



London
CANADA

COUNCIL MINUTES 19TH MEETING

November 20, 2012

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

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

ABSENT: W.J. Armstrong and D. Brown.

ALSO PRESENT: A. Zuidema, J.P. Barber, J. Braam, B. Coxhead, J. Fleming, E. Gamble, I. Gibb, M. Hayward, A. Henry, G. Hopcroft, G. Kotsifas, J. Lucas, V. McAlea Major, D. O'Brien, J. Page, L.M. Rowe, J. Senese, R. Sharpe, J. Stanford, L. Stevens, B. Warner, R. Welker and B. Westlake-Power.

At the beginning of the Meeting all Members are present, except Councillors B. Armstrong, N. Branscombe and D. Brown.

I RECOGNITIONS

1. His Worship the Mayor presents a plaque for "London's Featured Company" to Artisan Metal Finishing.
2. His Worship the Mayor presents a certificate for "London's Featured Community Organization" to The Woodfield Community Association.
3. His Worship the Mayor receives a plaque from the Ontario Municipal Water Association recognizing the contribution of the City of London as one of the founding members of the Ontario Municipal Water Association.
4. His Worship the Mayor recognizes the Corporate Communications Division of the City of London and Keyframe Communications for winning a Telly Award.
5. His Worship the Mayor recognizes Susan Toth, Abe Oudshoorn, Dave Mitchell, Jessica Murray and Deb Woodhall for winning the 2012 Local Government Week City Hall Challenge Trivia Contest.

II DISCLOSURES OF PECUNIARY INTEREST

Councillor B. Polhill discloses a pecuniary interest in clause 10 of the 28th Report of the Planning and Environment Committee, having to do with the application of Middlesex Vacant Land Condominium Plan No. 677 relating to the property located at 181 Skyline Avenue, as the application was dealt with by the Committee of Adjustment, of which his son is a member.

Councillor D. Henderson discloses a pecuniary interest in clause 2 of the 29th Report of the Planning and Environment Committee, having to do with the property located at 4675 Wellington Road South, by indicating that he is a professional engineer and is working on solving the odour problem at the property.

III CONFIRMATION AND SIGNING OF THE MINUTES OF THE EIGHTEENTH MEETING HELD ON OCTOBER 30, 2012

Motion made by Councillor B. Polhill and seconded by Councillor P. Van Meerbergen to Approve the Minutes of the Eighteenth Meeting held on October 30, 2012.

Motion Passed

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

IV REVIEW OF CONFIDENTIAL MATTERS TO BE CONSIDERED IN PUBLIC

None.

V COMMUNICATIONS AND PETITIONS

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

1. K. Rapson, 311 Hyman Street - Property located at 591 Maitland Street (Refer to the Planning and Environment Committee Stage for Consideration with Clause 18 of the 28th Report of the Planning and Environment Committee.)
2. (ADDED) M.S. Polowin, Gowling Lafleur Henderson LLP - Proposed Southwest London Area Secondary Plan (O-7609) (Refer to the By-law Stage for Consideration with Bill No. 453)

Motion Passed

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

VI MOTIONS OF WHICH NOTICE IS GIVEN

None.

VII ADDED REPORTS

30th Report of the Finance and Administrative Services Committee

31st Report of the Finance and Administrative Services Committee

9th Report of the Public Safety Committee

18th Report of the Investment and Economic Prosperity Committee

19th Report of the Strategic Priorities and Policy Committee

VIII REPORTS

29th Report of the Finance and Administrative Services Committee
Councillor P. Hubert presents.

At 5:22 PM, Councillor Branscombe enters the meeting.

Motion made by Councillor P. Hubert to Approve clauses 1 to 9.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. City of London's Credit Rating

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the report dated November 5, 2012 regarding the City of London's credit rating BE RECEIVED for information.

3. Pre-Authorized Tax Payment Plan By-law and Collection of Property Taxes By-law

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the following actions be taken with respect to property taxation for 2013:

- a) the ~~attached~~ proposed by-law (Appendix "A") to amend By-law No. A.-5505-497 being "a by-law to authorize the implementation of a pre-authorized payment plan" so that the calculation of pre-authorized payments is based on the previous year's taxes increased

by the average increase in total municipal property tax rates in the residential class in the previous year BE INTRODUCED at the Municipal Council meeting to be held on November 20, 2012; and

- b) the ~~attached~~ proposed by-law (Appendix "B") to amend By-law A-8 being "a by-law to provide for the collection of property taxes" so that the calculation of the interim tax levy will be set at a percentage of 40% of the previous year's taxes and then increased by the average increase in total municipal property tax rates in the residential class in the previous year BE INTRODUCED at the Municipal Council meeting to be held on November 20, 2012.

4. Animal Control, Shelter & Licensing Services

That, on the recommendation of the Managing Director - Development & Compliance Services & Chief Building Official, the following actions be taken with respect to animal control, shelter and licensing services:

- a) approval hereby BE GIVEN to extend the current contract for Animal Control, Pound & Licensing Services with Urban Animal Management Incorporated for a one (1) year period, with a report back in the event that an extension to the one (1) year period is required to properly transition to a new contract;
- b) the Civic Administration BE AUTHORIZED to undertake all administrative acts which are necessary in connection with this contract; and
- c) 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.

5. Canada Caribbean Local Economic Development Program

That, on the recommendation of the Director of Intergovernmental and Community Liaison, the engagement of the City of London in the Canada Caribbean Local Economic Development Program BE SUPPORTED.

6. "Heads and Beds" Levy

That, on the recommendation of the Director of Intergovernmental and Community Liaison, the following motion BE ADOPTED authorizing the Civic Administration to continue to pursue an increase to the heads and beds levy and to collaborate with other interested municipalities on a legal perspective, around the "heads and beds" payment amount:

WHEREAS post-secondary institutions, hospitals and provincial institutions are exempt from paying property taxes to municipalities under provincial law and instead pay a fixed amount set by the Ontario Government; and

WHEREAS the amount of the "heads and beds" payment is \$75 per head or bed and this amount has not been changed by the Ontario Government since 1987; and

WHEREAS the City of London passed a motion on November 3, 2008 with respect to lobbying the Ontario Government to increase the "heads and beds" payments; and

WHEREAS communities across Ontario have come together to advocate for this important provincial policy change and efforts to have the Ontario Government review the "heads and beds" amount have not been met with a positive response to date;

THEREFORE BE IT RESOLVED THAT:

Civic Administration be authorized to pursue an increase to the heads and beds levy in coordination with Mayors of affected municipalities; and

Civic Administration be authorized to collaborate with other interested municipalities on a legal perspective, around the "heads and beds" payment amount; and

This resolution be circulated to the Association of Municipalities of Ontario and to all municipalities in Ontario that have universities, colleges, hospitals and provincial correctional facilities requesting their councils to show their support for this important policy change.

7. Ministerial Delegations, AMO Annual general Meeting, Conference and Trade Show 2012

That, on the recommendation of the Director of Intergovernmental and Community Liaison, the report dated November 5, 2012 regarding the Ministerial delegations at the AMO Annual General Meeting, Conference and Trade Show for 2012 BE RECEIVED for information.

8. Declare Surplus and Transfer City-Owned Land Between 3182 and 3130 Dingman Drive No Longer Required for Secondary Collector Road

That, on the recommendation of the Manager Realty Services, with respect to the vacant City-owned parcel located between 3182 and 3130 Dingman Drive, legally described as Part of Lot 16, Concession 3, being all of Parts 3 and 4, Plan 33R-15458, measuring approximately 35' x 1,255', containing an area of approximately 44,387 square feet (1.02 acres), as shown on Schedule "A" ~~attached~~, the following actions be taken:

- a) the subject property BE DECLARED surplus; and
- b) the subject surplus City-owned property, no longer anticipated to be required for a future secondary collector road allowance, BE TRANSFERRED back to the former owner, 1135427 Ontario Limited (formerly Nesan Holdings Limited), for a consideration of \$2.00, subject to the following condition:
 - i) this transfer is conditional on the former owner, 1135427 Ontario Limited (formerly Nesan Holdings Limited), entering into and completing an Agreement of Purchase and Sale with the adjacent land owner Goal Ventures Inc. (c/o Joel Albin) for the parcel legally described as Part of Lot 16, Concession 3, being all of Part 1, Plan 33R-15458, measuring approximately 1256' x 499', containing an area of approximately 617,268 square feet (14.17 acres), failing which this transfer becomes null and void.

9. Pensions

That the ~~attached~~ presentation from Gareth Neilson and Bill Tufts, Fair Pensions for All, BE REFERRED to the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer and the Managing Director, Corporate Services and Chief Human Resources Officer, for consideration as part of their report back, at a future meeting of the Finance and Administrative Services Committee, with respect to pensions.

Motion Passed

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

30th Report of the Finance and Administrative Services Committee
Councillor P. Hubert presents.

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

1. Disclosures of Pecuniary Interests

That it BE NOTED that no pecuniary interests were disclosed.

2. Deferred Matters/Additional Business

That the City Solicitor BE DIRECTED to report back to the Finance and Administrative Services Committee with respect to what steps the Municipal Council might take to petition the Province with respect to amendments to the Expropriations Act that would better protect the financial interests of the taxpayer, while still recognizing the rights of the property owner.

Motion Passed

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

31st 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, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, H.L. Usher, J.P. Bryant, S.E. White (13)

17th Report of the Civic Works Committee
Councillor H.L. Usher presents.

Motion made by Councillor H.L. Usher to Approve clauses 1 to 7, inclusive.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed

2. Amendments to the Traffic and Parking By-law

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the ~~attached~~ proposed by-law (Appendix "A") BE INTRODUCED at the Municipal Council meeting to be held on November 20, 2012, for the purpose of amending the Traffic and Parking By-law (P.S. 111). (2012-G05-00)

3. Amendments to the Traffic and Parking By-law - Perry Street and Horn Street

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the ~~attached~~ proposed by-law (Appendix "A") BE INTRODUCED at the Municipal Council meeting to be held on November 20, 2012, for the purpose of amending the Traffic and Parking By-law (P.S. 111) with respect to reverting Perry Street and Horn Street to one-way roads. (2012-G05-00)

4. Tree Pruning/Removal Services (Tender 12-81)

That, on the recommendation of the Director, Roads and Transportation, the following actions be taken with respect to the tree pruning/removal service (Tender 12-81):

- a) the tender submitted by 2210652 Ontario Ltd., o/a Wilderness Environmental Services, 494 Hwy. 17N, Unit #6, Heyden, ON, P6A 6K4, at their contract price of \$708,326.00, H.S.T. excluded, BE ACCEPTED; it being noted that 2210652 Ontario Ltd., o/a Wilderness Environmental Services, 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 Sources of Financing Report included as Appendix "A" to the associated staff report, dated November 12, 2012;
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this contract; and,
- d) the approval hereby BE CONDITIONAL upon the Corporation entering into a formal contract or having a purchase order, or contract record relating to the subject matter of this approval. (2012-E05-00)

5. Fox Hollow Development Area Stormwater Management Facilities Nos. 1 and 3

That, on the recommendation of the Director, Roads and Transportation, the following actions be taken with respect to the Fox Hollow Development Area Stormwater Management Facilities Nos. 1 and 3:

- a) the Mayor and the City Clerk BE AUTHORIZED to execute an updated agreement with the Consultant, Stantec Consulting Limited, 171 Queens Avenue, Suite 800, London, ON, N6A 5J7, to increase the previously approved functional, detailed and contract administration design engineering fees by \$73,000, excluding H.S.T., bringing the upset amount from \$1,434,930 to \$1,507,930, excluding H.S.T., for the said project in accordance with Section 14.5-single/sole source reporting, Procurement of Goods and Services Policy;
- b) the financing for this work BE APPROVED as set out in the Sources of Financing Report included as Appendix "A" to the associated staff report, dated November 12, 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 Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this work;
- e) the approvals hereby BE CONDITIONAL upon the Corporation entering into a formal contract with the consultant for the work; and,
- f) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2012-W10-00)

6. Blackfriars Street - Traffic Study

That the information report dated November 12, 2012, from the Director, Roads and Transportation, with respect to the traffic study on Blackfriars Street BE RECEIVED. (2012-S04-00)

7. Dundas Street and Hale Street Intersection

That the Civic Administration BE REQUESTED to report back at a future meeting of the Civic Works Committee with respect to the visibility from an eastbound right turn lane on Dundas Street, at Hale Street, and the potential removal and demolition of the vacant building at the southwest corner of the above-noted intersection. (2012-S09-00)

Motion Passed

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

Motion made by Councillor H.L. Usher to Approve clause 8.

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

Motion made by Councillor H.L. Usher to Approve that, on the recommendation of the Managing Director of Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the proposed new "value-based" funding model for water and wastewater services:

- a) the new funding model for water and wastewater services, which is more representative of the fixed costs related to fire protection, billing and infrastructure renewal than the existing model, **BE APPROVED**; it being noted that the new model will incorporate the following:
 - i) a low income crisis support, crisis prevention and customer assistance fund (Schedule B1);
 - ii) a water conservation rebate program (Schedule B2), utilizing surplus funds from the low income crisis support, crisis prevention and customer assistance fund, noted in i), above;
 - iii) a Fire Protection charge for all customers (Schedule B4);
 - iv) an increase in the construction water charge (Schedule B5); and

- b) subject to the approval of a), above, the Civic Administration **BE DIRECTED** to take the necessary steps to arrange for a public participation meeting at the Civic Works Committee meeting on December 3, 2012, for the purpose of receiving public input on the ~~attached~~ draft proposed by-laws to amend By-law No. WM-7 "A by-law to provide for the setting of rates and charges for water supply in the City of London" and By-law No. WM 26 "A by-law to establish the Schedule of Sewer System Fees and Charges.", in order to implement changes to the relevant rates, fees and charges, effective March 1, 2013, based upon the new "value-based" funding model for water and wastewater services.

it being noted that the Civic Works Committee heard the ~~attached~~ presentation from the Managing Director, Environmental and Engineering Services and City Engineer, with respect to this matter;

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

- D. McBurney, 4-466 South Street – expressing thanks to the staff for all the work done; indicating that .25 cents is a good insurance policy and urging the Committee to pass the recommendation.
- J. Soares, 31 Portsmouth Road – enquiring about the other surcharges such as for sewer and storm, and asking what are the projections for increases for infrastructure and industry, and has the City projected in the future of the 30%; noting that many people live alone and they would be hit because of the water use, living alone but paying a higher bill; further asking why businesses are not contributing.
- J. Soares, Rockingham Court – indicating that she lives on her own and expressing concern that the rates could increase; and asking how long in the future will she be paying.
- G. Brown, 59 Ridout Street, Unit 59A – indicating that we have progressive pricing and that is something that he has pushed; noting that ideally we do not want a fixed rate, and that if you want to pour drinking water on your lawn then you will have to pay for it; further indicating that this is an excellent plan. (2012-F12-00)

Motion Passed

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

NAYS: S. Orser (1)

Motion made by Councillor H.L. Usher to Approve clauses 9 to 11.

9. Proposed Designation for Highway #22

That the communication dated October 23, 2012, from P. Wood, Vice President, 1st Hussars Association, with respect to a request to allow part of County Road #22 (Fanshawe Park Road West) to be recognized as a commemorative highway for the 1st Hussars and to allow appropriate signage indicating this, BE REFERRED to the Managing Director of Environmental and Engineering Services and City Engineer and the Managing Director, Planning and City Planner, to report back to the appropriate standing committee, with respect to what the necessary steps would be to fulfill the request from the 1st Hussars. (2012-S00-00) (2012-P00-00)

10. Summerside Traffic - Calming Measures

That the Managing Director of Environmental and Engineering Services and City Engineer BE REQUESTED to report back at the February 25, 2013 meeting of the Civic Works Committee (CWC), with respect to how traffic calming measures are assessed and the rationalization behind the types of measures used; it being noted that the CWC received a communication dated October 22, 2012 from Renee F. D'Andrea, 1818 Dormer Drive, relating to a request for traffic calming measures for the Summerside community; it being further noted that Ms. R. D'Andrea is to be given delegation status when the report comes back to the CWC. (2012-S09-00)

11. Beavers

That the Civic Administration BE DIRECTED to work with the Upper Thames River Conservation Authority (UTRCA) and the Ministry of Natural Resources (MNR) in rectifying any issues concerning beavers; it being noted that the Civic Works Committee heard a verbal report from Councillor J.L. Baechler, with respect to this matter.

Motion Passed

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

28th Report of the Planning and Environment Committee
Councillor B. Polhill presents.

Motion made by Councillor B. Polhill to Approve clauses 1 to 22, excluding clause 10.

1. Disclosures of Pecuniary Interest

That it BE NOTED that Councillor B. Polhill disclosed a pecuniary interest in clause 10 of this Report having to do with the application of Middlesex Vacant Land Condominium Plan No. 677 relating to the property located at 181 Skyline Avenue, as the application was dealt with by the Committee of Adjustment, by indicating that his son is a member of the Committee of Adjustment.

2. Properties located at 2310, 2330 and 2350 Dundas Street (39T-12502)

That, on the recommendation of the Senior Planner, Development Planning, the following actions be taken with respect to entering into a subdivision agreement between The Corporation of the City of London and The Shrew Sports Corporation, for the subdivision of land over Part of Lot 1, Concession 1, (Geographic Township of London), City of London, County of Middlesex, situated on the north side of Dundas Street, between Veterans Memorial Parkway and Crumlin Sideroad, municipally known as 2310, 2330 and 2350 Dundas Street:

- a) the ~~attached~~ Special Provisions to be contained in a Subdivision Agreement between The Corporation of the City of London and The Shrew Sports Corporation for the Auto Mall Subdivision (39T-12502), BE APPROVED;
- b) the Mayor and the City Clerk BE AUTHORIZED to execute this Agreement, any amending agreements and all related documents required to fulfill its conditions; and,
- c) the financing for the project BE APPROVED in accordance with the "Estimated Claims and Revenues Report" provided as Schedule "B" to the associated staff report, dated November 5, 2012. (2012-D26-05)

3. Properties located at 2310, 2330 and 2350 Dundas Street (H-8109)

That, on the recommendation of the Senior Planner, Development Services, based on the application of The Shrew Sports Corporation, relating to properties located at 2310, 2330 & 2350 Dundas Street, the ~~attached~~, revised, proposed by-law BE INTRODUCED at a future Municipal Council meeting to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a Holding Highway Service Commercial/ Restricted Service Commercial (h*h-11*HS1/HS4/ RSC2/ RSC3/RSC4/RSC5) Zone, a Holding Restricted Service Commercial (h*h-11*RSC2/RSC3/RSC4/RSC5) Zone and a Holding Restricted Service Commercial Special Provision (h*h-11*RSC1(22)) Zone TO a Holding Highway Service Commercial/Restricted Service Commercial (h-11*HS1/HS4/RSC2/ RSC3/RSC4/RSC5) Zone, a Holding Restricted Service Commercial (h-11*RSC2/RSC3/RSC4/RSC5) Zone, a Holding Restricted Service Commercial Special Provision (h-11*RSC1(22)) Zone, a Highway Service Commercial/ Restricted Service Commercial (HS1/HS4/RSC2/RSC3/RSC4/RSC5) Zone, a Restricted Service Commercial (RSC2/RSC3/RSC4/RSC5) Zone and a Restricted Service Commercial Special Provision (RSC1(22)) Zone, to remove the "h" holding provision; subject to the Applicant entering into the Subdivision Agreement and to remove the "h-11" holding provision; subject to final approval and registration of the plan of subdivision. (2012-D26-05)

4. Property located at 995 Fanshawe Park Road West (H-8089)

That, on the recommendation of the Senior Planner, Development Services, based on the application of Landea Developments Inc., relating to the property located at 995 Fanshawe Park Road West, the ~~attached~~ proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on November 20, 2012, to amend Zoning By-law No. Z.-1, to change the zoning of 995 Fanshawe Park Road West FROM a Holding Residential R1 (h. h-100 R1-13) Zone TO a Residential R1 (R1-13) Zone, to remove the h. and h-100 holding provisions. (2012-D11-05)

5. Property located at 89 York Street (H-8064)

That, on the recommendation of the Senior Planner, Development Services, based on the application by Endri Poletti Architect Inc. (Jennifer Castein), relating to the property located at 89 York Street, the ~~attached~~ proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on November 20, 2012, to amend Zoning By-law No. Z.-1, to change the zoning of the subject lands FROM a holding Downtown Area (h-1•h-3•DA2•D350) Zone TO a Downtown Area (DA2•D350) Zone, to remove the holding provisions. (2012-D11-02)

6. Property located at 1820 Woodhull Road (39T-03511)

Motion made by Councillor B. Polhill to Approve that, on the recommendation of the Manager, Development Services and Planning Liaison, in response to the request for extension of Draft Approval from Phyllis Matthews, relating to the property located at 1820 Woodhull Road, the following actions be taken:

- a) the Ontario Municipal Board BE ADVISED that the Municipal Council supports a three (3) year extension of draft approval for plan 39T-03511, submitted by Phyllis Matthews, prepared by Callon Dietz (dated October 4, 2004, drawing No. X-857), as red-line revised, which shows 23 single detached dwelling lots, a park block and an open space block, served by 2 local public roads;
- b) the Ontario Municipal Board BE ADVISED that the Municipal Council supports revisions to the Conditions of Draft Approval, to clarify terminology and update servicing standards for the draft plan of subdivision, as identified in the ~~attached~~, revised, Appendix "39T-03511-1"; and,
- c) 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 November 5, 2012. (2012-D26-04)

7. Property located at 1139 Fanshawe Park Road West (H-8086)

That, on the recommendation of the Senior Planner, Development Services, based on the application of Steve Stapleton, relating to the property located at 1139 Fanshawe Park Road West, the ~~attached~~ proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on November 20, 2012, to amend Zoning By-law No. Z.-1, to change the zoning of 1139 Fanshawe Park Road West FROM a Compound Holding Residential R1/R4 (h. h-100 R1-3/R4-3) Zone and a Holding Residential R1 (h. h-100 R1-3) Zone TO a Compound Residential R1 (R1-3/R4-3) and a Residential R1 (R1-3) Zone, to remove the h. and h-100 holding provisions. (2012-D11-07)

8. Properties located at 255 South Carriage Road and 1331 Hyde Park Road (39T-08502)

That, in response to the letter of appeal submitted by B.R. Card, on behalf of Sydenham Investments Inc., to the Ontario Municipal Board, dated August 28, 2012, relating to the draft plan of subdivision located at 255 South Carriage Road & 1331 Hyde Park Road:

- a) the Ontario Municipal Board BE ADVISED that the Municipal Council has reviewed its position relating to this matter and maintains its original position; and,
- b) the City Solicitor BE DIRECTED to represent Council's interests in these matters and may retain outside expert witnesses in support of the Municipal Council's position. (2012-D26-03)

9. Property located at 7 Holiday Avenue (H-7964)

Motion made by Councillor B. Polhill to Approve that, on the recommendation of the Managing Director, Planning & City Planner, based on the application of Barry Molloy, relating to the property located at 7 Holiday Avenue, the ~~attached~~ proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on November 20, 2012, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a Holding Residential R2/Office Conversion (h-5*h-130*R2-4/OC4) Zone TO a Residential R2/Office Conversion (R2-4/OC4) Zone, to remove the holding provision requiring that agreements shall be entered into following public site plan review and that adequate storm water management and infrastructure addressing overland water flows are in place and that a development agreement, in association with a site plan, is entered into, to the satisfaction of the Municipal Council . (2012-D11-03)

11. 2nd Report of the Environmental and Ecological Planning Advisory Committee

That the 2nd Report of the Environmental and Ecological Planning Advisory Committee (EEPAC) from its meeting held on October 18, 2012, BE RECEIVED; it being noted that the Planning and Environment Committee did not hear a verbal presentation from D. Sheppard, Chair, EEPAC.

12. 3rd Report of the London Advisory Committee on Heritage

That, the following actions be taken with respect to the 3rd Report of the London Advisory Committee on Heritage (LACH) from its meeting held on October 10, 2012:

- a) on the recommendation of the Managing Director, Planning & City Planner, with the advice of the Heritage Planner, the Heritage Alteration Permit application of M. Kafadar, requesting permission to construct an addition to the designated heritage property located at 352 Central Avenue, BE DENIED; it being noted that the Heritage Planner has reviewed the proposed addition and has advised that the impact of such alterations on the heritage features of the property is problematic with respect to their impact on the building and streetscape character; it being further noted that the London Advisory Committee on Heritage did not hear a presentation from Mr. Kafadar, with respect to this matter;
- b) the Managing Director, Development and Compliance Services & Chief Building Official BE ADVISED that the London Advisory Committee on Heritage (LACH) does not oppose the demolition of the property located at 2079 Huron Street; it being noted that the LACH requested that the Heritage Planner be allowed to document the building and that all salvageable heritage aspects of the property be retained; it being further noted that the London Advisory Committee on Heritage heard a verbal presentation from D. Menard, Heritage Planner, with respect to this matter;
- c) the Managing Director, Development and Compliance Services & Chief Building Official BE ADVISED that the London Advisory Committee on Heritage (LACH) does not oppose the demolition of the property located at 2332 Main Street, Lambeth; it being noted that the LACH requested that the Heritage Planner be allowed to document the building and that all salvageable heritage aspects of the property be retained; it being further noted that the London Advisory Committee on Heritage heard a verbal presentation from D. Menard, Heritage Planner, with respect to this matter;
- d) the Wortley Village/Old South Heritage Conservation draft Plan and District Guidelines BE APPROVED as presented by N. Tausky, E. Eldridge and D. Waverman, Consultants; and,
- e) that clauses 5 through 17, inclusive, of the 3rd Report of the LACH, BE RECEIVED AND NOTED;

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

13. Properties located at 1351-1369 Hyde Park Road (O-8077)

Motion made by Councillor B. Polhill to Approve that, further to the direction provided by the Municipal Council at its meeting held on June 12, 2012 and based on the Official Plan Amendment relating to the west side of the property located at 1351 Hyde Park Road and the property located at 1369 Hyde Park Road, the following actions be taken:

- a) the Civic Administration BE DIRECTED to recirculate the revised application to include a Chapter 10 Special Provision to allow automotive repair on the west portion of 1351 Hyde Park Road and to change the designation of the properties located at 1351 and 1361 Hyde Park Road FROM a Multi-Family, Medium Density Residential designation, which permits residential uses up to a maximum density of 75 units per hectare TO a Main Street Commercial Corridor designation, to permit a wide range of pedestrian-orientated retail, office and personal service commercial uses; and,
- b) the Civic Administration BE ASKED to report back to a future public participation meeting of the Planning and Environment Committee;

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

- a communication, dated October 22, 2012, from N. Buteau, 2012 President, Hyde Park Business Association; and,
- a communication, dated October 31, 2012, from R. Knutson, Knutson Development Consultants Inc.;

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

- R. Knutson, Knutson Development Consultants Inc., on behalf of Fanshawe Motors – indicating that he has previously spoken to the Civic Administration with respect to this matter; advising that his client would like to add a new structure to the front of the existing building; indicating that this process has been frustrating because automotive use is not listed as a permitted use in the Official Plan designation for this site; indicating that the owners intent has always been the same; indicating that he does not believe that the application would need to be liaised again to permit the automotive use; advising that the properties located at 1371 and 1357 Fanshawe Park Road have twice the depth as the property to the north; and indicating that he is talking about the west half of the property located at 1351 Fanshawe Park Road; noting that the intention for the east half of the property was always to be turned into residential properties. (2012-D18-00)

14. Property located at 2079 Huron Street

That, on the recommendation of the Managing Director, Planning & City Planner, with the advice of the Heritage Planner, the following actions be taken with respect to the property located at 2079 Huron Street:

- a) the Chief Building Official BE ADVISED that the Municipal Council does not object to the request for demolition for the Priority 2 listed property located at 2079 Huron 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)

15. Grosvenor Gate Neighbourhood Character Statement and Compatibility Guidelines (O-8102)

Motion made by Councillor B. Polhill to Approve that, on the recommendation of the Managing Director, Planning & City Planner, the following actions be taken with respect to the application of the City of London, relating to the lands located within the area bounded by St. George Street on the east, St. James Street on the south, the Thames River on the west, and Grosvenor Street on the north:

- a) the ~~attached~~ proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on November 20, 2012, to amend Section 3.5.3 (Policies for Specific Residential Areas - St. George/Grosvenor Neighbourhood), to add a policy to include the Grosvenor Gate Neighbourhood Character Statement and Compatibility Guidelines, and to amend Section 19.2.2 (Guideline Documents) of the Official Plan to include the Grosvenor Gate Neighbourhood Character Statement and Compatibility Guidelines as a guideline document; and,
- b) the ~~attached~~, revised, proposed Grosvenor Gate Neighbourhood Character Statement and Compatibility Guidelines BE ADOPTED at the Municipal Council meeting to be held on November 20, 2012;

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

- A.M. Valastro, 1-133 John Street – advising that she lives south of Oxford Street; advising that the Civic Administration has incorporated a lot of the public's comments into the character statement and compatibility guidelines; however, there were also a lot of comments omitted; requesting that the mature trees on the streetscape be retained; indicating that the mature trees on the property are not included as they are required to be cut down in order to incorporate the new development; indicating that the language in the Guidelines provides “wiggle” room; requesting that the words “where feasible” be tightened; requesting that the mature trees be kept; indicating that area residents were not advised of the public meeting; noting that she heard about it at a Committee of Adjustment meeting; and advising that the Planning Department advised her that they are not required to advise people of the community meeting.
- J. Farquhar, 383 St. George Street – advising that the Executive for the Neighbourhood Association, and the area residents, have been working with the developer on this proposal; indicating that a lot of the Neighbourhood Association members attended the community meeting; advising that she is impressed with the amount of public comments that are incorporated into these guidelines; enquiring as to whether or not there will be public input at the site plan stage; and advising that there are no zoning changes required so the community had no choice but to work with the developer. (2012-D11-02)

16. Property located at 2371 Highbury Avenue North (Z-8078)

That, notwithstanding the recommendation of the Managing Director, Planning & City Planner, the application of The Y Group Investments & Management Inc., relating to the property located at 2371 Highbury Ave North, BE POSTPONED to a future public participation meeting of the Planning and Environment Committee, at the request of the applicant;

17. Property located at 390 Princess Avenue (OZ-8088)

- a) the ~~attached~~, revised, proposed by-law **BE INTRODUCED** at the Municipal Council meeting to be held on November 20, 2012, to amend the Official Plan, to change the designation of the subject lands **FROM** a Low Density Residential designation **TO** a Multi-family, High Density Residential designation;
- b) the ~~attached~~, revised, proposed by-law **BE INTRODUCED** at the Municipal Council meeting to be held on November 20, 2012, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan, as amended in part a), above), to change the zoning of the subject property **FROM** a Residential R8 (R8-4) Zone, which permits apartment buildings, handicapped persons apartment buildings, Lodging House Class 2, stacked townhousing, senior citizens apartment buildings, emergency care establishments and continuum-of-care facilities at a maximum density of 75 units per hectare **TO** a Residential R8 Special Provision Bonus (R8-4(____)•H15•B-____) Zone, to permit the above listed uses, the existing apartment building with the current number of units in its

current location, and, subject to compliance with the Bonus provisions, an additional 33 unit apartment building with a maximum height of 15 metres, a minimum front yard setback of 6.7 metres, a minimum west interior side yard of 5.5 metres, a minimum rear yard depth of 5.0 metres, a parking rate for the site of 0.6 spaces per unit, and a maximum overall site density of 256 units per hectare;

- c) in addition to the density bonus provisions, the Site Plan Approval Authority **BE REQUESTED** to consider the following design issues through the site plan process:

Site:

- i) maintenance of existing trees where possible;
- ii) landscaping to enhance the appearance of the building setbacks and yard areas, and to screen parking, loading and service facilities from adjacent properties and the public realm, including but not limited to:
 - A) a landscaped forecourt in front of the building between the front (south) façade and Princess Avenue, which should be co-ordinated with existing and/or future trees within the City boulevard in front of the building and include benches and other furniture to accommodate residents of the building;
 - B) landscaping in front of the parking area adjacent to Hope Street and Princess Avenue to screen it and improve its appearance on the streetscape; and,
 - C) privacy plantings along the west property boundary;
- iii) the use of materials other than asphalt, and alternatives to curb and channel methods within the parking lot to create a sense of shared space;
- iv) the use of water efficient landscaping, permeable paving and/or other methods to provide green/sustainable design elements; and,
- v) redesign of the surface parking area to provide safe access from the handicapped parking spaces to the wheelchair access ramp that does not require a person to manoeuvre within the parking lot drive aisle;

Building:

- i) the use of materials and colours that represent and are used in a manner that represent the texture and palette of the existing building at 390 Princess Avenue;
 - ii) providing a sufficient depth to the pilasters to achieve a sense of depth, shadowing and variation in the wall plane;
 - iii) extension of the pilasters located at the garage entrance to the ground;
 - iv) the colour of the quoin corners in relation to the remainder of the building and the possible elimination or modification of the contrast band at the first storey level to avoid the striping effect on the building;
 - v) a contrast treatment for the top level of the building other than stucco; and,
 - vi) the use of light-coloured, non-heat absorbing roofing finishes, efficient building systems, natural ventilation effectiveness, and/or other methods to provide green/sustainable design elements;
- d) the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject property **FROM** a Residential R8 (R8-4) Zone, which permits apartment buildings, handicapped persons apartment buildings, Lodging House Class 2, stacked townhousing, senior citizens apartment buildings, emergency care establishments and continuum-of-care facilities at a maximum density of 75 units per hectare **TO** a Residential R10 Special Provision Bonus (R10-4(____)•H15•B-____) Zone, to permit apartment buildings, Lodging House Class 2, senior citizens apartment buildings and continuum-of-care facilities at a maximum height of 15 metres and a maximum density of 300 units per hectare, **BE REFUSED** for the following reasons:
- i) the R10-4 Zone permits a density which exceeds the density requested for the proposed development; and,
 - ii) a suitable approach to ensuring that the proposed development meets appropriate criteria for the West Woodfield neighbourhood is to maintain the current zone category and allow development at the requested density of 256 units per hectare through the application of a Bonus Zone; and,

- e) the applicant **BE REQUESTED** to continue to work with the neighbourhood and the Ward Councillor;

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

- R. Zelinka, Zelinka Priamo Ltd., on behalf of the applicant – expressing support for the revised recommendation; expressing appreciation to the Civic Administration for the changes that they incorporated; advising that the height and design of the proposed new building is in keeping with the neighbourhood; indicating that, without adding a single, additional unit, the site development was already in the high density range; advising that there is a great opportunity within this area to intensify; and advising that the parking is very appropriate for this site.
- A. Kaplansky, 599 Maitland Street – advising that the first building was built in the early 1930's and is five stories high; indicating that the new building is only four stories high; noting that the building should be five stories or more; and advising that this will increase the tax base.
- A. Walsh, 390 Princess Avenue – advising that she resides on the west side of the existing building; indicating that she was concerned with the intensification and that her concerns have been addressed; indicating that the intensification is in keeping with the neighbourhood; advising that the developer has an excellent reputation; indicating that they have a proven track record and are good property owners; expressing concern that the flow of air will be curbed due to the new building; noting that she is willing to forgo her concerns if the existing trees remain and new Carolinian trees are planted; and advising that she would prefer to see the space be retained as green space instead.
- W. Dickinson, 522 Princess Avenue – expressing support for the application; advising that it fills in the gap in the streetscape; advising that the community has been involved in all aspects of the proposal; and advising that they are supportive of the application as it does not require the removal of a heritage structure. (2012-D11-08)

18. Property located at 591 Maitland Street

Motion made by Councillor B. Polhill to Approve that, notwithstanding the recommendation of the Managing Director, Planning & City Planner, with the advice of the Heritage Planner and the London Advisory Committee on Heritage, the request by J. Regehr and Renee Kaplansky for the demolition of the designated residential building at 591 Maitland Street **BE DEFERRED** for up to 90 days to allow the applicant to work on a new design, in consultation with the Civic Administration and the Woodfield Community Association, that is more compatible to the neighbourhood; it being noted that the applicant agreed to the postponement of the application; it being noted that the applicant will report back to the London Advisory Committee on Heritage and the Planning and Environment Committee as quickly as possible with a revised design;

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

- a communication, dated October 22, 2012, from W. Dickinson, Planning Chair, The Woodfield Community Association;
- a communication, dated October 19, 2012, from C. Hawkins, by e-mail;
- a communication, dated October 26, 2012, from A. Kaplansky;
- a communication from R. & J. Regehr, applicants;
- a communication, dated October 31, 2012, from J. House, 453 Princess Avenue;
- a communication, dated October 13, 2012, from C. & B. Guy, 594 Maitland Street;
- a communication, dated November 2, 2012, from K. Bardai, 593 Maitland Street;
- a communication, dated October 8, 2012, from B. Lansink, Lansink Appraisals;
- a communication, dated November 4, 2012, from A. & M. Harkins, 526 Princess Avenue;
- a communication, dated November 4, 2012, from E. Ansari, by e-mail;
- a communication, dated November 4, 2012, from J. Elliott, 46 Palace Street;
- a communication, dated November 4, 2012, from A. McColl Lindsay, by e-mail;
- a communication, dated November 4, 2012, from J. Johnson, by e-mail;
- a communication, dated November 4, 2012, from R. & J. McDowell, 507 Princess Avenue;
- a communication, dated November 4, 2012, from L. Whitney & M. Apthorp, 487 Dufferin Avenue; and,
- a communication, dated November 5, 2012, from H. Moon, by e-mail;

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

- R. Regehr, applicant – advising that the house is on a significant slant; indicating that their structural engineer missed a rotten beam; advising that the house is full of mould; indicating that she has the support of over 60 people in the immediate area; indicating that the West Woodfield Community Association sent out a communication indicating that people are being forced out of the area; advising that she and her husband searched for a long time for a property that they can afford, that is not an apartment or does not require a lot of money upfront to make livable; and advising that the City is becoming a donut as citizens are moving to the suburbs.
- A. Kaplansky, 599 Maitland Street - expressing support for the demolition; advising that he only demolishes old, dilapidated buildings; indicating that the new building will increase the tax base; and advising that he has been in this profession for 27 years.
- L. Lansink, 505 Colborne Street – expressing support for the application; indicating that she moved downtown 25 years ago; indicating that she lived in a dilapidated house as a child and swore she would never do so again; and advising that she has renovated her house and you would never know it.
- K. Bardai, 593 Maitland Street – advising that he resides beside the applicant's property; indicating that the Woodfield Community Association does not speak for him; advising that he has resided at his residence for 17 years; indicating that, with the previous owners renting out the building, he has had endless parties, cars parked out front and on his property and loud music; indicating that he welcomes the new owners; advising that the building is ready to fall over; expressing surprise that the building survived Superstorm Sandy; indicating that the best way to look after this building is to demolish it; suggesting that the Council Members should see the interior of the building; and advising that he supports saving heritage structures, but this one is not worth saving.
- H. Elmslie, 42 Palace Street – advising that she lives one block, as the crow flies, away from the applicants property; advising that she finds comments that the existing house is ugly offensive as her house is similar to this one; indicating that a lack of care for a property does not mean that it has to be demolished; indicating that the Woodfield Community Association members are elected publicly and that the membership is open to anyone; noting that the Woodfield Community Association Executive is open to hearing diverse opinions; advising that the Community Association holds several events in the community; indicating that, in 2012, Woodfield was voted the Best Neighbourhood in Canada; indicating that the current property owners are new to the area; noting that she has resided at her property since 1973; indicating that the area is important to her and to the City's Official Plan; indicating that she has little sympathy for people who do not do their homework before buying a house; advising that the West Woodfield neighbourhood is one of London's oldest neighbourhoods; noting that the neighbourhood is located prominently in the heart of the City; advising that there are a lot of 1½ storey, gable fronted properties in the area; advising that, in her personal opinion, the property located at 86 Cartwright Street does not fit into the streetscape; reiterating sections of the Woodfield Heritage Conservation District Guidelines; commending the London Advisory Committee on Heritage's unanimous decision on this matter; indicating that this is not the most modest property on the street and it is not in the worst shape; advising that Woodfield is in between two other Heritage Conservation Districts; indicating that it is intrinsic to what makes a neighbourhood; indicating that all price ranges sell in Woodfield; indicating that the area has architectural and economic diversity; advising that the uniqueness of the area is internationally known; indicating that Woodfield has been written up in travel guides; and indicating that London was established in the 1830's and that there is very little of the original city left.
- S. O'Neil – (*Secretary's Note: Mr. O'Neil's communication was read to the audience as Mr. O'Neil was not in attendance at the time of this item*); advising that the retention of the home is important; indicating that the people are missing the point of belonging in the Woodfield Heritage Conservation District; indicating that if you lose the building, you lose the role the building has; advising that older homes are a statement of the past; advising that old houses are robustly built; indicating that he studies old houses; indicating that old buildings are constantly being upgraded; indicating that there is no need to demolish this building; indicating that you can tell the last three buildings that were installed in this area; and advising that the neighbourhood invests in itself.
- W. Dickinson, 522 Princess Avenue, on behalf of several neighbours – realizing that the decision the Committee has to make is a stark one; noting that the problem is preservation versus gentrification; indicating that the streetscape should remain intact;

indicating that Heritage Conservation Districts would lose 70% of their properties if all old, small buildings were demolished; advising that if you could rely on Category A or B houses, you would not need Heritage Conservation Districts; indicating that the Committee needs to vote to preserve houses; noting that if you let this one be demolished, how can you not let others be demolished; indicating that no one objected when the West Woodfield Heritage Conservation District was created; advising that she is adamant to not see houses demolished; indicating that the Pillar & Pine e-mail is sent to hundreds of people; and expressing support for the London Advisory Committee on Heritage and Civic Administration's recommendations. (2012-D10-00)

19. Property located at 450 Oxford Street West (OZ-8003)

That the delegation request from A.R. Patton, Patton Cormier & Associates, with respect to the application of Bluestone Properties Inc., relating to the property located at 450 Oxford Street West, BE REFERRED to the November 26, 2012 Planning and Environment Committee meeting; it being noted that the application will be coming forward at a public participation meeting at that meeting. (2012-D11-09/2)

20. 3rd Report of the Advisory Committee on the Environment

That the 3rd Report of the Advisory Committee on the Environment from its meeting held on October 3, 2012, BE RECEIVED.

21. 2nd Report of the Trees and Forests Advisory Committee

That the 2nd Report of the Trees and Forests Advisory Committee from its meeting held on October 24, 2012, BE RECEIVED.

22. Performance Indicators

Motion made by Councillor B. Polhill to Approve that the Managing Director, Planning & City Planner BE DIRECTED to provide, at the end of every Committee year, a report relating to the volume of work undertaken, the key performance indicators and how much money is spent for the amount of development that occurs, by the Planning Department.

Pursuant to section 12.3 of the Council Procedure By-law, Councillor Bryant calls for a separate vote on clauses 6, 13, and 18.

Pursuant to section 12.3 of the Council Procedure By-law, Councillor Branscombe calls for a separate vote on clause 15.

Pursuant to section 12.3 of the Council Procedure By-law, Councillor Usher calls for a separate vote on clause 9.

Pursuant to section 12.3 of the Council Procedure By-law, Councillor Baechler calls for a separate vote on clause 22.

The motion to adopt clauses 1 to 22, excluding clauses 6, 9, 10, 13, 15, 18 and 22 is put.

Motion Passed

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

The motion to Approve clause 6 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, H.L. Usher, S.E. White (10)

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

The motion to Approve clause 9 is put.

Motion Passed

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

P. Hubert, D.G. Henderson, P. Van Meerbergen, H.L. Usher, J.P. Bryant, S.E. White (13)

Motion made by Councillor White to Approve clause 10.

10. Property located at 181 Skyline Avenue

Motion made by Councillor S.E. White to Approve that, on the recommendation of the Managing Director, Planning & City Planner, in response to the letter of appeal submitted by Middlesex Vacant Land Condominium Plan No. 677 to the Ontario Municipal Board, dated August 16, 2012, 2012, relating to the rezoning application concerning 181 Skyline Avenue:

- a) the Ontario Municipal Board BE ADVISED that the Municipal Council supports the Committee of Adjustment's decision to grant the minor variance; and,
- b) the City Solicitor and the Managing Director, Planning & City Planner, BE DIRECTED to provide legal and planning representation at the Ontario Municipal Board Hearing to support the Committee of Adjustment's decision. (2012-D11-05)

Motion Passed

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

RECUSED: B. Polhill (1)

The motion to Approve clause 13 is put.

Motion Passed

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

The motion to Approve clause 15 is put.

Motion made by Councillor B. Polhill and seconded by Councillor N. Branscombe to Amend clause 15 by adding a new part c) as follows:

- "c) the City of London BE REQUIRED to ensure that the site plan includes a tree preservation plan;"

Motion Passed

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

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

Motion Passed

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

Clause 15, as amended, reads as follows:

That, on the recommendation of the Managing Director, Planning & City Planner, the following actions be taken with respect to the application of the City of London, relating to the lands located within the area bounded by St. George Street on the east, St. James Street on the south, the Thames River on the west, and Grosvenor Street on the north:

- a) the ~~attached~~ proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on November 20, 2012, to amend Section 3.5.3 (Policies for Specific Residential Areas - St. George/Grosvenor Neighbourhood), to add a policy to include the Grosvenor Gate Neighbourhood Character Statement and Compatibility Guidelines, and to amend Section 19.2.2 (Guideline Documents) of the Official Plan to include the Grosvenor Gate Neighbourhood Character Statement and Compatibility Guidelines as a guideline document;

- b) the ~~attached~~, revised, proposed Grosvenor Gate Neighbourhood Character Statement and Compatibility Guidelines BE ADOPTED at the Municipal Council meeting to be held on November 20, 2012; and,
- c) the City of London BE REQUIRED to ensure that the site plan includes a tree preservation plan;

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

- A.M. Valastro, 1-133 John Street – advising that she lives south of Oxford Street; advising that the Civic Administration has incorporated a lot of the public's comments into the character statement and compatibility guidelines; however, there were also a lot of comments omitted; requesting that the mature trees on the streetscape be retained; indicating that the mature trees on the property are not included as they are required to be cut down in order to incorporate the new development; indicating that the language in the Guidelines provides “wobble” room; requesting that the words “where feasible” be tightened; requesting that the mature trees be kept; indicating that area residents were not advised of the public meeting; noting that she heard about it at a Committee of Adjustment meeting; and advising that the Planning Department advised her that they are not required to advise people of the community meeting.
- J. Farquhar, 383 St. George Street – advising that the Executive for the Neighbourhood Association, and the area residents, have been working with the developer on this proposal; indicating that a lot of the Neighbourhood Association members attended the community meeting; advising that she is impressed with the amount of public comments that are incorporated into these guidelines; enquiring as to whether or not there will be public input at the site plan stage; and advising that there are no zoning changes required so the community had no choice but to work with the developer.

The motion to Approve clause 18 is put.

Motion made by Councillor J.P. Bryant and seconded by Councillor N. Branscombe to Amend clause 18 in line 7, after the word “neighbourhood”, by adding the words “which would incorporate a suitable addition, while maintaining the front of the building”.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, J.B. Swan, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, J.P. Bryant, S.E. White (9)

NAYS: S. Orser, D.G. Henderson, P. Van Meerbergen, H.L. Usher (4)

The motion to adopt clause 18, as amended is put.

Motion Passed

YEAS: J.F. Fontana, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, J.P. Bryant (8)

NAYS: B. Polhill, J.B. Swan, S. Orser, H.L. Usher, S.E. White (5)

Clause 18, as amended, reads as follows:

That, notwithstanding the recommendation of the Managing Director, Planning & City Planner, with the advice of the Heritage Planner and the London Advisory Committee on Heritage, the request by J. Regehr and Renee Kaplansky for the demolition of the designated residential building at 591 Maitland Street **BE DEFERRED** for up to 90 days to allow the applicant to work on a new design, in consultation with the Civic Administration and the Woodfield Community Association, that is more compatible to the neighbourhood which would incorporate a suitable addition, while maintaining the front of the building; it being noted that the applicant agreed to the postponement of the application; it being noted that the applicant will report back to the London Advisory Committee on Heritage and the Planning and Environment Committee as quickly as possible with a revised design;

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

- a communication, dated October 22, 2012, from W. Dickinson, Planning Chair, The Woodfield Community Association;
- a communication, dated October 19, 2012, from C. Hawkins, by e-mail;
- a communication, dated October 26, 2012, from A. Kaplansky;
- a communication from R. & J. Regehr, applicants;
- a communication, dated October 31, 2012, from J. House, 453 Princess Avenue;
- a communication, dated October 13, 2012, from C. & B. Guy, 594 Maitland Street;
- a communication, dated November 2, 2012, from K. Bardai, 593 Maitland Street;
- a communication, dated October 8, 2012, from B. Lansink, Lansink Appraisals;
- a communication, dated November 4, 2012, from A. & M. Harkins, 526 Princess Avenue;
- a communication, dated November 4, 2012, from E. Ansari, by e-mail;
- a communication, dated November 4, 2012, from J. Elliott, 46 Palace Street;
- a communication, dated November 4, 2012, from A. McColl Lindsay, by e-mail;
- a communication, dated November 4, 2012, from J. Johnson, by e-mail;
- a communication, dated November 4, 2012, from R. & J. McDowell, 507 Princess Avenue;
- a communication, dated November 4, 2012, from L. Whitney & M. Apthorp, 487 Dufferin Avenue; and,
- a communication, dated November 5, 2012, from H. Moon, by e-mail;

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

- R. Regehr, applicant – advising that the house is on a significant slant; indicating that their structural engineer missed a rotten beam; advising that the house is full of mould; indicating that she has the support of over 60 people in the immediate area; indicating that the West Woodfield Community Association sent out a communication indicating that people are being forced out of the area; advising that she and her husband searched for a long time for a property that they can afford, that is not an apartment or does not require a lot of money upfront to make livable; and advising that the City is becoming a donut as citizens are moving to the suburbs.
- A. Kaplansky, 599 Maitland Street - expressing support for the demolition; advising that he only demolishes old, dilapidated buildings; indicating that the new building will increase the tax base; and advising that he has been in this profession for 27 years.
- L. Lansink, 505 Colborne Street – expressing support for the application; indicating that she moved downtown 25 years ago; indicating that she lived in a dilapidated house as a child and swore she would never do so again; and advising that she has renovated her house and you would never know it.
- K. Bardai, 593 Maitland Street – advising that he resides beside the applicant's property; indicating that the Woodfield Community Association does not speak for him; advising that he has resided at his residence for 17 years; indicating that, with the previous owners renting out the building, he has had endless parties, cars parked out front and on his property and loud music; indicating that he welcomes the new owners; advising that the building is ready to fall over; expressing surprise that the building survived Superstorm Sandy; indicating that the best way to look after this building is to demolish it; suggesting that the Council Members should see the interior of the building; and advising that he supports saving heritage structures, but this one is not worth saving.
- H. Elmslie, 42 Palace Street – advising that she lives one block, as the crow flies, away from the applicants property; advising that she finds comments that the existing house is ugly offensive as her house is similar to this one; indicating that a lack of care for a property does not mean that it has to be demolished; indicating that the Woodfield Community Association members are elected publicly and that the membership is open to anyone; noting that the Woodfield Community Association Executive is open to hearing diverse opinions; advising that the Community Association holds several events in the community; indicating that, in 2012, Woodfield was voted the Best Neighbourhood in Canada; indicating that the current property owners are new to the area; noting that she has resided at her property since 1973; indicating that the area is important to her and to the City's Official Plan; indicating that she has little sympathy for people who do not do their homework before buying a house; advising that the West Woodfield neighbourhood is one of London's oldest neighbourhoods; noting that the neighbourhood is located prominently in the heart of the City; advising that there are a lot of 1½ storey, gable fronted properties in the area; advising that, in her personal opinion, the property located at 86 Cartwright Street does not fit into the streetscape; reiterating sections of the Woodfield Heritage Conservation District Guidelines; commending the London Advisory Committee on Heritage's unanimous decision on this matter; indicating that this is not the most modest property on the street and it is not in the worst shape; advising that Woodfield is in between two other Heritage Conservation Districts; indicating that it

- is intrinsic to what makes a neighbourhood; indicating that all price ranges sell in Woodfield; indicating that the area has architectural and economic diversity; advising that the uniqueness of the area is internationally known; indicating that Woodfield has been written up in travel guides; and indicating that London was established in the 1830's and that there is very little of the original city left.
- S. O'Neil – (*Secretary's Note: Mr. O'Neil's communication was read to the audience as Mr. O'Neil was not in attendance at the time of this item*); advising that the retention of the home is important; indicating that the people are missing the point of belonging in the Woodfield Heritage Conservation District; indicating that if you lose the building, you lose the role the building has; advising that older homes are a statement of the past; advising that old houses are robustly built; indicating that he studies old houses; indicating that old buildings are constantly being upgraded; indicating that there is no need to demolish this building; indicating that you can tell the last three buildings that were installed in this area; and advising that the neighbourhood invests in itself.
 - W. Dickinson, 522 Princess Avenue, on behalf of several neighbours – realizing that the decision the Committee has to make is a stark one; noting that the problem is preservation versus gentrification; indicating that the streetscape should remain intact; indicating that Heritage Conservation Districts would lose 70% of their properties if all old, small buildings were demolished; advising that if you could rely on Category A or B houses, you would not need Heritage Conservation Districts; indicating that the Committee needs to vote to preserve houses; noting that if you let this one be demolished, how can you not let others be demolished; indicating that no one objected when the West Woodfield Heritage Conservation District was created; advising that she is adamant to not see houses demolished; indicating that the Pillar & Pine e-mail is sent to hundreds of people; and expressing support for the London Advisory Committee on Heritage and Civic Administration's recommendations.

Motion made by Councillor P. Hubert and seconded by Councillor N. Branscombe to Approve reconsideration of clause 17, pursuant to section 13.6 of the Council Procedure By-law.

Motion Passed

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

Motion made by Councillor B. Polhill and seconded by Councillor J.B. Swan to Amend clause 17, in part b) by substituting the ~~attached~~ revised by-law.

Motion Passed

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

The motion to Approve clause 22 is put.

Motion Passed

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

NAYS: N. Branscombe (1)

Motion made by Councillor P. Hubert and seconded by Councillor S. Orser to recess.

Motion Passed

The Council recesses at 6:47 PM and reconvenes at 7:34 PM with Mayor J.F. Fontana in the Chair and all Members present except Councillors W.J. Armstrong, D. Brown and H.L. Usher.

The Managing Director, Planning and City Planner provides a corrected statement that a public site plan meeting has already been held for the subject property in clause 9 of the 28th Report of the Planning and Environment Committee (7 Holiday Avenue), that drainage issues have been addressed and the action taken by Council this evening was simply to remove the holding provision.

Councillor Usher enters the meeting at 7:35 PM

29th Report of the Planning and Environment Committee
Councillor B. Polhill presents.

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

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Property located at 4675 Wellington Road South

That, the following actions be taken with respect to the Orgaworld composting facility located at 4675 Wellington Road South:

- a) the Civic Administration BE DIRECTED to increase technical assistance with the Orgaworld Public Liaison Committee and the community; it being noted that this would include the following:
- i) undertaking technical research;
 - ii) reviewing related activities in other jurisdictions;
 - iii) providing updates at the Orgaworld Public Liaison Committee meetings;
 - iv) increasing frequency of reporting at the appropriate City of London Standing Committee;
 - v) providing City of London Civic Administration or Municipal Council recommendations to Orgaworld; and,
 - vi) contributing funds to community technical research;

it being noted that any potential financial impact to the City would be tied to the specific items listed in clause a) i) to vi), above, that have been increased; it being further noted that technical research performed for the City and/or the community and involving technical consultants may require a budget of \$25,000 to \$50,000 per year;

- b) the Civic Administration BE DIRECTED to actively work with officials from the Ministry of the Environment; it being noted that this would include the following:
- i) monitoring the outcome of the Environmental Review Tribunal decision and assisting with community reporting;
 - ii) undertaking collaborative technical research;
 - iii) assisting with public outreach and engagement;
 - iv) increasing frequency of reporting to the appropriate City of London Standing Committee;
 - v) providing City of London Civic Administration and/or Municipal Council recommendations to the Ministry of the Environment; and,
 - vi) contributing funding to community technical research;

it being noted that any potential financial impact to the City would be tied to the specific items listed in clause b) i) to vi), above, that have been increased; it being further noted that technical research performed for the City and involving technical consultants may require a budget of \$25,000 to \$50,000 per year;

- c) the Middlesex-London Health Unit BE ASKED to provide information on potential health impacts of the odour from the Orgaworld composting facility; and,

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

- a communication from D. Harley, Orgaworld;
- a communication, dated October 25, 2012, from G. Macartney, CEO, London Chamber of Commerce;
- a communication, dated November 5, 2012, from J. Preston, M.P., Elgin-Middlesex-London;
- a communication from R. Cook, Chief Executive Officer, Ontario Waste Management Association; and,
- a communication, dated November 8, 2012, from J. Yurek, M.P.P., Elgin-Middlesex-London;

it being pointed out that at the public participation meeting associated with this matter, the

following individuals made oral submissions in connection therewith:

- Dr. Greg Mariotti, Manager, Operations, Canadian Facilities and Sandra Drouillard, London Site Plant Operations Manager and Dale Harley, Canadian Plant Operations Manager, Orgaworld – see attached presentation.
- Peter White, London Economic Development Corporation – expressing concern with the negative affect a nuisance by-law would have on London businesses and businesses that may wish to invest in London, especially the food industry; advising that this will affect long-term expansion plans; and advising that there are new Ministry of Environment Regulations for the Toxic Reduction Act.
- Tim Mould, 230 Portsmouth Crescent East – advising that he has worked at Orgaworld for five years; indicating that this has provided him with a chance to own a home and raise a family; indicating that he previously cleaned industrial buildings; and advising that he has never worked with people who have put so much into what they do.
- Peter Firth, 4499 Wellington Road – see attached presentation.
- Darlene Nuvell, Westminster Drive – indicating that they don't have time to continue complaining about the odour issue; and advising that she has had company beside the pool ask to move indoors due to the odour.
- Ron Baldacchino 4542 Avenue Road – advising that he can smell the odour at night; indicating that he cannot smell the odour on Westminster Drive; indicating that he has contacted Orgaworld twice and has received no response; and enquiring as to why Orgaworld has offices off-site.
- Peter Hargreave, Ontario Waste Management Association – reading the Ontario Waste Management Association communication on the Planning and Environment Committee Added Agenda.
- T. Vinder, 578 Wyndham, Norfolk County – advising that she does not live in the community; indicating that she and three Councillors came to London to meet with the Coalition; noting that they drove by Orgaworld; indicating that they could smell Orgaworld ten times in one hour; indicating that the smell was so sour that it took your breath away; indicating that if she lived near Orgaworld, she would sell her house and take it at a loss; indicating that they had headaches and loss of appetite for the remainder of the day; advising that Norfolk is dealing with similar issues; indicating that Oakville has nuisance by-laws for odour; indicating that this should be regulated at the Provincial level; noting that the Provincial government is currently at a standstill; indicating that the Ministry of the Environment continually visiting the site, is not effective; noting that there have been cutbacks at the Ministry of the Environment; indicating that this problem would not have gone on so long if it was a massage parlour or a strip joint; indicating that her husband wants to sell their house because of this issue; indicating that this is not similar to a septic system as a septic system is underground; and requesting the Committee listen to the Coalition.
- S. Kernohan, Home Hardware, 4425 Wellington Road South – advising that he relies on customer service in order to stay in business; indicating that customers have asked him about the stench; noting that any time a customer says something, others are thinking it, but not saying it; and requesting that the quality of South London be maintained.
- P. Hunstein, Dingman Drive – advising that she could not go outside this summer; indicating that the smells gives her headaches and makes her ill; advising that she has now been referred to a specialist for allergies; enquiring whether or not you are going to deprive residents for a stinky business; advising that a gentleman from Orgaworld came to her door and she told him what she thought of their business; indicating that this would not happen in Masonville; indicating that this is disgraceful; and advising that the City and Councillors want the residents to go away.
- Robert, 24780 Caroline, West Elgin County – advising that there is a 50 acre field beside him; advising that hundreds of tons of compost were dropped off in a massive pile; noting that another load was dropped off in a field on the other side of him; advising that the compost was spread on a field of soybeans and the soybeans were so pathetic, that it was not harvested; enquiring as to why the rest of the world is not composting like this; indicating that it is a weird experiment being done in London; advising that farmers have contaminants and glass on their fields; indicating that there are ways to test smell; and indicating that people are offended by the smell.
- Rick and Roxanne Ayers, 212 Centre Street, Dutton – advising that he has not been enticed or paid to be here; indicating that he has toured the Orgaworld plant; indicating that Orgaworld is doing everything possible to make people happy; advising that he has eight composters at home; requesting that Orgaworld be given a chance; indicating that we all use our blue boxes; advising that we all know what happens when you take food outside in 30^oC weather; indicating that they are very compassionate about this; advising that her husband does his own studies; advising that he added compost to his

corn and it doubled in size; noting that there are 80 different components in his compost; advising that their vegetable garden is beautiful; noting that they have so much, that they give vegetables to other people; advising that her flower gardens are overflowing; indicating that if the City had green bins, the City would make the guidelines of what is able to be put in them; enquiring as to what goes on farmers' fields – manure and it stinks; indicating that she did a survey while her husband was in the hospital for a week and most of the nurses admit that they compost; indicating that they live in the country and smell the manure, but they still sit outside; advising that people cannot wear perfume to work; advising that Orgaworld is clean, passionate about what they do and are trying to keep everyone happy; advising that they have some office staff on-site; enquiring as to whether or not people take their children horseback riding; noting that there is manure at the farm; indicating that your children smell after playing hockey; and advising that, at the celebration for "Volunteer Day", Rick's compost is highly sought after.

- Steve Peters, on behalf of the Alliance of Ontario Food Processors – requesting the Committee to enforce Section 14 of the *Environmental Protection Act*; advising that London has companies in the beer business, the second largest dairy farm in Canada, a cereal plant and a glucose-fructose plant; and enquiring whether or not the City would enforce a by-law against itself.
- D. Rastin, 201 Westfield Drive – advising that for fifteen years he worked in grain processing throughout the world; indicting that he knows what pig manure smells like; advising that he has watched kids fight with goats over garbage in garbage bins in poor countries; advising that he has no interest in Orgaworld; indicating that he arranged a tour of Orgaworld and did not give them any of his background; noting that he toured the facility inside and out; indicating that he keeps hearing that the stench is horrible, but that was not his experience; advising that he was asked to change into a uniform for his tour so that his clothes would not smell; indicating that he noticed a few diapers, dog and cat feces in the facility; indicating that he also went into the humidity rooms; advising that he is one of three grain dryer experts in the world; advising that he understands contaminants and the amounts allowed; indicating that Orgaworld was clean; advising that it is a business decision to have the offices on Kent Street; advising that smell is very subjective; noting that he loves the smell of Kellogg's; indicating that he has watched and listened to the amount of money that Orgaworld has spent on this facility; advising that if this was the United States of America, they would not listen to the neighbours complaints; indicating that Orgaworld is doing everything that it can; advising that shutting the plant down will affect 22 families; and indicating that Orgaworld is not being irresponsible, they are trying to meet the needs of the city.
- Robert Scott, 3044 Westminster Drive – advising that he lives one kilometer south of Orgaworld; noting that he loves his neighbourhood and his home; indicating that he is here for everyone in the Brockley-Shaver area; advising that their quality of life has been seriously impacted; advising that he has been embarrassed too many times when barbequing and had to go inside; advising that he has made numerous odour complaints; advising that twice this summer they turned off the air conditioner and opened the windows; indicating that they deserve a better quality of life; expressing sympathy for the lady who owned the driving range and had to sell it at a loss; expressing concern for his families health; noting that his wife has a chronic cough and has been to the doctor four times; enquiring as to where the value of their homes is going; noting that two realtors advised him that he needs to disclose the odour issue if he is going to sell his home and that he could lose of 40% of his property value; enquiring who is going to cover these losses; and enquiring why we are taking Toronto's garbage in south London.
- Allan Tipping, 2809 Dingman Drive – enquiring as to how many Councillors have been to a party and had to endure a terrible smell; advising that you offend everyone if you go to the bathroom and make an odour; advising that there have been no changes in the CSA and the intake; indicating that the previous owner of the lands composted steak bones and sawdust; indicating that he was advised that you never put diapers, mediations, plastic and animal feces in compost; advising that Orgaworld advised the area residents that there would be no odour; noting that, six years later, they are now coming back and saying there will be odour; requesting that they be made to pay for their crime; advising that if it is only moisture and hot air in the stack, there would be no odour; advising that Orgaworld had to enclose its curing pad due to the odour; advising that the City was pushed into giving Orgaworld a building permit as fast as they could; indicating that all you see is the ductwork on the top of the building; indicating that the stack was 40 metres tall and is now 60 metres tall; expressing opposition to the increased height of the stack; enquiring as to whether or not anyone has gone out a further distance to determine what the odour disbursement is; advising that a farmer who has worked near the W12A has advised him that the odour is not coming from the landfill; indicating that there is no fix for this odour; advising that the City is responsible

for this facility because the City allowed the original permits and then allowed additional permits; advising that science and times change; enquiring as to where we go from here; enquiring as to how many months that it has been open has it been at a stable state; noting that there have been restrictions from the first day for odour issues; requesting that their property values be protected; enquiring as to whether the City is going to allow one facility to dictate what it can do; requesting that Orgaworld be shut down to protect the community; requesting that the original plans be revisited to see what was originally proposed; indicating that the facility now has five biofilters when two were originally approved; noting that there are a lot of people in the gallery to listen to this matter; and indicating that elections come and go, but the community needs your support.

- J. Pieterse, 5011 Wellington Road South – advising that he has spoken to the Ministry of the Environment with respect to the compost being dumped on farmers' lands; expressing concern with the amount of plastic in the compost; advising that he has spoken with a local farmer who noted that there is some nutritional value in the compost, but that there is lots of crushed glass and plastic; advising that contaminants come through in the beans that are grown on the land; indicating that with one bad test, the food industry shuns you; advising that Southwestern Ontario is blessed with an abundance of good quality farmland; noting that why anyone would put this compost on their land is beyond him; advising that the Ministry used fine mesh nets in the Great Lakes and indicated that there is a lot of plastics in the water; expressing concern with the number of geese and ducks on the fields and what we are introducing into the environment; indicating that he is going to ask on the Andy Oudman show for farmers who use the product if he can come out and see their lands; advising that the odour is terrible and that they have had to leave their home several times; indicating that he ordered fridge magnets with the Ministry of the Environment phone number on them and had no problem distributing them through the neighbourhood; and advising that there have been a lot of registered complaints as the facility affects a large area.
- David Gillis, 2753 Dingman Drive – see attached presentation.
- Roma-Lynn Gillis, 2753 Dingman Drive - see attached presentation.
- Bradley McLellan 4759 Wellington Road – advising that he lives directly east of the plant; indicating that the last six years have been the worst; indicating that he has bankers boxes of information and has lost a lot of time fighting the problem; noting that it has cost him thousands of dollars and time; indicating that his kids friends do not want to come over because of the smell; indicating that he removed his pool and no longer barbeques because of the smell; enquiring as to whether or not anyone has thought of the carbon footprint from the trucks driving to and from the Plant; advising that Europe has learned its lesson; advising that he composted on a farm in the 1980's; advising that the City has a chance to pass a by-law on waste; noting that Orgaworld and everyone else has been on the map for the last ten years; indicating that he went straight to the Ministry of the Environment; indicating that the City should use the by-law for the amount of compliance and pull their license; requesting the City take the initiative and pass a by-law; indicating that Orgaworld is the only facility of this type in Canada; indicating that their facilities are newer and are on the urban boundary; and advising that the South West Area Plan and Orgaworld need to be tied together.
- Margaret Sigmund, 2428 Dingman Drive – advising that they built their dream home and then Orgaworld was built; indicating that they are very involved in their Church; indicating that people complain about the smell when they have barbeques; and advising that they have a new puppy and attend Mr. P. Firth's veterinary clinic for obedience class and many people in the class complain about the smell.
- Leoni Westi, Cherryhill – advising that she lives in a city that has beer and cereal making facilities that stink; enquiring as to how much this meeting has cost; noting that it would be better spent helping abused children; indicating that she has lived in Dublin, Ireland, and cities stink; enquiring as to what normally happens with stinky diapers; indicating that by closing the facility, you are putting jobs in jeopardy; asking people to think about who cleans the sewers and asking them if you can imagine the stink; indicating that pig farmers stink and to get over it; and enquiring as to why research was not done to see what was being built.
- Rochelle Lambert, Norfolk County – indicating that Norfolk County is dealing with similar concerns; advising that she is appalled by what the residents have to deal with; indicating that the Mayor asked questions about the Ottawa Orgaworld facility; noting that the Ottawa facility does not accept diapers, sanitary products, plastics, etc.; recommending that the *Nutrient Act* be followed; indicating that an area farmer put quality compost on his land and had the best crop ever; advising that a different farmer used Orgaworld compost and his cows fed off the land and had no babies; noting that the farmer was advised to remove his cows because of the amount of female contraceptives they had consumed; indicating that the Town of Oakville has adopted an

Air Quality By-law; indicating that this would cost Orgaworld millions of dollars to meet the Air Quality By-law; advising that area residents are experiencing health concerns; and indicating that what is occurring is disturbing.

- A. R. Patton, on behalf of the Shaver Brockley Coalition – emphasizing that his clients are not lunatics or constant complainers and are able to express substantive concerns; indicating that Orgaworld was welcomed when it first opened; advising that Orgaworld has been oversold, overpromised and is an underperformed business; indicating that the complaints that have been heard are real; indicating that he has sat in Mr. Scott's backyard and the smell is offensive; indicating that he has spoken with area business employees and they do not go for a walk at lunch because of the smell; indicating that the smell is an unintended consequence; indicating that the Chamber of Commerce is disingenuous in its comments in its letter; requesting that a nuisance by-law be passed; recommending that recourse be sought; indicating that the City is leaving it to the Shaver Brockley residents and others to file a class action suit against Orgaworld; indicating that the City has the power to lead; advising that the Shaver Brockley community is a well-established community; and requesting the City establish a nuisance by-law that is fairly drafted and enforced.

Motion made by Councillor B. Polhill and seconded by Councillor J.B. Swan to Amend clause 2 by adding a new part d) as follows:

- “d) the Civic Administration BE DIRECTED to identify potential sources of financing for the additional work identified in Clauses a) and b) including having discussions with Orgaworld Canada Inc, Ministry of the Environment, City of Toronto, Region of York, Middlesex-London Health Unit and the Ontario Waste Management Association.”

Motion Passed

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

RECUSED: D.G. Henderson (1)

The motion to Approve clause 1 and clause 2, as amended, is put.

Motion Passed

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

RECUSED: D.G. Henderson (1)

Clause 2, as amended, reads as follows:

2. Property located at 4675 Wellington Road South

That, the following actions be taken with respect to the Orgaworld composting facility located at 4675 Wellington Road South:

- d) the Civic Administration BE DIRECTED to increase technical assistance with the Orgaworld Public Liaison Committee and the community; it being noted that this would include the following:
- vii) undertaking technical research;
 - viii) reviewing related activities in other jurisdictions;
 - ix) providing updates at the Orgaworld Public Liaison Committee meetings;
 - x) increasing frequency of reporting at the appropriate City of London Standing Committee;
 - xi) providing City of London Civic Administration or Municipal Council recommendations to Orgaworld; and,
 - xii) contributing funds to community technical research;

it being noted that any potential financial impact to the City would be tied to the specific items listed in clause a) i) to vi), above, that have been increased; it being further noted that technical research performed for the City and/or the community and involving technical consultants may require a budget of \$25,000 to \$50,000 per year;

- e) the Civic Administration BE DIRECTED to actively work with officials from the Ministry

of the Environment; it being noted that this would include the following:

- vii) monitoring the outcome of the Environmental Review Tribunal decision and assisting with community reporting;
- viii) undertaking collaborative technical research;
- ix) assisting with public outreach and engagement;
- x) increasing frequency of reporting to the appropriate City of London Standing Committee;
- xi) providing City of London Civic Administration and/or Municipal Council recommendations to the Ministry of the Environment; and,
- xii) contributing funding to community technical research;

it being noted that any potential financial impact to the City would be tied to the specific items listed in clause b) i) to vi), above, that have been increased; it being further noted that technical research performed for the City and involving technical consultants may require a budget of \$25,000 to \$50,000 per year;

- f) the Middlesex-London Health Unit BE ASKED to provide information on potential health impacts of the odour from the Orgaworld composting facility; and,
- d) the Civic Administration BE DIRECTED to identify potential sources of financing for the additional work identified in Clauses a) and b) including having discussions with Orgaworld Canada Inc, Ministry of the Environment, City of Toronto, Region of York, Middlesex-London Health Unit and the Ontario Waste Management Association;

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

- a communication from D. Harley, Orgaworld;
- a communication, dated October 25, 2012, from G. Macartney, CEO, London Chamber of Commerce;
- a communication, dated November 5, 2012, from J. Preston, M.P., Elgin-Middlesex-London;
- a communication from R. Cook, Chief Executive Officer, Ontario Waste Management Association; and,
- a communication, dated November 8, 2012, from J. Yurek, M.P.P., Elgin-Middlesex-London;

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

- Dr. Greg Mariotti, Manager, Operations, Canadian Facilities and Sandra Drouillard, London Site Plant Operations Manager and Dale Harley, Canadian Plant Operations Manager, Orgaworld – see attached presentation.
- Peter White, London Economic Development Corporation – expressing concern with the negative affect a nuisance by-law would have on London businesses and businesses that may wish to invest in London, especially the food industry; advising that this will affect long-term expansion plans; and advising that there are new Ministry of Environment Regulations for the Toxic Reduction Act.
- Tim Mould, 230 Portsmouth Crescent East – advising that he has worked at Orgaworld for five years; indicating that this has provided him with a chance to own a home and raise a family; indicating that he previously cleaned industrial buildings; and advising that he has never worked with people who have put so much into what they do.
- Peter Firth, 4499 Wellington Road – see attached presentation.
- Darlene Nuvell, Westminster Drive – indicating that they don't have time to continue complaining about the odour issue; and advising that she has had company beside the pool ask to move indoors due to the odour.
- Ron Baldacchino 4542 Avenue Road – advising that he can smell the odour at night; indicating that he cannot smell the odour on Westminster Drive; indicating that he has contacted Orgaworld twice and has received no response; and enquiring as to why Orgaworld has offices off-site.
- Peter Hargreave, Ontario Waste Management Association – reading the Ontario Waste Management Association communication on the Planning and Environment Committee Added Agenda.
- T. Vinder, 578 Wyndham, Norfolk County – advising that she does not live in the community; indicating that she and three Councillors came to London to meet with the Coalition; noting that they drove by Orgaworld; indicating that they could smell Orgaworld ten times in one hour; indicating that the smell was so sour that it took your

breath away; indicating that if she lived near Orgaworld, she would sell her house and take it at a loss; indicating that they had headaches and loss of appetite for the remainder of the day; advising that Norfolk is dealing with similar issues; indicating that Oakville has nuisance by-laws for odour; indicating that this should be regulated at the Provincial level; noting that the Provincial government is currently at a standstill; indicating that the Ministry of the Environment continually visiting the site, is not effective; noting that there have been cutbacks at the Ministry of the Environment; indicating that this problem would not have gone on so long if it was a massage parlour or a strip joint; indicating that her husband wants to sell their house because of this issue; indicating that this is not similar to a septic system as a septic system is underground; and requesting the Committee listen to the Coalition.

- S. Kernohan, Home Hardware, 4425 Wellington Road South – advising that he relies on customer service in order to stay in business; indicating that customers have asked him about the stench; noting that any time a customer says something, others are thinking it, but not saying it; and requesting that the quality of South London be maintained.
- P. Hunstein, Dingman Drive – advising that she could not go outside this summer; indicating that the smells gives her headaches and makes her ill; advising that she has now been referred to a specialist for allergies; enquiring whether or not you are going to deprive residents for a stinky business; advising that a gentleman from Orgaworld came to her door and she told him what she thought of their business; indicating that this would not happen in Masonville; indicating that this is disgraceful; and advising that the City and Councillors want the residents to go away.
- Robert, 24780 Caroline, West Elgin County – advising that there is a 50 acre field beside him; advising that hundreds of tons of compost were dropped off in a massive pile; noting that another load was dropped off in a field on the other side of him; advising that the compost was spread on a field of soybeans and the soybeans were so pathetic, that it was not harvested; enquiring as to why the rest of the world is not composting like this; indicating that it is a weird experiment being done in London; advising that farmers have contaminants and glass on their fields; indicating that there are ways to test smell; and indicating that people are offended by the smell.
- Rick and Roxanne Ayers, 212 Centre Street, Dutton – advising that he has not been enticed or paid to be here; indicating that he has toured the Orgaworld plant; indicating that Orgaworld is doing everything possible to make people happy; advising that he has eight composters at home; requesting that Orgaworld be given a chance; indicating that we all use our blue boxes; advising that we all know what happens when you take food outside in 30^oC weather; indicating that they are very compassionate about this; advising that her husband does his own studies; advising that he added compost to his corn and it doubled in size; noting that there are 80 different components in his compost; advising that their vegetable garden is beautiful; noting that they have so much, that they give vegetables to other people; advising that her flower gardens are overflowing; indicating that if the City had green bins, the City would make the guidelines of what is able to be put in them; enquiring as to what goes on farmers' fields – manure and it stinks; indicating that she did a survey while her husband was in the hospital for a week and most of the nurses admit that they compost; indicating that they live in the country and smell the manure, but they still sit outside; advising that people cannot wear perfume to work; advising that Orgaworld is clean, passionate about what they do and are trying to keep everyone happy; advising that they have some office staff on-site; enquiring as to whether or not people take their children horseback riding; noting that there is manure at the farm; indicating that your children smell after playing hockey; and advising that, at the celebration for "Volunteer Day", Rick's compost is highly sought after.
- Steve Peters, on behalf of the Alliance of Ontario Food Processors – requesting the Committee to enforce Section 14 of the *Environmental Protection Act*; advising that London has companies in the beer business, the second largest dairy farm in Canada, a cereal plant and a glucose-fructose plant; and enquiring whether or not the City would enforce a by-law against itself.
- D. Rastin, 201 Westfield Drive – advising that for fifteen years he worked in grain processing throughout the world; indicting that he knows what pig manure smells like; advising that he has watched kids fight with goats over garbage in garbage bins in poor countries; advising that he has no interest in Orgaworld; indicating that he arranged a tour of Orgaworld and did not give them any of his background; noting that he toured the facility inside and out; indicating that he keeps hearing that the stench is horrible, but that was not his experience; advising that he was asked to change into a uniform for his tour so that his clothes would not smell; indicating that he noticed a few diapers, dog and cat feces in the facility; indicating that he also went into the humidity rooms; advising that he is one of three grain dryer experts in the world; advising that he

- understands contaminants and the amounts allowed; indicating that Orgaworld was clean; advising that it is a business decision to have the offices on Kent Street; advising that smell is very subjective; noting that he loves the smell of Kellogg's; indicating that he has watched and listened to the amount of money that Orgaworld has spent on this facility; advising that if this was the United States of America, they would not listen to the neighbours complaints; indicating that Orgaworld is doing everything that it can; advising that shutting the plant down will affect 22 families; and indicating that Orgaworld is not being irresponsible, they are trying to meet the needs of the city.
- Robert Scott, 3044 Westminster Drive – advising that he lives one kilometer south of Orgaworld; noting that he loves his neighbourhood and his home; indicating that he is here for everyone in the Brockley-Shaver area; advising that their quality of life has been seriously impacted; advising that he has been embarrassed too many times when barbecuing and had to go inside; advising that he has made numerous odour complaints; advising that twice this summer they turned off the air conditioner and opened the windows; indicating that they deserve a better quality of life; expressing sympathy for the lady who owned the driving range and had to sell it at a loss; expressing concern for his families health; noting that his wife has a chronic cough and has been to the doctor four times; enquiring as to where the value of their homes is going; noting that two realtors advised him that he needs to disclose the odour issue if he is going to sell his home and that he could lose 40% of his property value; enquiring who is going to cover these losses; and enquiring why we are taking Toronto's garbage in south London.
 - Allan Tipping, 2809 Dingman Drive – enquiring as to how many Councillors have been to a party and had to endure a terrible smell; advising that you offend everyone if you go to the bathroom and make an odour; advising that there have been no changes in the CSA and the intake; indicating that the previous owner of the lands composted steak bones and sawdust; indicating that he was advised that you never put diapers, mediations, plastic and animal feces in compost; advising that Orgaworld advised the area residents that there would be no odour; noting that, six years later, they are now coming back and saying there will be odour; requesting that they be made to pay for their crime; advising that if it is only moisture and hot air in the stack, there would be no odour; advising that Orgaworld had to enclose its curing pad due to the odour; advising that the City was pushed into giving Orgaworld a building permit as fast as they could; indicating that all you see is the ductwork on the top of the building; indicating that the stack was 40 metres tall and is now 60 metres tall; expressing opposition to the increased height of the stack; enquiring as to whether or not anyone has gone out a further distance to determine what the odour disbursement is; advising that a farmer who has worked near the W12A has advised him that the odour is not coming from the landfill; indicating that there is no fix for this odour; advising that the City is responsible for this facility because the City allowed the original permits and then allowed additional permits; advising that science and times change; enquiring as to where we go from here; enquiring as to how many months that it has been open has it been at a stable state; noting that there have been restrictions from the first day for odour issues; requesting that their property values be protected; enquiring as to whether the City is going to allow one facility to dictate what it can do; requesting that Orgaworld be shut down to protect the community; requesting that the original plans be revisited to see what was originally proposed; indicating that the facility now has five biofilters when two were originally approved; noting that there are a lot of people in the gallery to listen to this matter; and indicating that elections come and go, but the community needs your support.
 - J. Pieteron, 5011 Wellington Road South – advising that he has spoken to the Ministry of the Environment with respect to the compost being dumped on farmers' lands; expressing concern with the amount of plastic in the compost; advising that he has spoken with a local farmer who noted that there is some nutritional value in the compost, but that there is lots of crushed glass and plastic; advising that contaminates come through in the beans that are grown on the land; indicating that with one bad test, the food industry shuns you; advising that Southwestern Ontario is blessed with an abundance of good quality farmland; noting that why anyone would put this compost on their land is beyond him; advising that the Ministry used fine mesh nets in the Great Lakes and indicated that there is a lot of plastics in the water; expressing concern with the number of geese and ducks on the fields and what we are introducing into the environment; indicating that he is going to ask on the Andy Oudman show for farmers who use the product if he can come out and see their lands; advising that the odour is terrible and that they have had to leave their home several times; indicating that he ordered fridge magnets with the Ministry of the Environment phone number on them and had no problem distributing them through the neighbourhood; and advising that there have been a lot of registered complaints as the facility affects a large area.
 - David Gillis, 2753 Dingman Drive – see attached presentation.

- Roma-Lynn Gillis, 2753 Dingman Drive - see attached presentation.
- Bradley McLellan 4759 Wellington Road – advising that he lives directly east of the plant; indicating that the last six years have been the worst; indicating that he has bankers boxes of information and has lost a lot of time fighting the problem; noting that it has cost him thousands of dollars and time; indicating that his kids friends do not want to come over because of the smell; indicating that he removed his pool and no longer barbeques because of the smell; enquiring as to whether or not anyone has thought of the carbon footprint from the trucks driving to and from the Plant; advising that Europe has learned its lesson; advising that he composted on a farm in the 1980's; advising that the City has a chance to pass a by-law on waste; noting that Orgaworld and everyone else has been on the map for the last ten years; indicating that he went straight to the Ministry of the Environment; indicating that the City should use the by-law for the amount of compliance and pull their license; requesting the City take the initiative and pass a by-law; indicating that Orgaworld is the only facility of this type in Canada; indicating that their facilities are newer and are on the urban boundary; and advising that the South West Area Plan and Orgaworld need to be tied together.
- Margaret Sigmund, 2428 Dingman Drive – advising that they built their dream home and then Orgaworld was built; indicating that they are very involved in their Church; indicating that people complain about the smell when they have barbeques; and advising that they have a new puppy and attend Mr. P. Firth's veterinary clinic for obedience class and many people in the class complain about the smell.
- Leoni Westi, Cherryhill – advising that she lives in a city that has beer and cereal making facilities that stink; enquiring as to how much this meeting has cost; noting that it would be better spent helping abused children; indicating that she has lived in Dublin, Ireland, and cities stink; enquiring as to what normally happens with stinky diapers; indicating that by closing the facility, you are putting jobs in jeopardy; asking people to think about who cleans the sewers and asking them if you can imagine the stink; indicating that pig farmers stink and to get over it; and enquiring as to why research was not done to see what was being built.
- Rochelle Lambert, Norfolk County – indicating that Norfolk County is dealing with similar concerns; advising that she is appalled by what the residents have to deal with; indicating that the Mayor asked questions about the Ottawa Orgaworld facility; noting that the Ottawa facility does not accept diapers, sanitary products, plastics, etc.; recommending that the *Nutrient Act* be followed; indicating that an area farmer put quality compost on his land and had the best crop ever; advising that a different farmer used Orgaworld compost and his cows fed off the land and had no babies; noting that the farmer was advised to remove his cows because of the amount of female contraceptives they had consumed; indicating that the Town of Oakville has adopted an Air Quality By-law; indicating that this would cost Orgaworld millions of dollars to meet the Air Quality By-law; advising that area residents are experiencing health concerns; and indicating that what is occurring is disturbing.
- A. R. Patton, on behalf of the Shaver Brockley Coalition – emphasizing that his clients are not lunatics or constant complainers and are able to express substantive concerns; indicating that Orgaworld was welcomed when it first opened; advising that Orgaworld has been oversold, overpromised and is an underperformed business; indicating that the complaints that have been heard are real; indicating that he has sat in Mr. Scott's backyard and the smell is offensive; indicating that he has spoken with area business employees and they do not go for a walk at lunch because of the smell; indicating that the smell is an unintended consequence; indicating that the Chamber of Commerce is disingenuous in its comments in its letter; requesting that a nuisance by-law be passed; recommending that recourse be sought; indicating that the City is leaving it to the Shaver Brockley residents and others to file a class action suit against Orgaworld; indicating that the City has the power to lead; advising that the Shaver Brockley community is a well-established community; and requesting the City establish a nuisance by-law that is fairly drafted and enforced.

15th Report of the Community Services Committee
Councillor M. Brown presents.

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

At 7:45 PM Councillor P. Van Meerbergen leaves the meeting.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. 3rd Report of the Accessibility Advisory Committee

That the 3rd Report of the Accessibility Advisory Committee, from its meeting held on October 25, 2012, BE RECEIVED.

3. Westminster Working Group - Community Connection

That the report dated November 12, 2012 from the Managing Director, Planning and City Planner, with respect to an update and next steps regarding the feasibility of a community connection from Parliament Crescent to Commissioners Road East, BE RECEIVED for information. (2012-C06-00)

4. Change of Ownership for Affordable Housing Project at 129 Riverside Drive

That, on the recommendation of the Director, Municipal Housing, the following actions be taken with respect to the Municipal Contribution Agreement between the City and 552468 Ontario Limited, Skinner Group Association, related to 129 Riverside Drive:

- a) the rights, benefits and obligations of the Housing Provider, 552468 Ontario Limited, BE ASSIGNED to Riverside Property Corp.;
- b) the ~~attached~~ proposed by-law, BE INTRODUCED at the Municipal Council meeting on November 20, 2012 to:
 - i) approve a Municipal Contribution Agreement between the City and Riverside Property Corp., for the provision of affordable housing at 129 Riverside Drive substantially in the form of an agreement appended to the by-law and to the satisfaction of the City Solicitor; and
 - ii) authorize the Mayor and the City Clerk to execute the above-noted Agreement. (2012-C03-00)

5. Child and Youth Agenda II "The Best for Children Youth and Families II - The Next Three Years of London's Child and Youth Agenda to 2015."

That, on the recommendation of the Managing Director of Neighbourhood, Children and Fire Services, the following actions be taken:

- a) the report on London's Child and Youth Agenda entitled "The Best for Our Children, Youth and Families II – The Next Three Years of London's Child and Youth Agenda to 2015", ~~attached~~ to the staff report dated November 12, 2012, BE ENDORSED; it being noted that:
 - i) ending poverty, making literacy a way of life and healthy eating and healthy physical activity for our children, youth and families are the priority issues addressed in this second version of the Child and Youth Agenda as well as strategies for creating a more family-centred service system;
 - ii) over 150 community agencies and individuals that comprise the Child and Youth Network have provided extensive input into the development of the strategies contained in the second Child and Youth Agenda; and,
 - iii) the Child and Youth Network member agencies have submitted letters of endorsement for the Child and Youth Agenda as well as dedicated considerable leadership, "in kind" and financial commitments for the implementation of the Child and Youth Agenda; and,
- b) the Civic Administration BE DIRECTED to continue to support the implementation of the Child and Youth Agenda;

it being noted that the Community Services Committee received the ~~attached~~ presentation from the Managing Director, Neighbourhood, Children and Fire Services with respect to this matter.

Secretary's Note – copies of the report "The Best for Our Children, Youth and Families II – The Next Three Years of London's Child and Youth Agenda to 2015" are available in the City Clerk's Office for viewing. (2012-C06-00)

6. 1st Report of the Child Care Advisory Committee

That the following actions be taken with respect to the 1st Report of the Child Care Advisory Committee (CCAC) from its meeting held on October 24, 2012:

- a) the Civic Administration BE REQUESTED to provide monthly occupancy statistics to the Childcare Advisory Committee (CCAC) Secretary for distribution to the CCAC; it being noted that the CCAC reviewed and received a communication and verbal update, from J. Falconer, with respect to the Child Care Centre Occupancy Rates report for January to March 2012; and,
- b) clauses 2 to 10, BE RECEIVED.

7. London's Municipal Golf System

That, on the recommendation of the Managing Director of Parks & Recreation, the following actions be taken with respect to London's municipal golf system:

- (a) the report dated November 12, 2012 from the Managing Director of Parks & Recreation, with respect to the 2012 financial performance update, BE RECEIVED for information;
- (b) the River Road Golf Course continue to be operated as part of the municipal golf system for the 2013 and 2014 seasons;
- (c) the Managing Director of Parks & Recreation BE INSTRUCTED to report back to the Community Services Committee on the 2013 and 2014 performance of the municipal golf system at the conclusion of the 2014 season; and,
- d) the ~~attached~~ proposed by-law, BE INTRODUCED at the Municipal Council Meeting on November 20, 2012 to:
 - i) approve the agreement between the City of London and London Golf Club for the purchase of 88 transferable daily golf spots for use by members of the London Golf Club at the Municipal Golf Courses during restricted days and times during the 2013 playing season at a price of \$125,000 including tax; and,
 - ii) delegate to the Managing Director of Parks and Recreation, written designate or other person authorized by the City Manager to authorize and approve such further documents, including agreements, that may be required in the furtherance of the agreement that is consistent with the requirements contained in the above-noted agreement;

it being noted that the Community Services Committee received the ~~attached~~ presentation from the Division Manager, Parks and Community Sports, with respect to this matter. (2012-A09-05)

8. Sole Source Purchases of a License for Centralized Child Care Waitlist Application

That, on the recommendation of the Managing Director of Neighbourhood, Children & Fire Services, with the concurrence of the Manager of Purchasing and Supply, the following actions be taken with respect to the purchase of a license for a centralized child care waitlist application as a sole source purchase under section 14.3 of the City's Procurement of Goods and Services Policy:

- a) the quote submitted by RBB Innovations, 78 Brock Street, Sault Ste. Marie, ON, P6A 8B4 for the supply and implementation of the Integrated Childcare Application and Waitlist Module (1List) at their proposed price of \$ 62,500, HST extra, BE ACCEPTED, subject to the Corporation entering into an agreement for same;
- b) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with the above-noted purchase; and,
- c) subject to the acceptance of part a), above, the ~~attached~~ proposed by-law BE INTRODUCED at the Municipal Council Meeting on November 20, 2012, to:

- i) approve the agreement with RBB Innovations Ltd for the supply and implementation of the Integrated Childcare Application and Waitlist Module; and,
- ii) authorize the Mayor and the City Clerk to execute the agreement. (2012-C06-00)

Motion Passed

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

9th Report of the Public Safety Committee
Councillor P. Hubert presents.

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

1. Disclosures of Pecuniary Interests

That it BE NOTED that no pecuniary interests were disclosed.

2. 2nd Report of the Community Safety and Crime Prevention Advisory Committee

That the following actions be taken with respect to the 2nd Report of the Community Safety and Crime Prevention Advisory Committee, from its meeting held on October 31, 2012:

- a) that the London Police Services Board BE REQUESTED to include the statistics for hate crime activity within the City of London on its monthly report provided to the Community Safety and Crime Prevention Advisory Committee (CSCP); it being noted that the CSCP heard a verbal presentation and received the ~~attached~~ statistics from R. Black, London Police Services, with respect to the Police Statistics for the month of September 2012; and,
- b) clauses 2 through 9 BE RECEIVED.

Motion Passed

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

16th 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 5.

1. Disclosures of Pecuniary Interests

That it BE NOTED that no pecuniary interests were disclosed.

2. Council Compensation Review Task Force

- a) That, on the recommendation of the City Manager, the company of McDowall Associates BE ENGAGED to an upset limit of \$12,000.00, to provide consulting/research assistance to the Council Compensation Review Task Force in carrying out its mandate, the cost of which can be accommodated within the Corporate Operating Budget; it being noted that T.L. Dobbie Consulting Ltd. will also be available to provide consulting assistance within the existing contract previously approved by the Municipal Council.
- b) That the terms of reference for the Council Compensation Review Task Force **BE AMENDED** by deleting the words "in order to attract qualified and committed individuals" in point 4 of the Guiding Principles.

3. 2013 Water and Wastewater Budgets

That, on the recommendation of the Managing Director, Engineering and Environmental Services and City Engineer:

- a) the following actions be taken with respect to the 2013 Operating Budget, 2013 Capital Budget and associated forecasts for Water Services:
- i) the 2013 Operating Budget for Water Services BE APPROVED as submitted;
 - ii) the 2014 - 2017 Operating Forecast for Water Services BE RECEIVED for information;
 - iii) the 2013 Capital Budget for Water Services BE APPROVED as submitted;
 - iv) the 2014 - 2022 Capital Forecast for Water Services BE RECEIVED for information;
 - v) all rates and charges related to the provision of Water Services BE INCREASED by 8%, effective January 1, 2013; and
 - vi) the ~~attached~~ proposed by-law to amend the Water Rates and Charges By-law (Appendix A) BE INTRODUCED at the Municipal Council meeting on November 20, 2012 to effect the rates and charges noted in (v), above; and
- b) the following actions be taken with respect to the 2013 Operating Budget, 2013 Capital Budget and associated forecasts for Wastewater and Treatment Services:
- i) the 2013 Operating Budget for Wastewater and Treatment Services BE APPROVED as submitted;
 - ii) the 2014 - 2017 Operating Forecast for Wastewater and Treatment Services BE RECEIVED for information;
 - iii) the 2013 Capital Budget for Wastewater and Treatment Services BE APPROVED as submitted;
 - iv) the 2014 - 2022 Capital Forecast for Wastewater and Treatment Services BE RECEIVED for information;
 - v) all rates and charges related to the provision of Wastewater and Treatment Services BE INCREASED by 7%, effective January 1, 2013; and
 - vi) the ~~attached~~ proposed by-law to amend the Wastewater and Treatment Rates and Charges By-law (Appendix B) BE INTRODUCED at the Municipal Council meeting on November 20, 2012 to effect the rates and charges noted in (v), above;

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

Gary Brown, 35A-59 Ridout Street – stating that the public meeting should be better advertised on the website, under “Meetings”, clarifying the net impact to the consumer arising from the implementation of the new funding model and seeking clarification of funding related to development.

4. The Board of Health of the Middlesex-London Health Unit

- a) That, at the request of the Mayor, the December 1, 1997 resolution of Council requiring a citizen appointment to the Board of the Middlesex-London Health Unit BE RESCINDED and a member of London City Council BE APPOINTED to fill the impending vacancy on the Board of the Middlesex London Health Unit.
- b) That Councillor S.E. White BE APPOINTED to fill the vacancy arising from the resignation of P. Coderre from the Board of Directors for the Middlesex-London Health Unit.

5. Consideration of Appointments to the Council Compensation Review Task Force

That the following individuals BE APPOINTED to the Compensation Review Task Force and the City Clerk BE DIRECTED to advertise the one remaining vacancy:

- Jeff Macoun (London Chamber of Commerce Representative)
- Paul Way (London Chamber of Commerce Alternate Representative)
- Sandy Levin (Urban League of London Representative)
- Gordon Saylor (Urban League of London Alternate Representative)
- Mike Parkinson (London and District Labour Council Representative)
- Jennifer King (Human Resources Professionals of London & District Representative)
- Michael Lodder (Human Resources Professionals of London & District Alternate Representative)
- Vanessa Junior (Citizen at Large)
- Susan Toth (Citizen at Large)

Pursuant to section 12.3 of the Council Procedure By-law, Councillor M. Brown calls for a separate vote on clause 4.

Pursuant to section 12.3 of the Council Procedure By-law, Councillor D. Henderson calls for a separate vote on clause 3.

At 7:58 PM Councillor P. Van Meerbergen enters the meeting.

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

Motion Passed

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

NAYS: P. Van Meerbergen (1)

The motion to Approve clause 4 is put.

Motion Passed

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

NAYS: J.B. Swan, J.L. Baechler, N. Branscombe, M. Brown, H.L. Usher, J.P. Bryant (6)

Motion made by Councillor P. Hubert and seconded by Councillor N. Branscombe to Approve reconsideration of clause 7, due to a voting error.

Motion Failed

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

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

The motion to Approve clause 3 is put.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, J.B. Swan, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, H.L. Usher, J.P. Bryant (9)

NAYS: S. Orser, D.G. Henderson, P. Van Meerbergen, S.E. White (4)

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

Motion made by Councillor Swan to Approve clauses 1 to 4.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Investment and Economic Prosperity Proposal Assessment Process

That, on the recommendation of the Deputy City Treasurer, the ~~attached~~ proposed by-law (Appendix "A") BE INTRODUCED at the Municipal Council meeting to be held on November 20, 2012 to authorize the Mayor and the City Clerk to execute a Municipality Contribution Agreement between the Ontario Lottery and Gaming Corporation (OLG) and the City of London with respect to the Western Fair slot revenue.

3. Request for Bluesfest Support Letter

That the Mayor BE REQUESTED to write a letter to Chris Gould, Director, Bluesfest London, in support of Bluesfest London's funding application to another level of government.

4. Process to Evaluate Economic Prosperity Proposals

H. Filger provided a verbal update to the Investment and Economic Prosperity Committee (IEPC) with respect to the status of the process to evaluate economic prosperity proposals submitted during the summer months, indicating that a further report will be presented to the November 27, 2012 meeting of the IEPC.

Pursuant to section 12.3 of the Council Procedure By-law, Councillor D. Henderson calls for a separate vote on clause 2.

The motion to Approve clauses 1, 3 and 4 is put.

Motion Passed

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

The motion to Approve clause 2 is put.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Van Meerbergen, H.L. Usher, J.P. Bryant (10)

NAYS: P. Hubert, D.G. Henderson, S.E. White (3)

IX DEFERRED MATTERS

None.

X ENQUIRIES

Councillor H.L. Usher enquires if Council Members are making nominations for the Queen's Diamond Jubilee Medal. The Chair postponed consideration of this matter until Stage XI – Emergent Motions.

Councillor J.L. Baechler enquired about who Councillor S. Orser was referring to as having met to discuss a payout for the Mayor. Councillor S. Orser declined to provide that detail.

Councillor J.B. Swan enquired about the status of the report back by the Civic Administration regarding the environmental integrity of the property known as 600 and 650 Industrial Road. The Civic Administration was requested to expedite the investigation as cost effectively as possible and report back to the Municipal Council so that this matter can be finalized.

XI EMERGENT MOTIONS

Motion made by Councillor P. Van Meerbergen and seconded by Councillor P. Hubert to Approve leave to introduce an emergent motion related to the Queens Diamond Jubilee medals pursuant to section 11.4 of the Council Procedure By-law.

Motion Passed

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

Motion made by Councillor H.L. Usher and seconded by Councillor B. Polhill to Approve That Members of Council **BE REQUESTED** to provide the City Clerk with names of individuals they wish to nominate for the Queen's Diamond Jubilee Medal by 9AM, Friday, November 23, 2012 so that they can be brought forward to the Finance and Administrative Services Committee meeting on November 26, 2012, for consideration and recommendation to the Municipal Council on December 11, 2012, in advance of the submission deadline for nominations; it being noted that nominations already forwarded for recognition are to be included with the Council's submission.

Motion Passed

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

XII BY-LAWS

Motion made by Councillor P. Van Meerbergen and seconded by Councillor B. Polhill to Approve 1st reading of Bill Nos. 446 to 470, except Bill No. 453.

Motion Passed

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

Motion made by Councillor B. Polhill and seconded by Councillor J.P. Bryant to Approve 2nd reading of Bill Nos. 446 to 470, except Bill No. 453.

Motion Passed

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

Motion made by Councillor B. Polhill and seconded by Councillor J.B. Swan to Approve 3rd and final reading of Bill Nos. 446 to 470, except Bill No. 453.

Motion Passed

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

Motion made by Councillor P. Van Meerbergen and seconded by Councillor J.B. Swan to Approve 1st reading of Bill 453

Motion Passed

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

NAYS: J.L. Baechler, N. Branscombe, M. Brown, P. Hubert (4)

Motion made by Councillor B. Polhill and seconded by Councillor S. Orser to Amend Bill No. 453 to include the ~~attached~~ revised map as a part of the by-law.

Motion Passed

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

Motion made by Councillor B. Polhill and seconded by Councillor P. Van Meerbergen to Approve 2nd reading of Bill 453, as amended.

Motion Passed

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

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

Motion made by Councillor B. Polhill and seconded by Councillor J.B. Swan to Approve 3rd reading of Bill 453, as amended.

Motion Passed

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

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

Motion made by Councillor J.B. Swan and seconded by Councillor P. Hubert to Approve leave to introduce the added by-laws.

Motion Passed

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

Motion made by Councillor B. Polhill and seconded by Councillor J.B. Swan to Approve 1st reading of Bill Nos. 471, 472 and 473.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Van Meerbergen, H.L. Usher, J.P. Bryant (10)

NAYS: P. Hubert, D.G. Henderson, S.E. White (3)

Motion made by Councillor B. Polhill and seconded by Councillor H.L. Usher to Approve 2nd reading of Bill Nos. 471, 472 and 473.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Van Meerbergen, H.L. Usher, J.P. Bryant (10)

NAYS: P. Hubert, D.G. Henderson, S.E. White (3)

Motion made by Councillor J.B. Swan and seconded by Councillor H.L. Usher to Approve 3rd reading of Bill Nos. 471, 472 and 473.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Van Meerbergen, H.L. Usher, J.P. Bryant (10)

NAYS: P. Hubert, D.G. Henderson, S.E. White (3)

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

- | | |
|---|--|
| Bill No. 446
By-law No. A.-6886-324 | A by-law to confirm the proceedings of the Council Meeting held on the 20 th day of November, 2012. (City Clerk) |
| Bill No. 447
By-Law No. A.-6887-325 | A by-law to repeal By-law No. A.-6707-226 entitled, "A by-law to amend Council Policy 19(25A) related to the Appendix to the Site Plan Approval and Enforcement Policy" (City Clerk) |
| Bill No. 448
By-Law No. A.-5505(k)-326 | A by-law to amend By-law No. A.-5505-497 entitled, "A by-law to authorize the implementation of a pre-authorized tax payment plan for The Corporation of the City of London". (3/29/FASC) |
| Bill No. 449
By-Law No. A-8-12019 | A by-law to amend By-law No. A-8, the Property Tax Collection by-law. (3/29/FASC) |
| Bill No. 450
By-Law No. A.-6888-327 | A by-law to approve an agreement between The Corporation of the City of London (the City) and the Riverside Property Corp. (the Proponent) for the purpose of establishing the City of London Affordable Housing Program and the City's obligation to provide funding to the Proponent; and to authorize the Mayor and the City Clerk to execute the agreement. (4/15/CSC) |
| Bill No. 451
By-Law No. A.-6889-328 | A By-law to authorize and approve an Agreement between London Golf Club Inc and The Corporation of the City of London. (4b/15/CSC) |
| Bill No. 452
By-Law No. A.-3890-329 | A By-law to approve an Agreement with RBB Innovations Ltd.; and to authorize the Mayor and the City Clerk to execute the Agreement. (8/15/CSC) |

Bill No. 453 By-Law No. C.P.- 1284(st)-331	A by-law to amend the Official Plan for the City of London, 1989 relating to lands located in the southwest quadrant of the City, generally bounded by Southdale Road West, White Oak Road, Exeter Road, Wellington Road South, Green Valley Road, and the Urban Growth Boundary. (AS AMENDED) (2/27/PEC)
Bill No. 454 By-Law No. C.P.- 1284(su)-332	A by-law to amend the Official Plan for the City of London, 1989 relating to the lands within the area bounded by St. George Street on the east, St. James Street on the south, the Thames River on the west, and Grosvenor Street on the north. (15/28/PEC)
Bill No. 455 By-Law No. C.P.- 1284(sv)-333	A by-law to amend the Official Plan for the City of London, 1989 relating to 390 Princess Avenue. (17/28/PEC)
Bill No. 456 By-Law No. PS-111- 12114	A by-law to amend By-law PS-111 entitled, "A by-law to regulate traffic and the parking of motor vehicles in the City of London." (2/17/CWC)
Bill No. 457 By-Law No. PS-111- 12115	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." (3/17/CWC)
Bill No. 458 By-Law No. S.-5487- 334	A by-law to permit 509412 Ontario Limited to maintain and use an encroachment upon the road allowance for Columbia Avenue, City of London. (City Solicitor)
Bill No. 459 By-Law No. S.-5488- 335	A by-law to permit BSN London Corporation to maintain and use an encroachment upon the road allowance for Covent Market Place, Dundas Street, Richmond Street, City of London. (City Solicitor)
Bill No. 460 By-Law No. S.-5489- 336	A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Southdale Road East, west of Montgomery Road) (Chief Surveyor)
Bill No. 461 By-Law No. S.-5490- 337	A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Springbank Drive, east of Chessington Avenue) (Chief Surveyor)
Bill No. 462 By-Law No. S.-5491- 338	A by-law to lay out, constitute, establish and assume certain reserves in the City of London as public highway. (as part of Franklinway Gate) (Chief Surveyor)
Bill No. 463 By-Law No. S.-5492- 339	A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (for the purposes of a public highway for pedestrian use only, on Stacey Crescent, south of Malpass Road) (Chief Surveyor)
Bill No. 464 By-law No. S.-5493- 340	A by-law to assume certain works and services in the City of London. (Sunningdale West Subdivision; 33M-593.) (City Engineer)
Bill No. 465 By-Law No. W.-5328- 341	A by-law to authorize the Dingman Erosion Control and Wetland Remediation Works (Project No. ES2682) (5/16/CWC)
Bill No. 466 By-Law No. Z.-1- 122146	A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for a portion of land located at 995 Fanshawe Park Road West. (4/28/PEC)
Bill No. 467 By-Law No. Z.-1- 122147	A by-law to amend By-law No. Z.-1 to remove the holding provisions from the zoning for an area of land located at 89 York Street (5/28/PEC)

Bill No. 468 By-Law No. Z.-1- 122148	A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for a portion of land located at 1139 Fanshawe Park Road West. (7/28/PEC)
Bill No. 469 By-Law No. Z.-1- 122149	A by-law to amend By-law No. Z.-1 to remove the holding provision from the zoning for an area of land located at 7 Holiday Avenue. (9/28/PEC)
Bill No. 470 By-Law No. Z.-1- 122150	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 390 Princess Avenue. (17/28/PEC)
Bill No. 471 By-law No. A.-6891- 330	A By-law to approve the Municipality Contribution Agreement between The Corporation of the City of London and the Ontario Lottery and Gaming Corporation; and to authorize the Mayor and City Clerk to execute the Municipality Contribution Agreement. (2/18/IEPC)
Bill No. 472 By-law No. W-7-12007	A by-law to amend By-law W-7 entitled, "A by-law to provide for the setting of rates and charges for water supply in the City of London." (3/16/SPPC)
Bill No. 473 By-law No. WM-26- 12010	A by-law to amend By-law WM-26 entitled, "A by-law to establish the Schedule of Sewer System Fees and Charges." (3/16/SPPC)

XIII COMMITTEE OF THE WHOLE, IN CAMERA

MOTION FOR IN CAMERA SESSION

That Council rise and go into Committee of the Whole, in camera, for the purpose of considering the following:

- a) A matter pertaining to the purpose of instructions and directions to officers and employees of the Corporation pertaining to a proposed disposition of land; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; reports or advice or recommendations of officers and employees of the Corporation pertaining to a proposed disposition of land; commercial and financial information supplied in confidence pertaining to the proposed disposition the disclosure of which could reasonably be expected to, prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of the Corporation, result in similar information no longer being supplied to the Corporation where it is in the public interest that similar information continue to be so supplied, and result in undue loss or gain to any person, group, committee or financial institution or agency; commercial, information relating to the proposed disposition that belongs to the Corporation that has monetary value or potential monetary value; information concerning the proposed disposition whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or its competitive position; information concerning the proposed disposition whose disclosure could reasonably be expected to be injurious to the financial interests of the Corporation; and instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the Corporation concerning the proposed disposition. (FASC)
- b) A matter pertaining to personal matters about identifiable individuals, including municipal or local board employees relating to the 2013 Mayor's New Year's Honour List. (PEC)
- c) A matter pertaining to litigation or potential litigation with respect to potential remedies available to the municipality in connection with public complaints concerning the operation of a compost facility located at 4675 Wellington Road South, including matters before administrative tribunals, affecting the municipality or local board; and advice that is

subject to solicitor-client privilege, including communications necessary for that purpose, in connection with potential remedies available to the municipality in connection with public complaints concerning the operation of a compost facility located at 4675 Wellington Road South. (PEC)

- d) A personal matter pertaining to identifiable individuals, including municipal employees, with respect to the 2013 Mayor's New Year's Honour List (CSC)
- e) A personal matter pertaining to identifiable individuals, including municipal employees, with respect to the 2013 Mayor's New Year's Honour List. (CSC)
- f) A matter pertaining to 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 settlement negotiations and conduct of litigation in connection with the expropriation of temporary easement on a property located at 339 Springbank Drive.
- g) A matter pertaining to proposed or pending acquisition of land by the municipality in connection with the Dingman Creek Erosion Control Facility project; litigation in the Ontario Superior Court of Justice, Court File Nos. 8580/12 and 8579/12, with respect to the expropriation of part of properties municipally located on Dingman 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 litigation in the Ontario Superior Court of Justice, Court File Nos. 8580/12 and 8579/12, in respect of the expropriation of part of properties municipally located on Dingman Drive; and directions and instructions to officers and employees or agents of the municipality regarding conduct of litigation in connection with litigation in the Ontario Superior Court of Justice, Court File Nos. 8580/12 and 8579/12, in respect of the expropriation of part of properties municipally located on Dingman Drive.
- h) A matter pertaining to reports, advice and recommendations of officers and employees of the Corporation, concerning personal matters including information regarding identifiable individuals who are municipal employees, litigation or potential litigation and information which is the subject of solicitor client privilege.
- i) A personal matter pertaining to identifiable individuals, including municipal employees, with respect to the 2013 Mayor's New Year's Honour List. (PSC)

Motion Passed

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

The Council rises and goes into Committee of the Whole, in camera, at 9:03 PM with Mayor J.F. Fontana in the Chair and all Members present except Councillors W.J. Armstrong and D. Brown.

At 9:25 PM Councillor H.L. Usher leaves the meeting, as do all staff except A. Zuidema, V. McAlea Major, L. Rowe and C. Saunders.

At 9:30 PM T. Dobbie enters the meeting.

At 9:32 PM Councillor J.L. Baechler leaves the meeting.

The Committee of the Whole rises and Council resumes in regular session at 9:37 PM with Mayor J.F. Fontana in the Chair and all Members present except Councillors W.J. Armstrong, J.L. Baechler, D. Brown and H.L. Usher.

18th Report of the Committee of the Whole
Councillor P. Hubert presents.

PRESENT: 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).

ABSENT: Councillors W.J. Armstrong and D. Brown.

ALSO PRESENT: A. Zuidema, J.P. Barber, J. Braam, M. Hayward, V. McAlea Major, J. Page and L. Rowe.

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

- a) A matter pertaining to the purpose of instructions and directions to officers and employees of the Corporation pertaining to a proposed disposition of land; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; reports or advice or recommendations of officers and employees of the Corporation pertaining to a proposed disposition of land; commercial and financial information supplied in confidence pertaining to the proposed disposition the disclosure of which could reasonably be expected to, prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of the Corporation, result in similar information no longer being supplied to the Corporation where it is in the public interest that similar information continue to be so supplied, and result in undue loss or gain to any person, group, committee or financial institution or agency; commercial, information relating to the proposed disposition that belongs to the Corporation that has monetary value or potential monetary value; information concerning the proposed disposition whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or its competitive position; information concerning the proposed disposition whose disclosure could reasonably be expected to be injurious to the financial interests of the Corporation; and instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the Corporation concerning the proposed disposition. (FASC)
- b) A matter pertaining to personal matters about identifiable individuals, including municipal or local board employees relating to the 2013 Mayor's New Year's Honour List. (PEC)
- c) A matter pertaining to litigation or potential litigation with respect to potential remedies available to the municipality in connection with public complaints concerning the operation of a compost facility located at 4675 Wellington Road South, including matters before administrative tribunals, affecting the municipality or local board; and advice that is subject to solicitor-client privilege, including communications necessary for that purpose, in connection with potential remedies available to the municipality in connection with public complaints concerning the operation of a compost facility located at 4675 Wellington Road South. (PEC)
- d) A personal matter pertaining to identifiable individuals, including municipal employees, with respect to the 2013 Mayor's New Year's Honour List (CSC)

- e) A personal matter pertaining to identifiable individuals, including municipal employees, with respect to the 2013 Mayor's New Year's Honour List. (CSC)
- f) A matter pertaining to 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 settlement negotiations and conduct of litigation in connection with the expropriation of temporary easement on a property located at 339 Springbank Drive.
- g) A matter pertaining to proposed or pending acquisition of land by the municipality in connection with the Dingman Creek Erosion Control Facility project; litigation in the Ontario Superior Court of Justice, Court File Nos. 8580/12 and 8579/12, with respect to the expropriation of part of properties municipally located on Dingman 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 litigation in the Ontario Superior Court of Justice, Court File Nos. 8580/12 and 8579/12, in respect of the expropriation of part of properties municipally located on Dingman Drive; and directions and instructions to officers and employees or agents of the municipality regarding conduct of litigation in connection with litigation in the Ontario Superior Court of Justice, Court File Nos. 8580/12 and 8579/12, in respect of the expropriation of part of properties municipally located on Dingman Drive.
- h) A matter pertaining to reports, advice and recommendations of officers and employees of the Corporation, concerning personal matters including information regarding identifiable individuals who are municipal employees, litigation or potential litigation and information which is the subject of solicitor client privilege.
- i) A personal matter pertaining to identifiable individuals, including municipal employees, with respect to the 2013 Mayor's New Year's Honour List. (PSC)

Motion made by Councillor P. Hubert and seconded by Councillor J. Swan to Approve receipt of the above report.

Motion Passed

XIV ADJOURNMENT

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

Motion Passed

The meeting adjourned at 9:39 PM.

Joe Fontana, Mayor

Catharine Saunders, City Clerk