Drive, including matters before administrative tribunals, affecting the municipality or local board; advice that is subject to solicitor-client privilege, including communications necessary for that purpose, in connection with the expropriation of temporary easement on a property located at 339 Springbank Drive; and directions and instructions to officers and employees or agents of the municipality regarding conduct of litigation in connection with the expropriation of temporary easement on a property located at 339 Springbank Drive.

Motion Passed

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

The Council rises and goes into Committee of the Whole, in camera, at 11:16 PM with Mayor J.F. Fontana in the Chair and all Members present except Councillors W.J. Armstrong and J.L. Baechler.

At 11:36 PM L. Livingstone and J. Kobarda leave the meeting.

At 11:38 PM G.T. Hopcroft leaves the meeting.

At 11:50 PM Councillors J.B. Swan and P. Hubert leave the meeting.

The Committee of the Whole rises and Council resumes in regular session at 11:55 PM with Mayor J.F. Fontana in the Chair and all Members present except Councillors W.J. Armstrong, J.B. Swan, J.L. Baechler and P. Hubert.

17th Report of the Committee of the Whole  
Councillor N. Branscombe presents.

PRESENT: (5:23 PM) Mayor J. F. Fontana, Councillors B. Polhill, W. J. Armstrong, J.B. Swan, S. Orser, N. Branscombe, M. Brown, P. Hubert, D. G. Henderson, P. Van Meerbergen, D. Brown, H. L. Usher, J. P. Bryant and S. E. White and C. Saunders (City Clerk).

ALSO PRESENT: (5:23 PM) A. Zuidema, J. Braam, B. Coxhead, J.M. Fleming, T. Grawey, M. Hayward, G.T. Hopcroft, L. Livingstone, V. McAlea Major, J. Page, L. M. Rowe and B. Westlake-Power.

PRESENT: (11:16 PM) Mayor J. F. Fontana, Councillors B. Polhill, J.B. Swan, S. Orser, N. Branscombe, M. Brown, P. Hubert, D. G. Henderson, P. Van Meerbergen, D. Brown, H. L. Usher, J. P. Bryant and S. E. White and C. Saunders (City Clerk).

ALSO PRESENT: (11:16 PM) A. Zuidema, M. Hayward, G.T. Hopcroft, J. Kobarda, L. Livingstone, V. McAlea Major, J. Page, L. M. Rowe, B. Warner and B. Westlake-Power.

Councillor N. Branscombe Reports progress with respect to the following matters:

- a) A personal matter Pertaining to identifiable individuals, including municipal employees, with respect to the 2013 Mayor's New Year's Honour List (CSC)
- b) A personal matter Pertaining to identifiable individuals, including municipal employees, with respect to the 2013 Mayor's New Year's Honour List (CSC)
- c) A matter pertaining to the purpose of instructions and directions to officers and employees of the Corporation pertaining to a proposed acquisition of land; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; reports or advice or recommendations of officers and employees of the Corporation pertaining to a proposed acquisition of land; commercial and financial information supplied in confidence pertaining to the proposed acquisition the disclosure of which could reasonably be expected to, prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of the Corporation, result in similar information no longer being supplied to the Corporation where it is in the public interest that similar information continue to be so supplied, and result in undue loss or gain to any person, group, committee or financial institution or agency; commercial, information relating to the proposed acquisition that belongs to the Corporation that has monetary value or potential monetary value; information concerning the proposed acquisition whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or its competitive position; information concerning the proposed acquisition whose disclosure could reasonably be expected to be injurious to the financial interests of the Corporation; and instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the Corporation concerning the proposed acquisition. (FASC)
- d) A matter pertaining to instructions and directions to officers and employees of the Corporation pertaining to a proposed acquisition of land; reports or advice or recommendations of officers and employees of the Corporation pertaining to a proposed acquisition of land; commercial and financial information supplied in confidence pertaining to the proposed acquisition the disclosure of which could reasonably be expected to, prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of the Corporation, result in similar information no longer being supplied to the Corporation where it is in the public interest that similar information continue to be so supplied, and result in undue loss or gain to any person, group, committee or financial institution or agency; commercial, information relating to the proposed acquisition that belongs to the Corporation that has monetary value or potential monetary value; information concerning the proposed acquisition whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or its

competitive position; information concerning the proposed acquisition whose disclosure could reasonably be expected to be injurious to the financial interests of the Corporation; and instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the Corporation concerning the proposed acquisition. (FASC)

- e) 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.
- f) A matter pertaining to a proposed or pending acquisition of land by the municipality in connection with the Springbank Drive road widening project and related expropriations; litigation or potential litigation with respect to the expropriation of temporary easement on a property located at 339 Springbank Drive, including matters before administrative tribunals, affecting the municipality or local board; advice that is subject to solicitor-client privilege, including communications necessary for that purpose, in connection with the expropriation of temporary easement on a property located at 339 Springbank Drive; and directions and instructions to officers and employees or agents of the municipality regarding conduct of litigation in connection with the expropriation of temporary easement on a property located at 339 Springbank Drive.

Motion made by Councillor N. Branscombe and seconded by Councillor H.L. Usher to Approve that, as a procedural matter pursuant to Section 239 (6) of the *Municipal Act, 2001*, the following recommendation be forwarded to City Council for deliberation and a vote in public session:

That, on the recommendation of the Director Corporate Investments & Partnerships, with the concurrence of the Managing Director, Environmental and Engineering Services and City Engineer, on the advice of the Manager, Realty Services, the following actions be taken with respect to the properties at 4200 Scotland Drive and 3713 Scotland Drive:

- a) W12A Landfill Property Value Protection Plan agreements for 4200 Scotland Drive and 3713 Scotland Drive BE APPROVED; and
- b) 4200 Scotland Drive and 3713 Scotland Drive BE PURCHASED by the City.

Motion Passed

Motion made by Councillor H.L. Usher and seconded by Councillor D. Brown to Approve leave for the introduction of Bill No.s 444 and 445.

Motion Passed

Motion made by Councillor B. Polhill and seconded by Councillor J.P. Bryant to Approve the 1st Reading of Bill No.s 444 and 445.

Motion Passed

Motion made by Councillor B. Polhill and seconded by Councillor D. Brown to Approve the 2nd Reading of Bill No.s 444 and 445.

Motion Passed

Motion made by Councillor H.L. Usher and seconded by Councillor D. Brown to Approve the 3rd reading Bill No.s 444 and 445.

Motion Passed

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

Bill No. 444  
By-law No. A.-  
6884-322

A By-law to authorize a Property Value Protection Plan Agreement between The Corporation of the City of London and Ashley Raphael Hennessy and Suzanne Hennessy to provide property value protection for the property located at 3713 Scotland Drive. (C1/27/FASC)

Bill No. 445  
By-law No. A.-  
6885-323

A By-law to authorize a Property Value Protection Plan Agreement between The Corporation of the City of London and Darrell DeCoste and Laurie Decoste to provide property value protection for the property located at 4200 Scotland Drive. (C1/27/FASC)

#### **XIV ADJOURNMENT**

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

Motion Passed

The meeting adjourned at 11:58 PM.

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Joe Fontana, Mayor

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Catharine Saunders, City Clerk