



London
C A N A D A

COUNCIL MINUTES 1ST MEETING

December 11, 2012

The Council meets in Regular Session in the Council Chambers this day at 4:00 p.m.

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

ABSENT: N. Branscombe.

ALSO PRESENT: A. Zuidema, J.P. Barber, G. Belch, J. Braam, B. Coxhead, T.L. Dobbie (T.L. Dobbie Consulting Ltd.), J. Fleming, E. Gamble, M. Hayward, G.T. Hopcroft, G. Kotsifas, B. Krichker, L. Livingstone, V. McAlea Major, D. O'Brien, R. Paytner, M. Ribera, L.M. Rowe, E. Soldo, R. Welker and B. Westlake-Power.

At the beginning of the Meeting all Members are present, except Councillor N. Branscombe.

I DISCLOSURES OF PECUNIARY INTEREST

Councillor D. Brown discloses a pecuniary interest in clause 13 of the 1st Report of the Civic Works Committee, having to do with the London Transit Commission Long Term Growth Plan Working Group, by indicating that that her employer has a contract with the London Transit Commission. Councillor D. Brown further discloses a pecuniary interest in clause 19 of the 30th Report of the Planning and Environment Committee, having to do with the 4th Report of the London Advisory Committee on Heritage as it relates to the property known municipally as 75 Bathurst Street, by indicating that her employer owns property in close proximity to the subject property. Councillor D. Brown also discloses a pecuniary interest in those parts of the 1st Report of the Strategic Priorities and Policy Committee dealing with the 2013 Budget related to the London Transit Commission, by indicating that her employer has a contract with the London Transit Commission. Councillor D. Brown also discloses a pecuniary interest in Council Minutes of 19th Meeting, having to do with clause 5 of the 28th Report of the Planning and Environment Committee relating to 89 York Street, by indicating that her employer owns property in close proximity to the subject property.

Councillor P. Hubert discloses a pecuniary interest in clause 4 of the 1st Report of the Community and Protective Services Committee, having to do with the Purchase of Service Agreement for Ontario Works Employment Assistance Services, by indicating that he is the Executive Director of a social services agency that has dealings with Ontario Works. Councillor P. Hubert further discloses a pecuniary interest in those parts of the 1st Report of the Strategic Priorities and Policy Committee dealing with the 2013 Budget related to Ontario Works, by indicating that he is the Executive Director of a social services agency that has dealings with Ontario Works.

Councillor M. Brown discloses a pecuniary interest in clause 29 of the 30th Report of the Planning and Environment Committee and the related Bill No. 31 and Communications #1, having to do with the property located at 2095 Coronation Drive, by indicating that he owns property lives in close proximity to the subject property.

Councillor S.E. White discloses a pecuniary interest in those parts of the 1st Report of the Strategic Priorities and Policy Committee dealing with the 2013 Budget that relate to the London CARES, by indicating that her employer is currently in negotiations with WOTCH, which receives funding from the City of London.

Councillor B. Polhill discloses a pecuniary interest in clause 21 of the 30th Report of the Planning and Environment Committee, having do with the application of London Property Corporation, relating to the property located at 124 St. James Street, by indicating that the property was the subject of an application before the Committee of Adjustment and that his son is a member of the Committee of Adjustment.

Councillor J.B Swan discloses a pecuniary interest in those parts of the 1st Report of the Strategic Priorities and Policy Committee dealing with the 2013 Budget that relate to Orchestra London, by indicating that Orchestra London is his employer. Councillor J.B. Swan further discloses a pecuniary interest in clause 8 of the 19th Report of the Investment and Economic Prosperity Committee, having to do with the Music London Initiative, by indicating that the matter relates to a proposed concert hall in the Downtown Core, which relates to his employer, Orchestra London.

Mayor J.F. Fontana discloses a pecuniary interest in clause 15 of the 32nd Report of the Finance and Administrative Services Committee and related Communication #3, having to do with a request for the Mayor to take a paid leave of absence. Mayor J.F. Fontana further discloses a pecuniary interest in the Motion of Which Notice was Given, having to do with a options related to criminally charged or convicted elected officials.

Motion made by Councillor D. Brown and seconded by Councillor S.E. White to Approve that pursuant to section 7.4 of the Council Procedure By-law, the order of business BE CHANGED to permit consideration of clause 13 of the 32nd Report of the Finance and Administrative Services Committee, having to do with a financial plan for the acquisition of the London Normal School, 165 Elmwood Avenue East, to be heard at 5:15 PM.

Motion Passed

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

Motion made by Councillor J.L. Baecher and seconded by Councillor H.L Usher to Approve that pursuant to section 7.4 of the Council Procedure By-law, the order of business BE CHANGED in order to consider the Motion of Which Notice is Given with clause 15 of the 32nd Report of the Finance and Administrative Services Committee; and

that pursuant to section 7.4 of the Council Procedure By-law, the order of business BE CHANGED to permit consideration of clause 15 of the 32nd Report of the Finance and Administrative Services Committee, having to do with a request for the Mayor to take a paid leave of absence, to be heard after the 5:15 PM item and in camera session.

Motion Passed

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

II REVIEW OF CONFIDENTIAL MATTERS TO BE CONSIDERED IN PUBLIC

None.

III ADDED REPORTS

1st Report of the Corporate Services Committee

Motion made by Councillor S.E. White and seconded by Councillor P. Hubert to Approve the following additional reason to the in camera session: "A matter pertaining to litigation or potential litigation affecting the municipality; advice subject to solicitor-client privilege, including communications necessary for that purpose, as it relates to leave of absence for a Member of Council."

Motion Passed

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

RECUSED: J.F. Fontana (1)

IV COMMITTEE OF THE WHOLE, IN CAMERA

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

- a) A matter pertaining to personal matters about identifiable individuals, including municipal or local board employees relating to the Queen Elizabeth II Diamond Jubilee Medal.
- b) A matter pertaining to litigation currently before the Ontario Court of Justice, pertaining to charges under the *Environmental Protection Act, R.S.O. 1990, c.E. 19*, as amended related to the Greenway WPCC or potential litigation affecting the municipality and arising of the aforementioned litigation; and advice that is subject to solicitor-client privilege, including communications necessary for that purpose. (CWC)
- c) 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)
- d) A matter pertaining to personal matters involving identifiable individuals who are municipal employees with respect to employment related matters. (FASC)
- e) A matter pertaining to reports, advice and recommendations of officers and employees of the Corporation, concerning labour relations and employee negotiations in regard to one of the Corporation's associations or unions and litigation or potential litigation, including matters before administrative tribunals, affecting the municipality. (FASC)
- f) A matter pertaining to personal information about identifiable individuals including municipal employees, with respect to employment-related matters; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; advice or recommendations of officers and employees of the Corporation, including communications necessary for that purposes; and for the purpose of providing instructions and directions to officers and employees of the Corporation. (FASC)
- g) A matter pertaining to advice and recommendations of officers and employees of the Corporation concerning labour relations and employee negotiations relating to one of the Corporation's associations or unions. (FASC)
- h) A matter pertaining to personal matters, including information regarding identifiable individuals, including municipal employees, with respect to employment related matters, matters pertaining to litigation or potential litigation, advice or recommendations of officers and employees of the Corporation including communications necessary for that purpose. (FASC)
- i) A personal matter pertaining to identifiable individual, including municipal employees, with respect to the 2013 Mayor's New Years Honour List. (IEPC)
- j) A personal matter pertaining to identifiable individual, including municipal employees, with respect to the 2013 Mayor's New Years Honour List. (IEPC)
- k) A matter pertaining to personal information about identifiable individuals including municipal employees, with respect to employment-related matters; advice or recommendations of officers and employees of the Corporation, including communications necessary for that purpose; and for the purpose of providing instructions and directions to officers and employees of the Corporation.

- l) A matter pertaining to litigation or potential litigation affecting the municipality; advice subject to solicitor-client privilege, including communications necessary for that purpose, as it relates to leave of absence for a Member of Council.

Motion Passed

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

The Council rises and goes into Committee of the Whole, in camera, at 4:16 PM, with Mayor J.F. Fontana in the Chair and all Members present, except Councillor N. Branscombe.

At 4:16 PM all staff leave the meeting except A. Zuidema, J.P. Barber, G. Belch, J. Braam, T.L. Dobbie (T.L. Dobbie Consulting Ltd.), M. Hayward, V. McAlea Major, L. Rowe and C. Saunders.

At 4:30 PM all staff leave the meeting except A. Zuidema, V. McAlea Major, L. Rowe and C. Saunders.

At 4:35 PM T.L. Dobbie enters the meeting.

At 4:40 PM Councillor S. Orser leaves the meeting.

At 4:42 PM Councillor S. Orser enters the meeting.

At 4:42 PM Mayor J.F. Fontana places Councillor H.L. Usher in the Chair and leaves the meeting.

At 4:42 PM J.P. Barber and G. Belch enter the meeting.

The Committee of the Whole rises and Council resumes in regular session at 5:17 PM with J.F. Fontana in the Chair and all Members present, except Councillor N. Branscombe.

V RECOGNITIONS

1. His Worship the Mayor welcomes Glen Pearson and Jane Roy, representing the London Food Bank, to accept donations for the Food Bank from Members of Council and the Civic Administration.

VI CONFIRMATION AND SIGNING OF THE MINUTES OF THE NINETEENTH MEETING HELD ON NOVEMBER 20, 2012

Motion made by Councillor B. Polhill and seconded by Councillor S.E. White to Approve the Minutes of the Nineteenth Meeting held on November 20, 2012.

Motion Passed

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

VII COMMUNICATIONS AND PETITIONS

Motion made by Councillor P. Hubert and seconded by Councillor S.E. White to Approve referral of the following communications for consideration with the clauses noted:

2. W. Komer, By E-mail - London Normal School - 165 Elmwood Avenue East (Refer to the Finance and Administrative Services Committee Stage for Consideration with Clause 13 of the 32nd Report of the Finance and Administrative Services Committee.)

4. J. Lean, Lupine Properties Limited - Properties located at 510, 518 and 526 Southdale Road East (Z-8092) (Refer to the Planning and Environment Committee Stage for Consideration with Clause 25 of the 30th Report of the Planning and Environment Committee.)

Motion Passed

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

Motion made by Councillor S.E. White and seconded by Councillor S. Orser to Approve referral of the following communication for consideration with the clause noted:

1. F. Zarrintaj, 1988 Coronation Drive - Property located at 2095 Coronation Drive (Z-8076) (Refer to the Planning and Environment Committee Stage for Consideration with Clause 29 of the 30th Report of the Planning and Environment Committee.)

Motion Passed

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

RECUSED: M. Brown (1)

Motion made by Councillor P. Van Meerbergen and seconded by Councillor S.E. White to Approve referral of the following communication for consideration with the clause noted:

3. A.J.R. Gedies, 26-300 Westminster Avenue - Motion - Mayor - Leave of Absence (Refer to the Finance and Administrative Services Committee Stage for Consideration with Clause 15 of the 32nd Report of the Finance and Administrative Services Committee.)

Motion Passed

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

RECUSED: J.F. Fontana (1)

IX REPORTS

32nd Report of the Finance and Administrative Services Committee
Councillor P. Hubert presents.

Motion made by Councillor P. Hubert to Approve clause 13.

13. London Normal School - 165 Elmwood Avenue East

That, subject to a report back from the Civic Administration on a financial plan for the acquisition and capital improvements required for the adaptive re-use of the Normal School, the Civic Administration BE DIRECTED to proceed with "Option 1 – Acquire and Partner", for the property located at 165 Elmwood Avenue, the former Normal School, as detailed in the staff report dated November 26, 2012; it being noted that the Finance and Administrative Services Committee heard a verbal overview from the Manager, Policy Planning and Programs and heard the attached presentation from George Sinclair with respect to this matter.

At 5:30 PM the Mayor J.F. Fontana places Councillor M. Brown in the Chair and takes a seat at the Council Board.

At 5:36 PM the Mayor J.F. Fontana resumes the Chair and Councillor M. Brown takes his seat at the Council Board.

Motion made by Councillor J.L. Baechler and seconded by Councillor J.B. Swan to Amend clause 13 by adding the following new part b) as follows:

- “b) representatives of the London Economic Development Corporation, Tech Alliance and the London Technology Development Centre BE REQUESTED to meet and explore options to encourage and support the start up of technology-based businesses and to report back to the Investment and Economic Prosperity Committee with respect to business plans in support of these initiatives.”

Motion Passed

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

Clause 13, as amended, reads as follows:

That the following actions be taken with respect to the London Normal School, 165 Elmwood Avenue East:

- a) subject to a report back from the Civic Administration on a financial plan for the acquisition and capital improvements required for the adaptive re-use of the Normal School, the Civic Administration BE DIRECTED to proceed with “Option 1 – Acquire and Partner”, for the property located at 165 Elmwood Avenue, the former Normal School, as detailed in the staff report dated November 26, 2012; it being noted that the Finance and Administrative Services Committee heard a verbal overview from the Manager, Policy Planning and Programs and heard the attached presentation from George Sinclair with respect to this matter; and,
- b) representatives of the London Economic Development Corporation, Tech Alliance and the London Technology Development Centre BE REQUESTED to meet and explore options to encourage and support the start up of technology based businesses and to report back to the Investment and Economic Prosperity Committee with respect to business plans in support of these initiatives

Motion made by Councillor P. Hubert to Approve clauses 1 to 12, inclusive, and clause 14.

1. Disclosures of Pecuniary Interest

That it BE NOTED that Mayor J.F. Fontana declared a pecuniary interest in clause 15 of this Report having to do with a request for the Mayor to take a paid leave of absence.

2. Procurement of Goods and Services Policy Revision

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the revised attached proposed by-law, being a by-law to amend By-Law No. A.-6151-17, BE INTRODUCED at the Municipal Council meeting on December 11, 2012, to revise Schedule “C” to By-Law No. A.-6151-17 being the Procurement of Goods and Services Policy to:

- a) increase the dollar limit from \$100,000 to \$1,000,000 for Tenders that do not have an irregular result as per section 13.2 in the Procurement of Goods and Services Policy; and
- b) add section 21.8 for the City of London Regional Water Supply approval process.

3. Taxation Changes at the Time of Reassessment

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the staff report dated November 26, 2012 regarding taxation changes at the time of a reassessment BE RECEIVED for information.

4. 2012 Operating Budget Status - Third Quarter Report

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the following actions be taken with respect to the 2012 Operating Budget Status – Third Quarter Report for the General (Property Tax Supported), Water, and Wastewater and Treatment Budgets:

- a) the 2012 Operating Budget Status – Third Quarter Report for the General Budget (Property Tax Supported refer to Appendix A), Water Budget and Wastewater and Treatment Budget BE RECEIVED for information; it being noted that the Civic Administration is projecting:
 - i) \$2.5 million in savings for the General (Property Tax Supported) Budget, noting that the year-end position could fluctuate significantly based on factors beyond the control of the Civic Administration such as Ontario Works caseload and winter maintenance; it being further noted that consistent with Council direction, the projected \$2.5 million in savings will be contributed to the Operating Budget Contingency Reserve at year end;
 - ii) a \$0.3 million deficit in the Water Budget; it being noted that consistent with Council direction, the \$0.3 million deficit in the Water rate supported budget will be offset by a draw down from the Water Works Capital Reserve Fund; and
 - iii) a breakeven position in the Wastewater and Treatment Budget;
- b) the Civic Administration BE AUTHORIZED to transfer \$2.0 million from the Operating Budget Contingency Reserve to the City Facilities Reserve Fund (subject to achieving the projected \$2.5 million savings reported in a), above), in order to provide a source of funding for facility-related initiatives such as the Ontario Works Decentralization capital initiative; it being noted that the Ontario Works Decentralization capital project is subject to the review and approval of a strategy report and business case by Council; and
- c) the Civic Administration's contribution of \$2,645,069 (\$2,277,566 – property tax supported; \$163,430 – wastewater; and \$204,073 – water) to the Efficiency, Effectiveness and Economy reserves in 2012 BE RECEIVED for information.

5. 2012 Capital Budget Status - Third Quarter Report

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

- a) the 2012 Capital Budget Status - Third Quarter Report BE RECEIVED for information;
- b) the capital projects listed in Appendix A to the staff report dated November 26, 2012, worth a total of \$3.5 Million, BE CLOSED and the following further actions be taken:
 - i) released reserve fund draws of \$1,869,732 BE TRANSFERRED back to the reserve funds which originally funded the projects;
 - ii) released pay-as-you-go funding of \$375,270 BE TRANSFERRED to the capital receipts account; and
 - iii) released debt financing of \$1,221,433 BE USED to reduce authorized debt.

6. Request for Write Off of Provincial Offences Act (POA) Accounts Receivable

That, on the recommendation of the Deputy City Treasurer, the Civic Administration BE AUTHORIZED to write off the outstanding Provincial Offences Act accounts receivable, included as Appendix A to the staff report dated November 26, 2012, and removed from the Integrated Court Offences Network (ICON) system in accordance with the Ministry of the Attorney General Write-Off Directive and the Civic Administration's Uncollectible Accounts Receivable Policy, and approval BE GIVEN to cease collection activity on these delinquent cases.

7. Request for Write Off of Miscellaneous and Dearness Home Accounts Receivable

That, on the recommendation of the Deputy City Treasurer, the Civic Administration BE AUTHORIZED to write off the outstanding Miscellaneous and Dearness accounts receivable, included as Appendix A to the staff report dated November 26, 2012, to the Allowance for Doubtful Accounts in accordance with the Uncollectible Accounts Receivable Policy.

8. Corporate Asset Management Plan and State of the Infrastructure Report

That, on the recommendation of the Deputy City Treasurer, on the advice of the Division Manager, Corporate Asset Management, the following actions be taken with respect to the Corporate Assets Management process:

- a) the funding for Unit 4, Corporate Asset Management Plan and State of Infrastructure Report, based on the accelerated contract price, \$112,208, HST excluded, (RFP 11-37) BE APPROVED as detailed in the Sources of Financing Report include in the associated staff report dated November 26, 2012;
- b) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with the purchase of Unit 4; and
- c) the approval hereby given BE CONDITIONAL upon the Corporation entering into a formal contract or having a purchase order, or contract record relating to the subject matter of this approval.

9. Code of Conduct for Members of Municipal Council and Lobbyist Registry

That, on the recommendation of the City Clerk, the staff report dated November 26, 2012 providing an update on the review of the Code of Conduct for Members of Municipal Council and a lobbyist registry, as well as the ~~attached~~ communication dated November 26, 2012, from Councillor J.B. Swan, BE RECEIVED for information.

10. Communication Strategy and Business Plan Review Proposal

That the staff report dated November 26, 2012 regarding engaging assistance to develop a communications strategy for advising Council Members about City-related matters affecting their wards BE RECEIVED for information; it being noted that the engagement of Winther Consulting, for an amount not to exceed \$25,000, is in accordance with Section 15.3 of the Procurement of Goods and Services Policy and that funding for the engagement will be accommodated within the 2012 approved Operating Budget.

11. Tender 12-92 Cellular Services and Hardware

That, on the recommendation of the Chief Technology Officer, the following actions be taken with respect for Cellular Services & Hardware for the supply of Cell Phones, Air Cards, BlackBerrys (Hardware) and Cellular Communication Services for City of London and participating Boards and Commissions:

- a) the tender for Cellular Services and Hardware for a term of three (3) years with an option for a further two (2) additional one (1) year periods with the low overall bidder Rogers Communications Partnership (Rogers Wireless), 1 Mount Pleasant Road, Toronto, ON M4W 1G9 at their tendered annual price of \$405,585.60 (excluding HST), BE ACCEPTED; it being pointed out that the bid submitted by Rogers Communications Partnership (Rogers Wireless), was the lowest of 4 compliant bids received and meets the City's specifications and requirements in all areas;
- 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.

12. Tax Adjustment Agenda

That the recommendations contained in the Tax Adjustment Agenda dated November 26, 2012 BE APPROVED; it being noted that there were no members of the public in attendance to speak to the Finance and Administrative Services Committee, at the public hearing associated with the Tax Adjustment Agenda.

14. Nomination for the Queen Elizabeth II Diamond Jubilee Medal

That the following individuals BE NOMINATED to receive the Queen Elizabeth II Diamond Jubilee Medal and the City Clerk BE DIRECTED to contact the Council Members to seek any further nominations for consideration at the Council Meeting to be held on December 11, 2012:

- Josh Morgan
- Sarah Merritt - Old East Village
- Dan Ross
- David Broostad - Hamilton Road Business Association
- Peter Johnson
- Amit Chakma
- Howard Rundle
- Mobray Sifton
- Gene Drewlo
- Don Crich
- Jim McKinnon
- Shmuel Farhi
- John Winston
- Michelle Campbell
- Ryan Mahy

Pursuant to section 12.3 of the Council Procedure By-law, Councillor D.G. Henderson calls for a separate vote on clause 10.

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

The motion to Approve clauses 1 to 12, inclusive, except clauses 9 and 10 is put.

Motion Passed

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

The motion to Approve clause 9 is put.

Motion Passed

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

The motion to Approve clause 10 is put.

Motion Passed

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

At 5:56 PM Mayor J.F. Fontana places Councillor H.L. Usher in the Chair and leaves the meeting.

At 5:58 PM Councillor W.J. Armstrong leaves the meeting.

VIII MOTIONS OF WHICH NOTICE IS GIVEN

Motion made by Councillor S.E. White and seconded by Councillor S. Orser to Approve that, pursuant to section 18.2 of the Council Procedure By-law, leave be given for the introduction of an emergent motion with respect to dealing with those situations where a Council Member is charged and/or convicted of a criminal offence.

Motion Passed

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

At 5:59 PM Councillor W.J. Armstrong enters the meeting.

1. Councillor S. White - Motion of Which Notice is Given - Options - Criminally Charged or Convicted Elected Officials

Motion made by Councillor S. White and seconded by Councillor D. Brown to Approve part a) of the Motion of Which Notice is Given.

That the following actions be taken with respect to options for dealing with those situations where a Council Member is charged and/or convicted of a criminal offence:

- a) legal advice BE PROVIDED as to what options might be available, under current legislation, for dealing with the above-noted situations, with the intent of maintaining public confidence in the work of the Municipal Council before and after a decision of the Courts is rendered (e.g. leave of absence of the affected member while awaiting trial, etc.); and

Motion Passed

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

Motion made by Councillor S.E. White and seconded by Councillor D. Brown to Amend part b) of the Motion of Which Notice is Given by deleting part b) in its entirety and by replacing it with the following new part b):

- “b) the Civic Administration BE DIRECTED to report back with alternatives for proposed amendments to the Council policy related to the appointment of an Acting Mayor.”

Motion Passed

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

Motion made by Councillor P. Hubert and seconded by Councillor S.E. White to Approve the Notice of Which Notice was Given, as amended.

Motion Passed

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

The Motion of Which was Given, as amended, reads as follows:

That the following actions be taken with respect to options for dealing with those situations where a Council Member is charged and/or convicted of a criminal offence:

- a) legal advice BE PROVIDED as to what options might be available, under current legislation, for dealing with the above-noted situations, with the intent of maintaining public confidence in the work of the Municipal Council before and after a decision of the Courts is rendered (e.g. leave of absence of the affected member while awaiting trial, etc.); and
- b) the Civic Administration BE DIRECTED to report back with alternatives for proposed amendments to the Council policy related to the appointment of an Acting Mayor.

32nd Report of the Finance and Administrative Services Committee (continued)
Councillor P. Hubert presents

Motion made by Councillor P. Hubert to Approve clause 15,

15. Motion – Mayor – Leave of Absence

That the Mayor BE REQUESTED to take a leave of absence with pay until final disposition of the criminal charges against him; it being noted that the Finance and Administrative Services Committee heard the attached presentation from Councillor J.L. Baechler with respect to this matter.

The Chair rules that the motion made by Councillor P. Hubert is not in order.

Councillor J.L. Baechler appeals the decision of the Chair. The City Clerk put the question "shall the ruling of the Chair be sustained?"

Motion Failed

YEAS: B. Polhill, S. Orser, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L Usher (6)

NAYS: W.J. Armstrong, J.B. Swan, J.L. Baechler, M. Brown, P. Hubert, J.P. Bryant, S.E. White (7)

At 6:43 PM, Councillor Usher places Councillor M. Brown in the Chair and takes a seat at the Council Board.

At 6:49 PM Councillor H. L. Usher resumes the Chair and Councillor M. Brown takes his seat at the Council Board.

Motion made by Councillor W.J. Armstrong and seconded by Councillor J.L. Baechler to Approve that pursuant to section 9.6 of the Council Procedure By-law, Councillor P. Hubert be permitted to speak longer than 5 minutes with respect to clause 15.

Motion Passed

The motion to Approve clause 15 is put.

Motion Failed

YEAS: W.J. Armstrong, J.L. Baechler, M. Brown, P. Hubert, J.P. Bryant (5)

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

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

Motion Passed

The Council recesses at 6:59 PM and reconvenes at 7:41 PM with Mayor J.F. Fontana in the Chair and all Members present except Councillors N. Branscombe, J.P. Bryant and S.E. White.

1st Report of the Civic Works Committee
Councillor P. Van Meerbergen presents.

Motion made by Councillor P. Van Meerbergen to Approve all clauses, except clause 13.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. 3rd Report of the Transportation Advisory Committee

That the 3rd Report of the Transportation Advisory Committee, from its meeting held on November 6, 2012, BE RECEIVED.

3. Customer Request for Billing Reduction

That, notwithstanding the recommendation of the Director, Water and Wastewater and Treatment, a rebate of 25% of the subject billing, less a previous credit of \$329.89 BE PROVIDED to L. Stein, 475 McGarrell Dr., Unit 20, with respect to the water bill, issued to her on February 27, 2012, in the amount of \$3,583.00. (2012-W12-00)

4. Amendments to the Traffic and Parking By-law

That, on the recommendation of the Managing Director, Environmental & Engineering Services and City Engineer, the attached proposed by-law (Appendix "A") BE INTRODUCED at the Municipal Council meeting to be held on December 11, 2012 for the purpose of amending the Traffic and Parking By-law (P.S. 111). (2012-S09-00)

5. Single Source Procurement of Positive Displacement Cold Water Meters with Encoder-Receiver-Transmitter Attached

That, on the recommendation of the Managing Director, Environmental & Engineering Services & City Engineer, the following actions be taken with respect to the Single Source Procurement of Positive Displacement Cold Water Meters With Encoder-Receiver-Transmitter attached:

- a) the quote from EMCO Corporation Waterworks, 944 Leathorne Street, London, ON, N5Z 3M5, for the supply, delivery and storage of 10,000 positive displacement cold water meters with attached ERT, for the price of \$1,250,000, HST extra, BE ACCEPTED on a single source basis as per section 14.4 (k) of the Procurement of Goods and Services Policy;
- b) the funding for this purchase BE APPROVED as set out in the Source of Finance Report included into the staff report dated December 3, 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 given BE CONDITIONAL upon the Corporation entering into a formal contract or having a purchase order, or contract record relating to the subject matter of this approval. (2012-W12-00)

6. Overnight Parking

That the report dated December 3, 2012, from the Managing Director, Environmental & Engineering Services and City Engineer and the Managing Director, Development & Compliance Services & Chief Building Official, with respect to overnight parking restrictions, BE REFERRED to the 2013 Budget process. (2012-S04-00)

7. Contract Award - Hyde Park No. 4 Stormwater Management Facility and Stanton Drain Remediation (ES3020-HP4/ES2487-STNDR) (Tender 12-60)

That, on the recommendation of the Director, Roads and Transportation, the following actions be taken with respect to the award of a contract for the Hyde Park No. 4 Stormwater Management Facility and Stanton Drain Remediation:

- a) the bid submitted by Bre-Ex Limited 247 Exeter Road, London, ON N6L 1A5 at its tendered price of \$5,719,479.55 (including contingency, excluding H.S.T.), for the Hyde Park No.4 Stormwater Management Facility and Stanton Drain Remediation Construction contract, BE ACCEPTED; it being noted that the bid received was the lowest of six (6) pre-qualified bids and meets the City's specifications and requirements in all areas;
- b) the engineering fees for AECOM (Consultant) Citi Plaza 250 York Street, Suite 410 London, Ontario Canada, N6A 6K2 BE INCREASED to carry out additional design (\$36,756) inspection and general construction administration (\$327,948) and monitoring program (\$58,564) of said project in the upset amount of \$423,268, (including contingency, excluding HST), based upon the Fee Guideline for Professional Engineering Services, 2006, recommended by the Ontario Society of Professional Engineers and in accordance with Section 15, Clause 15.2(g) of the Procurement of Goods and Services Policy;
- c) the financing for this project BE APPROVED as set out in the Sources of Financing Report included in the staff report dated December 3, 2012;
- d) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this work;
- e) the approval given herein BE CONDITIONAL upon the Corporation entering into a formal contract or issuing a purchase order relating to the material to be supplied and the work to be done relating to this project (Tender 12-60); 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-W05-00)

8. Appointment of Consultant for Powell Drain Remediation Design (ES3020-UPNB2)

That, on the recommendation of the Director, Roads and Transportation, the following actions be taken with respect to the appointment of a consultant for the Powell Drain Remediation Design:

- a) DELCAN, 1069 Wellington Road South, Suite 214, London, Ontario, Canada BE APPOINTED Consulting Engineers for the Powell Drain Remediation Design in the amount of \$93,247, excluding HST, in accordance with Section 15, Clause 15.2(d) of the Procurement of Goods and Services Policy;
- b) the financing for this work BE APPROVED as set out in the Sources of Financing Report included in the staff report dated December 3, 2012;
- c) the consulting fees for the project identified in a) above, BE IN ACCORDANCE with the estimate on file, which are based upon the Fee Guideline for Professional Engineering Services, 2006, recommended by the Ontario Society of Professional Engineers;
- d) the approvals given herein BE CONDITIONAL upon the Corporation entering into a formal contract with the consultant for the work; and,
- e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2012-A03-00)

9. Construction Timing of Stormwater Management Facilities

That, on the recommendation of the Director, Roads and Transportation, the following actions be taken with respect to the construction timing of Stormwater Management (SWM) Facilities:

- a) Old Victoria No. 2 SWM facility BE CONSTRUCTED in 2013 subject to land development approvals and acquisition of the land required for the facility;
- b) Fox Hollow No. 1 SWM Facility south cell and woodlot berms BE CONSTRUCTED in 2013 subject to obtaining consent to access adjacent lands for the purposes of constructing the facility, land development approvals and amendment to the Certificate of Approval associated with the SWM facility that are required due to the adjustment in drainage areas to support the phasing of the facility; and,
- c) Old Oak No. 2 SWM facility BE CONSTRUCTED in 2013 subject to obtaining consent to access adjacent lands for the purpose of constructing the facility and land development approvals. (2012-D18-00)

10. Election of Vice Chair for the Term Ending November 30, 2012

That Councillor H. L. Usher BE ELECTED as the Civic Works Committee's Vice-Chair for the term ending November 30, 2013.

11. 2013 New Funding Model By-law for Water and Wastewater Services

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

- a) the following actions be taken:
 - i) all rates and charges related to the provision of Water Services BE MODIFIED to reflect the new funding model effective March 1, 2013; and,
 - ii) the ~~attached~~ revised proposed by-law 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" (Appendix A) BE INTRODUCED at the Municipal Council meeting on December 11, 2012 to effect the rates and charges noted in i), above.
- b) the following actions be taken:
 - i) all rates and charges related to the provision of Wastewater and Treatment Services BE MODIFIED to reflect the new funding model effective March 1, 2013;

- ii) changes to the storm drainage charge BE PHASED-IN over a three year period for residential, commercial and institutional customers (Appendix B2); and,
- iii) the attached revised proposed by-law to amend the By-law No. WM 26 "A by-law to establish the Schedule of Sewer System Fees and Charges." (Appendix B2) BE INTRODUCED at the Municipal Council meeting on December 11, 2012 to effect the rates and charges noted in i), above.

it being noted that the Civic Works Committee heard the attached presentation from J. Braam, Managing Director, Environmental and Engineering Services & 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:

- C. Gupta, 919 Plantation Road – expressing concern with respect to the future of water and wastewater rates, stating that no economic studies have been completed and there has been no consideration for capital and infrastructure costs, questioning the costs associated with adding chemicals to the water.
- S. Harrington, 1471 Webster Street – expressing concern with respect to all residents being charged stormwater charges, regardless of whether the residents have access or benefit from the stormwater drainage services.
- G. Brown, 59 Ridout Street, Apt 35A – expressing that he is pleased with the new progressive rate structure, stating that this may assist with more compact and better designed use of industrial lands. (2012-W13-00)

12. Meadowlily Footbridge Rehabilitation Municipal Class Environmental Assessment

That, on the recommendation of the Director, Roads and Transportation, the following actions be taken with respect to the Meadowlily Footbridge Rehabilitation:

- a) the Meadowlily Footbridge Rehabilitation Municipal Class Environmental Assessment Schedule 'B' Screening Report BE ACCEPTED;
- b) a Notice of Completion of the Meadowlily Footbridge Rehabilitation Municipal Class Environmental Assessment Screening Report BE ADVERTISED and BE FILED with the Municipal Clerk; and,
- c) the Meadowlily Footbridge Rehabilitation Municipal Class Environmental Assessment Screening Report BE PLACED on public record for a 30-day review period.

it being noted that the Civic Works Committee heard the attached presentation from AECOM, with respect to this matter;

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

- G. Smith, President, Friends Of Meadowlily Woods Community Association – see attached submission.
- G. Brown – 59 Ridout Street, Apt 35A – expressing a concern with the detour creating a challenge for pedestrians and requesting consideration of prohibiting parking on the south side of the bridge for the safety of pedestrians.
- G. Struckett – 68 Meadowlily Road – expressing a concern with the inconvenience of closing the bridge and requesting that staff review the possibilities of convenient alternatives and installing surveillance cameras at the south side of the bridge due to the increase in vandalism. (2012-S08-00)

14. Tributary 'C' Storm/Drainage and Stormwater Management, Transportation and Sanitary Trunk Servicing Environmental Study Report Modifications

That, on the recommendation of the Director of Roads and Transportation, the following information BE RECEIVED, detailing changes that were incorporated in the final Environmental Study Report (ESR) for the Tributary 'C' Storm/Drainage and Stormwater Management (SWM), Transportation and Sanitary Trunk Servicing Municipal Class Environmental Assessment Study:

- a) the ecological buffers/setbacks size increase to the Tributary 'C' coldwater fishery system requested by the Ministry of Environment (MOE) and other approval agencies;
- b) the recommended post-development monitoring program for the proposed Stormwater Management Facility 'A' requested by the Munsee Delaware First Nation's Peer Review Consulting Team; and,
- c) a response to the concerns identified by West Kains Land Corporation in a letter dated October 31, 2012; (2012-W10-00)

it being noted that the Civic Works Committee heard a verbal presentation from C. Linton, Land Development Project Manager, Norquay Developments with respect to this matter. (2012-F06-00)

15. Temporary Overnight Parking Pass for Visitors of London

That the communications dated November 23, 2012 and November 3, 2012, from Councillor J. Bryant, with respect to a request for temporary overnight parking passes for visitors of London BE REFERRED to the Civic Administration to investigate and report back at a future meeting of the Civic Works Committee. (2012-S04-00)

16. Trowbridge Avenue Parking Restrictions

That the communication dated November 23, 2012, from Councillor D. Brown, with respect Trowbridge Avenue parking restrictions BE REFERRED to the Civic Administration to investigate and report back at a future meeting of the Civic Works Committee. (2012-S04-00)

17. Material Recovery Facility Processing Blue Box Recyclables

That, on the recommendation of the Director – Environmental Programs & Solid Waste, the following actions be taken with respect to providing Blue Box processing services:

- a) the attached proposed by-law (Appendix A), BE INTRODUCED at the Municipal Council meeting on December 11, 2012 to amend By-law No. A.-6737-304 to delegate the authority to the Managing Director - Environmental & Engineering Services & City Engineer to negotiate agreements and establish pricing for companies wanting to use the Manning Drive Regional Material Recovery facility to process recyclables;
- b) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this matter;
- c) the Civic Administration BE DIRECTED to report back with any new agreements for Blue Box processing services; and
- d) the Mayor and the City Clerk BE AUTHORIZED to execute all documents that are necessary in connection with this matter.

Pursuant to section 12.3 of the Council Procedure By-law, Councillor D. Brown calls for a separate vote on clauses 3 and 16.

Pursuant to section 12.3 of the Council Procedure By-law, Councillor S. Orser calls for a separate vote on clause 6.

Pursuant to section 12.3 of the Council Procedure By-law, Councillor M. Brown calls for a separate vote on clause 7.

The motion to Approve clauses 1, 2, 4, 5, 8 to 12, inclusive, 14, 15 and 17 is put.

At 7:42 PM Councillor S.E. White enters the meeting.

Motion Passed

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

The motion to Approve Clause 3 is put.

Motion Passed

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

NAYS: B. Polhill (1)

At 7:43 PM Councillor J.P. Bryant enters the meeting.

Motion made by Councillor D. Brown and seconded by Councillor P. Van Meerbergen to Amend clause 6, in the fourth line, by inserting the word "expanded" after the words "with respect to".

Motion Passed

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

NAYS: S. Orser (1)

Motion made by Councillor J.P. Bryant and seconded by Councillor J.L. Baechler to Refer clause 6, as amended, to the Civic Works Committee to hold a Public Participation Meeting to receive additional public input.

Motion Failed

YEAS: W.J. Armstrong, S. Orser, J.L. Baechler, P. Hubert, J.P. Bryant, S.E. White (6)

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

The motion to Approve clause 6, as amended, is put.

Motion Passed

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

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

Clause 6, as amended, reads as follows:

That the report dated December 3, 2012, from the Managing Director, Environmental & Engineering Services and City Engineer and the Managing Director, Development & Compliance Services & Chief Building Official, with respect to expanded overnight parking restrictions, BE REFERRED to the 2013 Budget process. (2012-S04-00)

Motion made by Councillor M. Brown and seconded by Councillor J.L. Baechler to Amend clause 7 by adding the following new part b), and renumbering the remaining parts:

"b) the scope of Phase 1 (Tender 12-60), noted in part a) above, BE EXPANDED to include the culvert replacement on the Shaw lands, previously scheduled to be a part of Phase 2."

Motion Passed

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

The motion to Approve clause 7, as amended, is put.

Motion Passed

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

Clause 7, as amended, reads as follows:

That, on the recommendation of the Director, Roads and Transportation, the following actions be taken with respect to the award of a contract for the Hyde Park No. 4 Stormwater Management Facility and Stanton Drain Remediation:

- a) the bid submitted by Bre-Ex Limited 247 Exeter Road, London, ON N6L 1A5 at its tendered price of \$5,719,479.55 (including contingency, excluding H.S.T.), for the Hyde Park No.4 Stormwater Management Facility and Stanton Drain Remediation Construction contract, BE ACCEPTED; it being noted that the bid received was the lowest of six (6) pre-qualified bids and meets the City's specifications and requirements in all areas;
- b) the scope of Phase 1 (Tender 12-60), noted in part a) above, BE EXPANDED to include the culvert replacement on the Shaw lands, previously scheduled to be a part of Phase 2
- c) the engineering fees for AECOM (Consultant) Citi Plaza 250 York Street, Suite 410 London, Ontario Canada, N6A 6K2 BE INCREASED to carry out additional design (\$36,756) inspection and general construction administration (\$327,948) and monitoring program (\$58,564) of said project in the upset amount of \$423,268, (including contingency, excluding HST), based upon the Fee Guideline for Professional Engineering Services, 2006, recommended by the Ontario Society of Professional Engineers and in accordance with Section 15, Clause 15.2(g) of the Procurement of Goods and Services Policy;
- d) the financing for this project BE APPROVED as set out in the Sources of Financing Report included in the staff report dated December 3, 2012;
- e) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this work;
- f) the approval given herein BE CONDITIONAL upon the Corporation entering into a formal contract or issuing a purchase order relating to the material to be supplied and the work to be done relating to this project (Tender 12-60); and,
- g) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2012-W05-00)

Motion made by Councillor D. Brown and seconded by Councillor B. Polhill to Amend clause 16 by adding the following new part b):

- “b) the Civic Administration BE DIRECTED to implement an immediate allowance for the affected residents, and their guests, to park on Trowbridge Avenue, until such time as the above-noted report comes back to the Committee.”

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, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (13)

NAYS: W.J. Armstrong (1)

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

Motion Passed

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

Clause 16, as amended, reads as follows:

That the following actions be taken with respect to the Trowbridge Avenue parking restrictions:

- a) the communication dated November 23, 2012, from Councillor D. Brown BE REFERRED to the Civic Administration to investigate and report back at a future meeting of the Civic Works Committee; and,

- b) the Civic Administration BE DIRECTED to implement an immediate allowance for the affected residents, and their guest, to park on Trowbridge Avenue, until such time as the above-noted report comes back to the Committee.

Motion made by Councillor H.L. Usher to Approve clause 13.

13. 3rd Report of the LTC Long Term Growth Working Group

That the following actions be taken with respect to the 3rd Report of the LTC Long Term Growth Report Working Group, from its meeting held on November 8, 2012:

- a) the following actions be taken with respect to Bus Rapid Transit proposed financing:
 - i) the Municipal Council BE REQUESTED to endorse, in principle, the provisional capital and operating budget estimates and plan, as outlined in the attached presentation from the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, recognizing that the capital funding will be divided $\frac{1}{2}$, $\frac{1}{3}$ $\frac{1}{3}$; it being noted that this is consistent with the approved 2030 Transportation Master Plan (TMP);
 - ii) the above-noted plan BE INCLUDED in the City's 2014 Draft Budget; and,
- b) clauses 2 through 4 BE RECEIVED.

Motion made by Councillor H.L. Usher and seconded by Councillor B. Polhill to Amend clause 13 in line 5 of part a) i) by deleting the fraction "1/2" and by replacing it with the fraction "1/3"

Motion Passed

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

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

RECUSED: D. Brown (1)

The motion to Approve clause 13, as amended, is put.

Motion Passed

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

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

RECUSED: D. Brown (1)

Clause 13, as amended, reads as follows:

That the following actions be taken with respect to the 3rd Report of the LTC Long Term Growth Report Working Group, from its meeting held on November 8, 2012:

- a) the following actions be taken with respect to Bus Rapid Transit proposed financing:
 - i) the Municipal Council BE REQUESTED to endorse, in principle, the provisional capital and operating budget estimates and plan, as outlined in the attached presentation from the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, recognizing that the capital funding will be divided $\frac{1}{3}$, $\frac{1}{3}$ $\frac{1}{3}$; it being noted that this is consistent with the approved 2030 Transportation Master Plan (TMP);
 - ii) the above-noted plan BE INCLUDED in the City's 2014 Draft Budget; and,
- b) clauses 2 through 4 BE RECEIVED

30th Report of the Planning and Environment Committee
Councillor B. Polhill presents.

Motion made by Councillor B. Polhill to Approve clauses 1 to 32, excluding clauses 4, 8, 9, 21, 25, 26 and 29

1. Disclosures of Pecuniary Interest

That it BE NOTED that Councillor B. Polhill disclosed a pecuniary interest in clause 21 of this Report having to do with the application of London Property Corporation, relating to the property located at 124 St. James Street, 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. Near Campus Neighbourhoods Planning Amendments - Notice of Appeal to the Ontario Municipal Board (OZ-7663)

That, on the recommendation of the Managing Director, Planning and City Planner, in response to the letters of appeal to the Ontario Municipal Board, dated August 21, 2012 and August 24, 2012 and submitted by Barry Card, (on behalf of Arnon Kaplansky), Brian Toth, Jon Leahy, (Escalade Property Corp), and Twee Brown (Adamas Group), relating to applications for amendments to the Official Plan and Zoning By-law No. Z.-1, which were passed by the Municipal Council concerning lands generally bounded by Fanshawe Park Road/Thames River (North Branch)/Kilally Road to the north, Aldersbrook Road/Wonderland Road to the west, the Thames River (South Branch)/Dundas Street to the south, and Clarke Road to the east, as well as City-wide changes to various zoning regulations, the Ontario Municipal Board BE ADVISED that the Municipal Council has reviewed its decision relating to these matters and sees no reason to alter it. (2012-D11-02)

3. Property located at 75 Blackfriars Street - Notice of Appeal to the Ontario Municipal Board (OZ-8048)

That, on the recommendation of the Managing Director, Planning and City Planner, in response to the letters of appeal to the Ontario Municipal Board, dated August 30, 2012 and submitted by Donald Cornell, relating to Official Plan and Zoning By-law amendments (File No. OZ-8048) concerning 75 Blackfriars Street, the Ontario Municipal Board BE ADVISED that the Municipal Council has reviewed its decision relating to these matters and sees no reason to alter it. (2012-D11-02)

5. Property located at 1103 Adelaide Street North - Notice of Appeal to the Ontario Municipal Board (OZ-7972)

That, on the recommendation of the Managing Director, Planning and City Planner, in response to the letter of appeal to the Ontario Municipal Board, dated April 23, 2012 and submitted by Avinoam Chernick, Beth Hickey, Rachel Joseph and Chris McDonnell, relating to applications for amendments to the Official Plan and Zoning By-law No. Z.-1, which was approved by the Municipal Council concerning 1103 Adelaide Street North, the Ontario Municipal Board BE ADVISED that the Municipal Council has reviewed its decision relating to these matters and sees no reason to alter it.

6. London Psychiatric Hospital - Resolution of Ontario Municipal Board Appeal (O-7668)

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the appeal of Official Plan Amendment No. 510, the London Psychiatric Hospital Secondary Plan by the Fairmont Lawn Bowling Club:

- a) the attached Minutes of Settlement BE APPROVED at the Municipal Council meeting to be held on December 11, 2012;
- b) the Mayor and the City Clerk BE DIRECTED to execute the above-noted Minutes of Settlement on behalf of the City; and,
- c) the Ontario Municipal Board BE REQUESTED to allow the Appeal in part, by amending paragraph 3 of Section 20.4.3.3.3.ii), by deleting the words "on the rear portion of" and replacing them with the word "within", in accordance with the above-noted Minutes of Settlement. (2012-D11-09)

7. Residential Intensification Policies (O-7970)

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of the City of London to amend the Official Plan, relating to Section 3.2.3.1 "Residential Intensification Definition" and Section 3.2.3.5 "Public Site Plan Review and Urban Design":

- a) the attached proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on December 11, 2012, to amend the Official Plan by amending Section 3.2.3.1 "Residential Intensification Definition" and Section 3.2.3.5 "Public Site Plan Review and Urban Design" to add a policy clarifying the intent of the intensification policies; and,
- b) based on the proposed Official Plan amendment identified in part a) above, the Civic Administration BE DIRECTED to amend the Site Plan Control By-law, to clarify the site plan matters to be considered in the review of intensification proposals, including a requirement for Public Site Plan review, in those instances where intensification may occur where no planning application or process, other than site plan review, is required;

it being noted that the residential intensification policies will be subject to further review as part of the ReThink London Official Plan review process. (2012-D11-09)

10. Provincial Policy Statement 5 Year Review - City of London - Response

That, on the recommendation of the Managing Director, Planning and City Planner, the Civic Administration's Report, dated November 26, 2012, relating to the City of London's review of the Provincial Policy Statement 5 Year Review BE FORWARDED to the Ministry of Municipal Affairs and Housing for their consideration. (2012-D0-00)

11. Property located on a portion of 890 Southdale Road West - Phase Two of Highland Ridge (Crestwood) Subdivision (H-8124)

That, on the recommendation of the Manager of Development Services and Planning Liaison, based on the application by Highland Ridge Land Corp., relating to a portion of the property located at 890 Southdale Road West, the attached proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on December 11, 2102, 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 R1 Special Provision (h.h-94.R1-6(4)) Zone, a Holding Residential R1 (h.h-94.R1-8) Zone, a Holding Residential R1 (h.R1-8) Zone and a Holding Residential R1 Special Provision (h.R1-8(4)) Zone TO a Holding Residential R1 Special Provision (h-94.R1-6(4)) Zone, a Holding Residential R1 (h-94.R1-8) Zone, a Residential R1 (R1-8) Zone and a Residential R1 Special Provision (R1-8(4)) Zone, to remove the "h" holding provision. (2012-D11-03)

12. Property located at 1480 Riverbend Road and a portion of 1552 Riverbend Road (H-8123)

That, on the recommendation of the Senior Planner, Development Services, based on the application by Pemic Land Corp, relating to the lands located at 1480 Riverbend Road and the City-initiated review of the zoning on a portion of the property at 1552 Riverbend Road, the attached proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on December 11, 2012, to amend Zoning By-law No. Z.-1, to change the zoning of the subject lands FROM a holding Residential R1/Neighbourhood Facility (h•R1-4/NF) Zone TO a Residential R1/ Neighbourhood Facility (R1-4/N/F) Zone and FROM a holding Residential R1 (h•R1-4) Zone TO a Residential R1 (R1-4) Zone, to remove the holding provisions. (2012-D11-06)

13. Properties located at 311-319 Wharncliffe Road North (H-8082)

That, on the recommendation of the Senior Planner, Development Services, based on the application of Zelinka Priamo Ltd., relating to the properties located at 311-319 Wharncliffe Road North, the attached proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on December 11, 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 R8 Special Provision (h • h-5 • R8-4(18)) Zone TO a Residential R8 Special Provision (R8-4(18)) Zone, to remove the "h" and "h-5" holding provisions. (2012-D11-08)

14. Property located at 3455 Morgan Crescent (H-8061)

That, on the recommendation of the Manager of Development Services and Planning Liaison, based on the application of Sifton Properties Limited, relating to the property located at 3455 Morgan Crescent, the attached proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on December 11, 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 R5/R6/R7 (h•h-53•R5-4/R6-5/R7•D100•H-30) Zone TO a Residential R5/R6/R7 (R5-4/R6-5/R7•D100•H-30) Zone, to remove the holding provisions. (2012-D11-07)

15. Property located at 160 Sunningdale Road West (H-8084)

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the application of Tricar Developments Inc., relating to the property located at 160 Sunningdale Road West:

- a) the attached proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on December 11, 2012, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a Holding Residential R9 Special Provision (h • h-100 • h-119 • R9-7(16) • H48) Zone, a Holding Residential R4 (h • h-100 • R4-6) Zone, a Holding Residential R1 (h • h-100 • R1-5) Zone, a Holding Residential R1 (h • h-100 • R1-6) Zone, a Holding Residential R1 (h • h-82 • h-94 • R1-6) Zone, a Holding Residential R1 (h • h-94 • h-100 • R1-6) Zone, a Holding Residential R1 (h • h-94 • h-100 • R1-6) Zone TO a Holding Residential R9 Special Provision (h-100 • R9-7(16) • H48) Zone, to remove the h. and h-119 holding provisions; and,
- b) the application to change the zoning of a portion of the subject lands FROM a Holding Residential R9 Special Provision (h-100 • R9-7(16) H48) Zone, a Holding Residential R1 (h • h-100 • R1-5) Zone, a Holding Residential R1 (h • h-100 • R1-6) Zone, a Holding Residential R1 (h • h-82 • h-94 • R1-6) Zone, a Holding Residential R1 (h • h-94 • h-100 • R1-6) Zone, a Holding Residential R1 (h • h-94 • h-100 • R1-6) Zone and a Holding Residential R4 (h • h-100 • R4-6) Zone TO a Residential R9 Special Provision (R9-7(16) • H48) Zone Residential R1 (R1-5) Zone, a Residential R1 (R1-6) Zone, a Residential R1 (R1-6) Zone, a Residential R1 (R1-6) Zone and a Residential R4 (R4-6) Zone, BE DEFERRED until such time as the holding provisions have been addressed to the satisfaction of the City. (2012-D11-07)

16. Andover Trails Subdivision - Phase 4 - Special Provisions (39T-07510)

That, on the recommendation of the Manager, Development Services, the following actions be taken with respect to entering into a subdivision agreement between The Corporation of the City of London and Sifton Properties Limited for the subdivision of land over Part of Lot 35, Concession 2, (Geographic Township of Westminster), City of London, County of Middlesex, situated generally between Southdale Road West and Wharncliffe Road South, municipally known as 1451 Wharncliffe Road South:

- a) the attached Special Provisions to be contained in a Subdivision Agreement between The Corporation of the City of London and Sifton Properties Limited for the Andover Trails Subdivision, Phase 4 (39T-07510), BE APPROVED;
- b) the Mayor and the City Clerk BE AUTHORIZED to execute this Agreement referred to in part a) above, any amending agreements and all documents required to fulfill its conditions;
- c) the financing for this project BE APPROVED in accordance with the "Source of Financing Report" provided as Schedule "A" and the associated Claims and Revenues provided as Schedule "B" to the associated staff report, dated November 26, 2012;
- d) the Municipal Council BE ADVISED that the anticipated reimbursements from the Capital Works Budget have been negotiated for the cost of a pathway in Park Block 8 in this Plan; it being noted that the estimated cost of the pathway is \$6,000; it being further noted that the cost is being limited to a maximum amount of \$6,000; and,

it being further noted that prior to execution of the subdivision agreement, final registration of the plan and removal of the holding provisions on the lands within this subdivision, the City will confirm the implications of the request for a Part II Order on the Municipal Class EA Study for the Pincombe Drain Storm/Drainage and Drain Restoration. (2012-D26-05)

17. Fire at 1156 Dundas Street

That, on the recommendation of the Managing Director, Development and Compliance Services & Chief Building Official, the report, dated November 26, 2012, relating to the recent fire at 1156 Dundas Street, BE RECEIVED. (2012-P09-00)

18. 4th Report of the Advisory Committee on the Environment

That, the following actions be taken with respect to the 4th Report of the Advisory Committee on the Environment (ACE) from its meeting held on November 7, 2012:

- a) the Civic Administration BE REQUESTED to provide the Thames River/Creek Survey Annual Report to the Advisory Committee on the Environment (ACE); it being noted that the ACE received a presentation from A. Van Rossum, Environmental Services Engineer, with respect to the Thames River Annual Report; and,
- b) that clauses 2 through 6, inclusive, of the 4th Report of the ACE, BE RECEIVED AND NOTED.

19. 4th Report of the London Advisory Committee on Heritage

That, the following actions be taken with respect to the 4th Report of the London Advisory Committee on Heritage (LACH) from its meeting held on November 14, 2012:

- a) the following actions be taken with respect to the Stewardship Sub-Committee report:
 - i) the Heritage Planner BE REQUESTED to forward the Statement of Significance, for the property located at 3378 Homewood Lane, to the owner for signature;
 - ii) the Managing Director, Development and Compliance Services & Chief Building Official BE ADVISED that the London Advisory Committee on Heritage (LACH) does not have sufficient reason to designate the property located at 75 Bathurst Street;
 - iii) an expenditure of up to \$100.00 BE APPROVED, for refreshments to be provided at the Stewardship Sub-Committee meeting to be held on December 5, 2012, with public history students from the University of Western Ontario; it being noted that the LACH has sufficient funds in its 2012 budget for this expenditure; and,
 - iv) the Stewardship Sub-Committee minutes from its meeting held on October 31, 2012, BE RECEIVED;
- b) the Managing Director, Development and Compliance Services & Chief Building Official BE ADVISED that the London Advisory Committee on Heritage (LACH) does not have sufficient reason to designate the property located at 1523 Bradley Avenue; 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 LACH heard a verbal presentation from D. Menard, Heritage Planner, with respect to this matter;
- c) on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the Heritage Alteration Permit application of G. & M. Baumann, requesting permission for window replacement to the designated heritage property located at 195 Elmwood Avenue East, BE APPROVED; it being noted that the Heritage Planner has reviewed the proposed window replacement and has advised that the impact of such alteration on the heritage features of the property identified in the reasons for designation, is acceptable; it being further noted that the London Advisory Committee on Heritage heard a verbal presentation from P. Molloy, Duo Construction, with respect to this matter;
- d) on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the Heritage Alteration Permit application of New Brighton Housing Co-op, requesting permission for an alteration to the designated heritage property located at 473 Baker Street, BE APPROVED; it being noted that the Heritage Planner has reviewed the proposed alteration and has advised that the impact

of such alterations on the heritage features of the property, identified in the reasons for designation, is acceptable; it being further noted that the London Advisory Committee on Heritage heard verbal presentations from L. Baker and M. Simpson, with respect to this matter;

- e) on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the Heritage Alteration Permit application of E. Greenfield, requesting permission for a roof material replacement to the designated heritage property located at 986 Richmond Street, BE APPROVED and that the owner BE ASKED to salvage the reusable slate; it being noted that the Heritage Planner has reviewed the proposed replacement and has advised that the impact of such alteration on the heritage features of the property, identified in the reasons for designation, is acceptable;
- f) on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the Heritage Alteration Permit application of the City of London, requesting permission for an alteration to the designated heritage property located at 10 Meadowlily Road South, BE APPROVED; it being noted that the Heritage Planner has reviewed the proposed alteration and has advised that the impact of such alteration on the heritage features of the property, identified in the reasons for designation, is acceptable; it being further noted that the London Advisory Committee on Heritage heard verbal presentations from T. Fediv, AECOM and K. Grabowski, Transportation Design Engineer, City of London, with respect to this matter;
- g) the Civic Administration BE REQUESTED to prepare an integrated plaque for the heritage features of the entire Meadowlily area, including the former mill;
- h) that clause 14 of the 4th Report of the LACH, BE AMENDED by adding the words “and that the property located at 283 South Street is a Priority 1 listed building on the 2006 *Inventory of Heritage Resources*”;
- i) that clause 16, of the 4th Report of the LACH, BE AMENDED by deleting the number “527” and replacing it with the number “272”; and,
- j) that clauses 8 through 13, inclusive, clause 15, and clauses 17 to 20, inclusive, of the 4th Report of the LACH, BE RECEIVED AND NOTED;

it being noted that the Planning and Environment Committee heard a verbal presentation from G. Goodlet, Chair, LACH, with respect to these matters.

20. 3rd Report of the Environmental and Ecological Planning Advisory Committee

That, the following actions be taken with respect to the 3rd Report of the Environmental and Ecological Planning Advisory Committee (EEPAC) from its meeting held on November 15, 2012:

- a) the following actions be taken with respect to the Applewood Hills Sergautis Lands located at 660 Sunningdale Road East:
 - i) the Managing Director, Planning and City Planner BE REQUESTED to consider, as part of the Official Plan review process, changing the Environmental Impact Study (EIS) process from being development based to a natural heritage system approach; and,
 - ii) the ~~attached~~ comments, prepared by the Environmental and Ecological Planning Advisory Committee (EEPAC) Working Group, with respect to the Applewood Hills Sergautis Lands located at 660 Sunningdale Road East, BE FORWARDED to N. McKee, Senior Planner, for her review and consideration;
- b) that clauses 2 through 25, inclusive, of the 3rd Report of the EEPAC, BE RECEIVED AND NOTED;

it being noted that the Planning and Environment Committee did not hear a verbal presentation from D. Sheppard, Chair, EEPAC, with respect to these matters.

22. Property located at 195 Dundas Street (TZ-8100)

That, on the recommendation of the Managing Director, Planning and City Planner, based on the application of Millennium Downtown Corporation, relating to the property located at 195 Dundas Street, the ~~attached~~ proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on December 11, 2012, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to extend the Temporary Use (T-54) Zone, which permits a surface commercial parking lot along the Dundas Street frontage, for a period not exceeding three (3) years;

it being noted that the Planning and Environment Committee reviewed and received a communication, dated November 22, 2012, from J. MacDonald, Executive Director, Downtown London, with respect to this matter;

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

- A.R. Patton, Patton, Cormier & Associates, on behalf of the applicant – expressing support for the application. (2012-D11-05)

23. Property located at 129 Riverside Drive

That, on the recommendation of the Manager, Development Services and Planning Liaison, the following actions be taken with respect to the site plan approval application of 789220 Ontario Limited, relating to the property located at 129 Riverside Drive:

- a) the Approval Authority BE ADVISED that at the public meeting of the Planning and Environment Committee held with respect to this matter, the following issues were raised by the neighbourhood with respect to the application for Site Plan approval to permit a three storey, twenty-eight unit, apartment building:
 - i) the significant loss of trees on the site;
 - ii) the increase in traffic; and,
 - iii) the unattractiveness of the proposed building; and,
- b) the Approval Authority BE ADVISED that the Municipal Council supports the granting of approval of the site plan and elevations, as submitted in the Civic Administration's Report dated November 26, 2012;

it being noted that the Planning and Environment Committee reviewed and received a communication, dated November 25, 2012, from J. Price, by e-mail, with respect to this matter;

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

- Harry Froussios, Zelinka Priamo Ltd., on behalf of the applicant – responding to the public's comments; advising that part of the tree removal issue is the installation of a privacy fence that the applicant has agreed to install; and noting that some of the trees to be removed are not healthy.
- Joe McCarthy, 13 Moir Street – advising that the property is zoned R9 and Office 1; and noting that, in the City's Official Plan, this is for Office Use only.
- Peter Maglaris, 150 Mount Pleasant Avenue – expressing concern with the amount of traffic currently travelling along Mount Pleasant Avenue; noting that there is a school bus zone and a church pick up zone in the area; indicating that this will increase the volume of traffic; expressing concern with congestion and children playing in the area; and indicating that the aesthetics of the proposed building are boring and unimaginative.
- Krissy Dougherty, 162 Mount Pleasant Avenue – enquiring as to the status of the zoning variance. (2012-D25-00)

24. Request for Demolition - Property located at 1523 Bradley Avenue

That, on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the following actions be taken with respect to the property located at 1523 Bradley Avenue:

- a) the Managing Director, Development and Compliance Services & 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 1523 Bradley Avenue; and,

- b) the Managing Director, Development and Compliance Services & 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)

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

That, notwithstanding the recommendation of the Managing Director, Planning and City Planner, the application of Bluestone Properties Inc, relating to the property located at 450 Oxford Street West BE REFERRED to the Civic Administration to report back at a public participation meeting in May, 2013 regarding the following matters:

- a) notwithstanding the High Density Residential land use designation, an Office Area designation is supportable within the area of the property available for development; and,
- b) the Civic Administration and the Upper Thames River Conservation Authority to identify the flood line;

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

- a communication, dated November 20, 2012, from J. Johnston, 1114-605 Proudfoot Lane; and,
- a communication, dated November 19, 2012, from H. Katz, Esam Construction Limited;

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

- A.R. Patton, Patton, Cormier and Associates, on behalf of the applicant – expressing opposition to the Civic Administration’s recommendation; indicating that the property is located on the corner of an arterial road and a collector road; noting that the roads are serviced by the London Transit Commission; indicating that the property is fully serviced, with water, storm and sanitary sewer; advising that this area of the city is growing quickly; indicating that this property is designated and zoned for offices and daycares; indicating that it is unfair to say that the proposal needs over 300 parking spaces; indicating that his client has received interest from a bank and offices; indicating that his client only needs 129 parking spaces; requesting that the Committee refer the application to the Civic Administration to prepare an implementing zoning by-law to be brought back to the Committee in January or February of 2013; reiterating that there is no reason to refuse this application; advising that in 2007, Mr. E. Wszol was appointed the Engineer for Mud Creek; indicating that the flood line is a moving target; noting that it is not rocket science; advising that the line should be able to be nailed down; indicating that parking can be permitted; advising that the Upper Thames River Conservation Authority comments are not consistent with the Provincial Policy Statement; indicating that bits and pieces of the process have been very frustrating; indicating that his clients were promised the Mud Creek study in 2011; advising that landowners paid for a study to be completed in 2007 out of their own pockets and the City will not release the Study information.
- Michael Hannay, MBTW Group – advising that a site plan was submitted with the application; indicating that the proposal was submitted to the Urban Design Peer Review Panel in April, 2011; indicating that they have received very positive comments from the Peer Review Panel; indicating that the dotted line on the application is their best guess where the flood line is; indicating that the issue of the scale is uncertain; advising that the proposed building is close to the street; noting that it is a strong, forward looking building with a high level of finish on all sides; and reading the “Discussion” section of page 351 of the Planning and Environment Committee agenda.
- Ed Wszol, Designated Consulting Engineer, Development Engineering – indicating that the flood line has been a fluid exercise over the years; indicating that there are ways to mitigate any impact; noting that the Manager of Stormwater verbally referred to work that was proposed earlier in the meeting this evening; noting that the Civic

- Administration could not come up with a cost effective solution; further noting that the Civic Administration were presented with five to seven solutions; indicating that the applicant would reconstruct and lower the culvert located under the CN Rail; noting that the culvert was originally constructed in the 1920's; further noting that the culvert was constructed when the land was used for farm purposes and orchards; indicating that the culvert needs to be rebuilt and they hope to do so with the cooperation of CN Rail; indicating that there is an opportunity to provide for a stormwater management solution; and indicating that they have not been able to review the information provided by Delcan and would like an opportunity to address the Delcan report.
- Bernie Bierbaum, President and CEO, Bluestone Properties – advising that they have had a lot of patience in dealing with this application; indicating that he has been involved with this for 15 years; advising that his most recent involvement was in 2006/2007; indicating that he attended all three public meetings; advising that ESAM represents the majority of the landowners; indicating that, after the series of public meetings, he thought the development was moving forward; noting that there has been no movement; indicating that the flood line going down is good news for them; advising that he met with the Stormwater Management Unit in 2012; indicating that the Civic Administration was going to provide the flood plain information to Stantec by November, 2010; noting that, to date, no information has been received from the Civic Administration; advising that he met with former City Manager, Jeff Fielding, to try to resolve this issue; indicating that, in February, 2011, the Corporate Approvals Team met on this issue; indicating that the Stormwater Management Unit indicated that it could have the information within seven months; advising that he went ahead and worked with the Consultants on the application late last year; advising that the information that he was provided in 2007 indicated that the flood line was ok to use for development; advising that he has not received the information that he was promised; requesting that the application be approved; and asking to work with the Civic Administration on this application.
 - A. M. Valastro, 1-133 John Street – indicating that the floodplain is occupied by deer, geese and goslings; advising that it is a wildlife corridor; indicating that a fast talking lawyer wants to put through development; advising that deer are showing up downtown as there is no longer a buffer; advising that these places are very valuable; and indicating that she does not want to see a pushy lawyer twisting the Councillors arms.
 - Jean Johnston, 1114-605 Proudfoot Lane – advising that she has lived in her residence for 18 years; agreeing that the area is a wildlife corridor; indicating that Mud Creek currently floods; reading the communication she submitted on the Added Agenda; indicating that there are deer, rabbits, squirrels, chipmunks and a pair of snapping turtles in the area; advising that ever year, ducks land in the swimming pool in Forest Hill and are removed; indicating that it is a marvelous area; noting that the Creek needs some cleaning up; advising that she knows the difference between Oak and Maple trees.
 - Jeff Brick, Upper Thames River Conservation Authority – advising that the Provincial Policy Statement, the City's Policies and the Upper Thames River Conservation Authority policies do not allow development in floodplains; noting that parking is development; advising that there is no firm indication for the floodplain; indicating that modeling needs to be completed; advising that the City cannot advise on the elevation; advising that the Upper Thames River Conservation Authority needs to peer review the application; and advising that they will provide the floodplain information once they have it. (2012-D11-01)

28. Demolition Request - Property located at 75 Bathurst Street

That, on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the following actions be taken with respect to the property located at 75 Bathurst Street:

- a) the Managing Director, Development and Compliance Services & Chief Building Official BE ADVISED that the Municipal Council does not object to the request for demolition for the Priority 1 listed property located at 75 Bathurst Street; and,
- b) the Managing Director, Development and Compliance Services & 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 at the public participation meeting associated with this matter, the

following individual made an oral submission in connection therewith:

- Tanya Park, 300 South Street, President, SOHO Community Association – expressing support for the application. (2012-D10-00)

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

That, the Civic Administration BE REQUESTED to report back at a future public participation meeting of the Planning and Environment Committee with a final Beaufort/Irwin/Gunn/Saunby/Essex (BIGS) Street Neighbourhood Plan, with respect to the following:

- a) investigate the residents' concerns expressed at the public participation meeting held on Monday, November 26, 2012;
- b) take into consideration the comments received from agencies and other City Departments; and,
- c) further consultation be undertaken with the affected neighbours;

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

- a communication, dated November 12, 2012, from D. & T. Gonyou, 350 Wharnccliffe Road North;
- communications, dated November 19 and 23, 2012, from S. Scott, 372 Cedar Avenue;
- a communication, dated November 22, 2012, from P. & H. Cortese, 383 Cedar Avenue;
- a communication, dated November 23, 2012, from M. & B. Nolan, 396 Cedar Avenue;
- a communication, dated November 12, 2012, from E.A. Smuck, 928 Western Road;
- a communication, dated November 25, 2012, from C. Crncich, 384 Cedar Avenue;
- a communication, dated November 25, 2012, from J. & R. Carvalho, 388 Cedar Avenue;
- a communication from W.H. Liu, 390 Cedar Avenue; and,
- a communication, dated November 23, 2012, from R. Salazar, 376 Wharnccliffe Road North;

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

- Edgar Allen Smuck, 928 Western Road – advising that at the community public meeting, there were three plans presented; noting that they were the preserve model, the urban model and the village model; advising that the community rejected the village model; indicating that an on-site manager should be required for cluster dwellings; enquiring as to whether people want to see the area remain the same, whether people want to see real change or whether or not people want to see Mr. Smith's village plan that was rejected by the community; indicating that he supports the high rise plan; noting that there is one developer willing to build in this area; advising that the area was enlarged to allow the increase in the Western University to be managed; referring to the 2008 Wynfield case; and advising that he provided Mr. C. Parker, Senior Planner, with a 21-page communication on why Mr. P. Smith's report should be rejected.
- Morrison Reid, 376 Wharnccliffe Road North – advising that he is a business owner; advising that the residents need more time to read the Peter J. Smith Report as the residents living outside of the Beaufort Street, Irwin Street, Gunn Street and Saunby Street area did not know they were included in the Neighbourhood Plan; advising that, approximately 15 years ago, an application for a high rise in this area was rejected by the Ontario Municipal Board; indicating that this Plan would destabilize a stable community; indicating that the Peter J. Smith report is flawed; and indicating that many of the houses are owner occupied.
- Sheila Scott, 372 Cedar Avenue – advising that she has happily lived there for 40 years; requesting that the Wharnccliffe Road and Cedar Avenue area be protected and be preserved; indicating that a majority of the people in the Wharnccliffe Road/Cedar Avenue area did not know that they were included in the study area; advising that she has attended both community meetings; indicating that the community was provided with three models to choose from; and indicating that the whole study involves students; and enquiring as to whether or not any students have been consulted on this matter.
- Rosine Salazar, 376 Wharnccliffe Road North – advising that she has respectfully lived

near students for years; indicating that the single family dwellings should remain single family dwellings; requesting that the Committee drive by their properties to see that they are ranches, not cottages; and advising that the Peter J. Smith report includes the bike path along Wharncliffe Road which leads to the Thames River; and noting that the bike path leads to a cliff.

- Glen Matthews, on behalf of Gitta Kulczycki, Vice-President, Resources and Operations, Western University – see ~~attached~~ communication.
- Jackson Carvalho, 388 Cedar Avenue – advising that he has lived in his residence for 17 years; indicating that the document that the City is using has no credibility as the information is wrong; and advising that other owners live in the area; noting that the study indicates that the area is not owner occupied.
- Anna Maria Valastro, 1-133 John Street – advising that, earlier in the meeting, there was a similar issue in North London; indicating that it is only a priority to the City if the area is owner occupied; advising that the renters of the properties are not notified of the meetings; indicating that this happens in every city; and requesting that the City give value to its renters.
- Wanda Graham, 387 Wharncliffe Road North – advising that she owns a duplex and rents out the other half to a University professor; expressing disagreement with the proposed changes in the Peter J. Smith report; advising that there are student renal signs in the neighbourhood; indicating that the Smith report is incorrect; and advising that the area backing onto Gibbons Park is all owner occupied.
- Christine Crncich, 384 Cedar Avenue – indicating that she was away most of the summer; expressing alarm upon reading the report; indicating that she has the poor condition home on the street; noting that she sided her house in board and batton; indicating that she has deer and foxes eat from her garden every day; advising that she is proud to have the woods, the River and the deer; indicating that she likes to stay hidden; indicating that they do not have street lights and their street does not get plowed; enquiring as to how the most disagreed on Plan is the one that was chosen; requesting the Councillors drive through the neighbourhood at night to see the stars; indicating that, from her property on, all 32 of the houses were counted as rental properties; indicating that one of her neighbours has won the Trillium Award seven years for her beautiful gardens; indicating that no one in her area received the notice as all properties were thought to be rentals; indicating that she did not know that Essex Street and Hollywood Avenue was included in the Study; and enquiring as to who hired Peter J. Smith with her tax dollars.
- Dan McFadden, Real Estate Agent – advising that there are beautiful houses on Cedar Avenue; indicating that the area has deep value; advising that the last two sales in the area sold for \$1,200,000; indicating that the houses in the Beaufort Street, Irwin Street, Gunn Street and Saunby Street area that he has torn down have been condemned; and indicating that he was one of the first to build new houses in this area.
- Andre G., 371 Cedar Avenue – advising that he has owned this property for three years; noting that he purchased the property as an investment; indicating that he has spent a lot of money in renovations; indicating that the area is beautiful; advising that he was about to ask his tenants to leave so that he could move in when they advised him that they were moving out; and advising that this area is too beautiful to change.
- Annette Lance, 72 Gunn Street – requesting some control and balance in the neighbourhood; indicating that the City Council is doing the neighbourhood residents a disservice; indicating that a lot of mature trees will be removed if Mr. Peter J. Smith's recommendations are implemented; advising that the setback is closer to the street than the existing homes on the street; advising that one of the developments that was built had to resize the foundation as the foundation was too large and the neighbours called and complained; indicating that the neighbourhood is a lost cause; and expressing home that other neighbourhoods have more success.
- James Corcoran, 43 Gunn Street – indicating that the study was not their idea; advising that, in a short time, eight oversize duplexes have been built in the Beaufort Street, Irwin Street, Gunn Street and Saunby Street area; indicating that the neighbourhood is now like the Wild West; indicating that only part of the area is not under floodplain control; indicating that this is the path of least resistance for developers; advising that the few remaining single family houses in the neighbourhood do not fit in with the big box houses; indicating that there is a fourplex and a duplex boxed in beside the Varsity Mills townhouse development; and requesting that the neighbourhood be rezoned from an R2-3 Zone to a R3-2 Zone. (2012-D11-00)

31. Old East Village Enhanced Incentives Programs

That the Civic Administration BE REQUESTED to report to the appropriate Committee with respect to the financial implications of granting a two year extension of the Forgivable Upgrade

to Building Code Loan Program and the Forgivable Façade Improvement Loan Program to the Old East Village Business Improvement Area and Downtown London;

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

- a communication from K. Keane, Chair, Old East Village Business Improvement Area; and,
- a communication, dated November 20, 2012, from J. MacDonald, Executive Director, Downtown London, with respect to this matter;

it being pointed out that the Planning and Environment Committee received the attached presentation from Clark Bryant, Board Member, Old East Village Business Improvement Area, with respect to this matter. (2012-F12-00)

32. Dalmagarry Road

That the Civic Administration BE REQUESTED to report to a future meeting of the Planning and Environment Committee with respect to an update on the status of the completion of Dalmagarry Road and the reason for the delay.

Motion Passed

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

Motion made by Councillor B. Polhill to Approve clause 4.

Pursuant to section 12.3 of the Council Procedure By-law, Councillor J.B. Swan calls for a separate vote on parts a) and b) of clause 4.

4. Property located at 754 Maitland Street - Notice of Appeal to the Ontario Municipal Board (Z-8065)

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken in response to the letter of appeal to the Ontario Municipal Board, dated October 31, 2012 and submitted by Arnon Kaplansky (Kapland Inc.), relating to Zoning By-law application No. Z-8065 concerning 754 Maitland Street:

- a) the Ontario Municipal Board BE ADVISED that the Municipal Council has reviewed its decision relating to this matter and sees no reason to alter it; and,
- b) the Civic Administration BE REQUESTED to report back to the appropriate Committee with respect to the amount of the Civic Administration's time and financial resources that have been expended on this matter;

it being noted that the Planning and Environment Committee heard a verbal presentation and reviewed and received communications, dated November 23 and 24, 2012, from A. Kaplansky, Kapland Construction Management Ltd., with respect to this matter. (2012-D11-04)

The motion to Approve part a) of clause 4 is put.

Motion Passed

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

The motion to Approve part b) of clause 4 is put

Motion Failed

YEAS: S. Orser, D.G. Henderson, D. Brown, H.L. Usher (4)

NAYS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, J.L. Baechler, M. Brown, P. Hubert, P. Van Meerbergen, J.P. Bryant, S.E. White (10)

Clause 4 as amended reads as follows:

That, on the recommendation of the Managing Director, Planning and City Planner, in response to letters of appeal to the Ontario Municipal Board, dated October 31, 2012 and submitted by Arnon Kaplansky (Kapland Inc.), relating to Zoning By-law application No. Z-8065 concerning 754 Maitland Street, the Ontario Municipal Board BE ADVISED that the Municipal Council has reviewed its decision relating to this matter and sees no reason to alter it; it being noted that the Planning and Environment Committee heard a verbal presentation and reviewed and received communications, dated November 23 and 24, 2012, from A. Kaplansky, Kapland Construction Management Ltd., with respect to this matter. (2012-D11-04)

Motion made by Councillor B. Polhill to Approve clause 8.

8. Planning Division 18 Month Work Program

That, notwithstanding the recommendation of the Managing Director, Planning and City Planner, the Planning Division Work Program Priorities BE REFERRED to the Strategic Planning and Priorities Committee for consideration.

Motion Failed

YEAS: J.B. Swan, D.G. Henderson (2)

NAYS: J.F. Fontana, B. Polhill, W.J. Armstrong, S. Orser, J.L. Baechler, M. Brown, P. Hubert, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (12)

Motion made by Councillor P. Hubert and seconded by Councillor B. Polhill to Approve that the Planning Division Work Program Priorities BE RECEIVED; it being noted that these priorities will serve as the focus of the Division's activities over the next 18 months.

Motion Passed

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

Motion made by Councillor B. Polhill to Approve clause 9.

9. Member Composition for the Urban Design Peer Review Panel

That, on the recommendation of the Managing Director, Planning and City Planner, the Civic Administration BE DIRECTED to revise the Terms of Reference for the Urban Design Peer Review Panel to update the composition of the Panel members to include the following positions:

- i) three (3) Architects; and,
- ii) three (3) other professionals that influence the design of the built environment and are registered in their field; it being noted that these fields include, in order of preference, Landscape Architecture, Urban Design, Planning or other professional fields that influence the design of the built environment.

Motion made by Councillor J.P. Bryant and seconded by Councillor J.B. Swan to Amend clause 9, in line 4 of part ii), by removing all the words following the word "Planning".

Motion Passed

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

NAYS: S.E. White (1)

The motion to Approve clause 9, as amended, is put.

Motion Passed

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

NAYS: S.E. White (1)

Clause 9, as amended, reads as follows:

That, on the recommendation of the Managing Director, Planning and City Planner, the Civic Administration BE DIRECTED to revise the Terms of Reference for the Urban Design Peer Review Panel to update the composition of the Panel members to include the following positions:

- i) three (3) Architects; and,
- ii) three (3) other professionals that influence the design of the built environment and are registered in their field; it being noted that these fields include, in order of preference, Landscape Architecture, Urban Design, Planning.

Motion made by Councillor S.E. White to Approve clause 21.

21. Property located at 124 St. James Street

That, on the recommendation of the Manager, Development Planning, the following actions be taken with respect to the site plan approval application of London Property Corporation, relating to the property located at 124 St. James Street:

- a) the Approval Authority BE ADVISED that at the public meeting of the Planning and Environment Committee held with respect to this matter, the following issues were raised by the neighbourhood with respect to the application for Site Plan approval to permit two, three and one-half storey thirty-six unit apartment buildings with each unit containing three bedrooms:
 - i) the significant loss of trees on the site;
 - ii) the addition of windows and dormers to the proposed development;
 - iii) the possible groundwater contamination; and,
 - iv) the stability of the ground for the proposed development; and,
- b) the Approval Authority BE ADVISED that, upon the applicant fulfilling the areas of concern noted in part a) above, the Municipal Council supports the granting of approval of the site plan and elevations, as submitted in the Civic Administration's Report dated November 26, 2012; and,
- c) the Civic Administration BE DIRECTED to meet with the Ward Councillor and the Neighbourhood Community Association to address the concerns identified at the public participation meeting;

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

- Harry Froussios, Zelinka Priamo Ltd., on behalf of the applicant – advising that they have had discussions with the residents, the Community Association and the Civic Administration; indicating that an application for minor variance was applied for and has been appealed; advising that the core of the neighbourhood supports the application; advising that the reports that have been submitted permit the development to proceed; indicating that they asked for a one metre height variance; indicating that the second building could be higher; indicating that the proposal is in keeping with the neighbourhood; and that the applicant will endeavor to retain the existing trees without compromising the development.
- Anna Maria Valastro, 1–133 John Street – advising that she lives just outside of this area; indicating that she has requested that the hydrology and soil density reports be released to the public; noting that, in the Engineering Report, the ground is not stable due to its proximity to the flood plain; indicating that the proposed development is being forced; indicating that the project has failed to look at the impacts on the roots of existing trees; indicating that the project will contaminate the groundwater; requesting that the surplus parking spaces not be built to allow the existing trees to remain; reiterating that there are two city trees that are not to be removed; requesting that the black walnut tree not be removed, but that the building be built around the tree; advising that the development is exclusionary; indicating that the development should be welcoming to everyone; and requesting that a second meeting be held with respect to this matter.
- Nancy Whynot, 428 St. George Street – advising that the proposed design seems more inclined to arterial roads; and advising that it does not fit where it is being proposed.

- Mary Cave, 220 St. George Street – expressing support for the groundwater and floodplain concerns that were previously mentioned; advising that the structure is unattractive for the area that it is proposed to be built in; indicating that St. George Street is becoming an artery for people travelling west on Oxford Street or east onto Talbot Street; indicating that the four-way stop at St. George Street is tenuous; and expressing concern with traffic only having one entrance and exit on the proposed development.
- Tom Miles, 114 Sydenham Street – advising that the proposed student residences are identical to the student rentals located on Wharnclyffe Road; expressing concern that the proposed development is not on a main artery, but now in a residential neighbourhood; indicating that you will always be able to retain students; advising that people who want to live in Old North, and have always lived in Old North, are now living in apartments in Old North; indicating that a four storey building on a two lane street is overwhelming; advising that the trees are jewels the City should want to maintain; indicating that the Ivey family is a wonderful family for the City; noting that they have owned many homes in North London; indicating that he has met with Mr. Stanton and requested that the residential be built prior to the student housing; expressing praise for the Grosvenor Community Association who realized that they were unable to stop the development; and advising that the Community Association does not represent everyone in the area. (2012-D25-00)

Motion made by Councillor S.E. White and seconded by Councillor J.B. Swan to Amend clause 21, in line 1 of part b), by deleting the word “fulfilling” and by replacing it with the words “addressing”.

Motion Passed

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

RECUSED: B. Polhill (1)

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

Motion Passed

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

NAYS: J.P. Bryant (1)

RECUSED: B. Polhill (1)

Clause 21, as amended, reads as follows:

That, on the recommendation of the Manager, Development Planning, the following actions be taken with respect to the site plan approval application of London Property Corporation, relating to the property located at 124 St. James Street:

- a) the Approval Authority BE ADVISED that at the public meeting of the Planning and Environment Committee held with respect to this matter, the following issues were raised by the neighbourhood with respect to the application for Site Plan approval to permit two, three and one-half storey thirty-six unit apartment buildings with each unit containing three bedrooms:
 - v) the significant loss of trees on the site;
 - vi) the addition of windows and dormers to the proposed development;
 - vii) the possible groundwater contamination; and,
 - viii) the stability of the ground for the proposed development; and,
- b) the Approval Authority BE ADVISED that, upon the applicant addressing the areas of concern noted in part a) above, the Municipal Council supports the granting of approval of the site plan and elevations, as submitted in the Civic Administration’s Report dated November 26, 2012; and,
- c) the Civic Administration BE DIRECTED to meet with the Ward Councillor and the Neighbourhood Community Association to address the concerns identified at the public participation meeting;

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

- Harry Froussios, Zelinka Priamo Ltd., on behalf of the applicant – advising that they have had discussions with the residents, the Community Association and the Civic Administration; indicating that an application for minor variance was applied for and has been appealed; advising that the core of the neighbourhood supports the application; advising that the reports that have been submitted permit the development to proceed; indicating that they asked for a one metre height variance; indicating that the second building could be higher; indicating that the proposal is in keeping with the neighbourhood; and that the applicant will endeavor to retain the existing trees without compromising the development.
- Anna Maria Valastro, 1–133 John Street – advising that she lives just outside of this area; indicating that she has requested that the hydrology and soil density reports be released to the public; noting that, in the Engineering Report, the ground is not stable due to its proximity to the flood plain; indicating that the proposed development is being forced; indicating that the project has failed to look at the impacts on the roots of existing trees; indicating that the project will contaminate the groundwater; requesting that the surplus parking spaces not be built to allow the existing trees to remain; reiterating that there are two city trees that are not to be removed; requesting that the black walnut tree not be removed, but that the building be built around the tree; advising that the development is exclusionary; indicating that the development should be welcoming to everyone; and requesting that a second meeting be held with respect to this matter.
- Nancy Whynot, 428 St. George Street – advising that the proposed design seems more inclined to arterial roads; and advising that it does not fit where it is being proposed.
- Mary Cave, 220 St. George Street – expressing support for the groundwater and floodplain concerns that were previously mentioned; advising that the structure is unattractive for the area that it is proposed to be built in; indicating that St. George Street is becoming an artery for people travelling west on Oxford Street or east onto Talbot Street; indicating that the four-way stop at St. George Street is tenuous; and expressing concern with traffic only having one entrance and exit on the proposed development.
- Tom Miles, 114 Sydenham Street – advising that the proposed student residences are identical to the student rentals located on Wharncliffe Road; expressing concern that the proposed development is not on a main artery, but now in a residential neighbourhood; indicating that you will always be able to retain students; advising that people who want to live in Old North, and have always lived in Old North, are now living in apartments in Old North; indicating that a four storey building on a two lane street is overwhelming; advising that the trees are jewels the City should want to maintain; indicating that the Ivey family is a wonderful family for the City; noting that they have owned many homes in North London; indicating that he has met with Mr. Stanton and requested that the residential be built prior to the student housing; expressing praise for the Grosvenor Community Association who realized that they were unable to stop the development; and advising that the Community Association does not represent everyone in the area. (2012-D25-00)

Motion made by Councillor B. Polhill to Approve clause 25.

25. Properties located at 510, 518 and 526 Southdale Road East (Z-8092)

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of Dr. Afzal Mohammed, relating to the properties located at 510, 518 and 526 Southdale Road East:

- a) the attached proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on December 11, 2012, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM a Residential R3 Office Conversion (R3-2/OC5) Zone at 510 Southdale Road East and a Residential R3 (R3-2) Zone at 518, 526 Southdale Road East, which permits single detached dwellings, semi-detached dwellings, duplex dwellings, triplex dwellings, converted dwellings, and fourplex dwellings in the R3-2 Zone and dwelling units, medical/dental offices in existing buildings and offices in existing buildings in the OC5 Zone TO a Restricted Office Special Provision (RO2()) Zone, which permits clinics, medical/dental offices, medical/dental laboratories and offices including a minimum parking setback of 15 meters from the ultimate road allowance; and,
- b) the Site Plan Approval Authority BE REQUESTED to address the following design issues through the site plan process:

- i) a site plan identifying phases of development, and a landscape plan which identifies continuous screening of parking areas along the Southdale Road frontage, to provide an attractive street edge condition, until the frontage is occupied by built form;
- ii) ensure landscaping along Nixon Avenue screens adjacent parking areas from the street; it being noted that this may include a low-rise wall clad with materials also used on the building, in addition to plantings;
- iii) provide or relocate an entrance at the street corner “two storey commercial building” to offer convenient pedestrian access from the street intersection;
- iv) ensure a street corner height element is provided in the street corner “two storey commercial building” and articulated sufficiently to identify it as a special focal element at the street intersection;
- v) provide or relocate an entrance on the “medical building” facing Southdale Road to offer convenient pedestrian access from the sidewalk;
- vi) include landscaping techniques along the Southdale Road frontage, such as a paved forecourt and a broad sidewalk between buildings, to create functional and pleasant pedestrian connections between the building entrances and public sidewalks; and,
- vii) consider the October 17, 2012 advice of the Urban Design Peer Review Panel to maximize the qualitative contribution the development makes in the enhancement of the street corner location;

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

- Laverne Kirkness, Kirkness Consulting Inc., on behalf of the applicant – expressing support for the application; advising that they have worked with the Civic Administration and the Urban Design Review Panel throughout the application process; indicating that during the site plan process, special provision was made to plant trees along the property line to ensure that the people abutting the property would see a fence and backdropped landscaping; advising that the proposed development conforms to the Urban Design Review requirements; indicating that the application is in conformity with the Official Plan; and advising that there is a good demand for medical/dental at this corner.
- John Collins, 537 Winblest Avenue – expressing opposition to the application; indicating that his father built the house he now resides in; indicating that the house was in the middle of nowhere when it was first built; indicating that the subdivision is comprised of ½ acre lots; indicating that the current residents were not expecting houses at their backyards when they purchased their properties; advising that, across the street, half of the mall is empty and wondering why that space cannot be used instead; indicating that, 10 years ago, his father fought against the building of a gas station in the area; advising that this affects the entire subdivision; indicating that there is a group home moving into the area; noting that the people they back onto will not be looking at a parking lot; reiterating that this is not necessary, there is lots of room in the mall; advising that residents on Winblest Avenue are going to be looking at an 8 foot fence along the back of their properties; indicating that there is a Rexall on the other side of the street; indicating that the applicant is proposing to tear down houses to build new houses; and indicating that if you allow this on one corner, you need to allow it all down the street. (2012-D11-05)

Motion Passed

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

Motion made by Councillor B. Polhill to Approve clause 26.

26. Property located at 1205 Riverside Drive (39CD-12512/Z-8099)

That, on the recommendation of the Senior Planner, Development Services Division, the following actions be taken with respect to the application of Riverwood (London) Corporation, relating to the property located at 1205 Riverside Drive:

- a) the attached proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on December 11, 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 Residential R5 (R5-1) Zone, which permits a wide range of housing including single detached cluster housing

and cluster stacked townhouse dwellings TO a Residential R6 Special Provision (R6-2()) Zone, to permit single detached cluster housing with a 1.2 metre side-yard setback on the corner units (numbered 8 and 16), in place of the minimum requirement of 3 metres where there are no windows to habitable rooms, and 6 metres where the wall of a unit contains windows to habitable rooms, to permit 40% lot coverage maximum in place of the 30% and a minimum rear yard setback of 8 metres;

- b) the Approval Authority BE ADVISED that there were no issues raised at the public participation meeting of the Planning and Environment Committee with respect to the proposed draft Vacant Land Condominium application;
- c) the Approval Authority BE ADVISED that there were no issues raised at the public participation meeting of the Planning and Environment Committee with respect to the proposed Site Plan Approval application;
- d) the Approval Authority BE ADVISED that the Municipal Council supports the granting of approval to the vacant land condominium for 23 cluster single detached residential units;
- e) the Approval Authority BE ADVISED that the Municipal Council supports the granting of approval to the Site Plan applications for 23 cluster single detached residential units; and,
- f) the Approval Authority BE DIRECTED to utilize, if possible, one agreement in place of a separate development agreement, condominium agreement and servicing agreement, to address the development of this site;

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

- Laverne Kirkness, Kirkness Consulting Inc., on behalf of the applicant – expressing support for the recommendation; expressing appreciation to the Civic Administration for their efforts on this application; and advising that the applicant will make the development beautiful. (2012-D11-06/D25-00)

Motion Passed

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

Councillors M. Brown and W.J. Armstrong leave the meeting at 8:50 PM.

Motion made by Councillor B. Polhill to Approve clause 29.

29. Property located at 2095 Coronation Drive (Z-8076)

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of Banman Developments (West) Inc., relating to the property located at 2095 Coronation Drive:

- a) the attached proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on December 11, 2012, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM a Community Facility/Residential R1 (CF1/CF3/R1-13) Zone, which permits churches, community centres, elementary schools, group homes, libraries, post office depots, private schools, secondary schools, police stations, public recreational buildings, public swimming pools, studios and single detached dwellings TO a Holding Residential R5 Special Provision (h.h-5.R5-5()) Zone, to permit a cluster townhouse development with a reduced front yard setback and maximum deck heights no higher than the first finished floor level for each dwelling; it being noted that holding provisions require that a development agreement be entered into, full municipal services, and the holding of a public site plan meeting before the development can proceed;
- b) the Site Plan Approval Authority BE REQUESTED to address the following design objectives through the site plan application process:
 - i) a site plan and building elevations of a higher standard of design than shown in the illustrations be submitted;

- ii) minimize the number of points of egress and ingress to the site and at these points, use building materials on the adjacent units to create a gateway effect;
- iii) no garages fronting onto Coronation Drive;
- iv) corner units at the intersection of the private road and Coronation Drive to incorporate the same building form, architectural elements, and materials as those units seen from the street to create a gateway effect;
- v) buildings shall be located to frame the public park and architectural elements, such as principal entrance doors and windows, are to be located on building facades facing the park;
- vi) fencing around the perimeter of the park to be low in height and of a high quality e.g. decorative black iron;
- vii) internal sidewalks around the perimeter of the park should connect with sidewalks in the neighbourhood;
- viii) landscape features are recommended at entrances from the sidewalks into the public park;
- ix) landscape features to attenuate the visual effect of parking areas are to be provided;
- x) pedestrian access to the park at the end of the driveway into the neighbourhood should be considered;
- xi) landscaping is to be provided on the west side of the site along Coronation Drive to strengthen the street edge; it being noted that landscaping to screen the parking area at the south driveway into the site should be provided;
- xii) privacy for residential properties to the north and east of the site should be considered;
- xiii) incorporate architectural variations in the individual units of the elevations on the street and park frontages;
- xiv) limit the maximum deck heights to no higher than the first finished floor level for each dwelling; and,
- xv) ensure the property is graded to not flood the neighbouring properties;

it being noted that the Planning and Environment Committee reviewed and received a communication, dated November 26, 2012, from R. Knutson, Knutson Development Consultants Inc., with respect to this matter;

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

- R. Knutson, Knutson Development Consultants Inc., on behalf of the applicant – expressing support for a majority of the Civic Administration’s recommendation; indicating that he does not support part b) vi), by indicating that this is modest, not upscale housing and the cost of the wrought iron fencing being asked for by the City is three times the cost of the city standard fencing; further indicating that he does not support part b) x), by indicating that the public park will be connected to Coronation Street; noting that the townhouse development is different than the current existing housing; and expressing concern with the liability of having a public thoroughfare; requesting a legal agreement; requesting that this be left as an open issue; indicating that the sidewalk will end at the Park along Coronation Drive; advising that there will be no sidewalk along the perimeter; indicating that there will be no finished decks above the first finished floor; noting that some decks are walkout units which caused privacy issues for the abutting neighbours; advising that the setbacks have been reduced; indicating that there were a number of issues raised at the community meeting; advising that the number of vacant condominium units in the area are likely because they tried to hit the market too high; advising that his client purchase the subject lands from West Park Baptist Church; advising that the proposal is in accordance with the Hyde Park Community Plan and the Official Plan; and indicating that the grading issues will be dealt with by a stormwater management facility on the property.
- M. Enrices, Kimball Crescent – expressing opposition to the application; indicating that he takes his grandson to the park; indicating that they currently cross the empty lot without any problems; advising that he was expecting to have a community centre, not more housing; indicating that he would rather see a community centre built; advising that his church deals with troubled kids from the area and provides them with healthy entertainment; indicating that he received three parking tickets because he parked his work vehicle on the road as he had nowhere else to park it; and reiterating that they work with kids with social issues from the surrounding area and that a community centre would be beneficial on this site.
- Jeff Whitney, 1828 Bayswater Crescent – advising that the neighbourhood has concerns with this development; noting that privacy concerns are not identified; indicating that the application has gone from nice iron fencing to low quality fencing; enquiring as to where

- else the applicant is cutting costs; indicating that they do not want raised decks so that no one is peering into their backyards; enquiring why another medium-density development meetings to be built in this area; noting that the intersection of Hyde Park Road and North Rutledge Road has vacancies; further noting that only half of the lot on the northwest corner is built and the other half is an eyesore; also noting that the southwest corner was recently purchased by Palumbo Homes and it is not complete; advising that most of these developments were started five to seven years ago; and requesting that the existing vacant lands be utilized.
- Tim Boston, 1852 Bayswater Crescent – advising that the townhouses will be built three feet onto his property from the south side; indicating that if he places a laser level on the top of his fence, it is six and a half feet high; noting that with a six foot fence, people will be peering over his fence; indicating that he has had flooding issues; indicating that the city built a berm and enquiring as to where the water is going to go if this development is built.
 - Andrew Vamos, 1888 Bayswater Crescent – indicating that this subdivision consists of single family detached homes; advising that the developer wants to install medium density, attached homes in the middle of the subdivision; indicating that this will detract from the makeup and style of the current housing; indicating that the proposed development is a repetitive style and will change the neighbourhood, as all the current houses are different; advising that this will directly and indirectly affect the value of homes; expressing concern with the volume of traffic; indicating that Hyde Park Road will not be expanded for years; indicating that this proposal will put a lot of traffic through the core of a residential subdivision; indicating that this will not fulfill the needs of the community and requesting that the current zoning remain.
 - Ali Medhi, 2055 North Rutledge Park – advising that he has owned their residence for two years; noting that he owns the third house from the corner; indicating that it takes a few minutes every day to get out of his driveway; indicating that you can sit in traffic on Hyde Park Road for 15 to 20 minutes any time of day; enquiring as to where the neighbourhood children are going to go to school; advising that he was informed that there would be no townhouses in the subdivision; enquiring as to why 102 more townhouses are necessary; requesting that the space be used as a community centre or turned into a park; and indicating that if houses are built, they should be single family dwellings, not medium density attached homes. (2012-D11-01)

Motion Passed

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

At 8:52 PM Councillors W.J. Armstrong and M. Brown enter the meeting.

1st Report of the Community and Protective Services Committee
Councillor D. Brown presents.

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

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. 3rd Report of the London Housing Advisory Committee

That the 3rd Report of the London Housing Advisory Committee, from its meeting held on November 14, 2012, BE RECEIVED.

3. Request for Capital Funding from the Social Housing Major Repairs and Upgrades Stabilization Reserve Fund for Andover Gardens Seniors Apartment Inc. 1 Andover Drive London

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

- a) Andover Gardens Seniors Apartment Inc. BE APPROVED for an allocation of up to \$502,279 (incl. HST) for capital repairs at 1 Andover Drive in London, as outlined in the report dated December 3, 2012; and,
- b) the funding allocation from the Social Housing Major Repairs and Upgrades Stabilization Reserve Fund as set out in the Sources of Financing, appended to the

above-noted staff report, BE APPROVED. (2012F12-00)

4. Purchase of Service Agreements - Ontario Works Employment Assistance Services

That, on the recommendation of the Acting Administrator of Ontario Works, a by-law substantially in the form attached, BE INTRODUCED at the Municipal Council meeting of December 11, 2012 to:

- a) approve the Ontario Works Employment Assistance Services Agreements with:
- Collège Boréal, 355 Wellington St, Unit 279, London, ON N6A 3N7;
 - Daya Counselling Centre, 141 Dundas St, 6th floor, London, ON N6A 1G3;
 - Goodwill Industries, Ontario Great Lakes, 255 Horton St, London, ON N6B 1L1;
 - Hutton House Association for Adults with Disabilities, 654 Wonderland Rd N, London, ON N6H 3E5;
 - LEADS Employment Services London Inc., 171 Queens Av, Ste 410, London, ON N6A 5J7;
 - Literacy Link South Central, 255 Horton St, 3rd floor, London, ON N6B 1L1;
 - LUSO Community Services, 1193 Oxford St E, Unit 2, London, ON N5Y 3M2;
 - Nokee Kwe, 1069 Wellington Rd S, Unit 104, London, ON N6E 2H6;
 - Pathways Skill Development & Placement Centre, 210 Dundas St, 2nd floor, London, ON N6A 5J3
 - Rehabilitation Foundation for the Disabled (known as March of Dimes), 920 Commissioners Rd E, London, ON N5Z 3J1;
 - The London Community Small Business Centre, Inc., 316 Rectory St, 3rd floor, London, ON N5W 3V9;
 - WIL Counselling and Training for Employment, 141 Dundas St, 4th floor, London, ON, N6A 5J3; and
 - Youth Opportunities Unlimited, 141 Dundas St, 2nd floor, London, ON N6A 1G3;
- b) authorize the Mayor and City Clerk to execute the above-noted Ontario Works Employment Assistance Services Agreements; and
- c) authorize the City Manager, or designate, to represent the City with respect to the Ontario Works Employment Assistance Services Agreements. (2012-L03-00)

5. 4th Report of the London Diversity and Race Relations Advisory Committee

That the 4th Report of the London Diversity and Race Relations Advisory Committee, from its meeting held on November 27, 2012, BE RECEIVED.

6. 2013/14 Community Accountability Planning Submission (CAPS) for the Dearness Home - Adult Day Program and Homemaking Program.

That, on the recommendation of Tim Dobbie, Consultant, the 2013-14 Community Accountability Planning Submission for Dearness Home Adult Day Program and Homemaking Program, as appended to the Report dated December 3, 2012, BE APPROVED for submission to the South West Local Health Integration Network (LHIN); it being noted that it is a requirement of the LHIN that the Planning Submission be approved by the Board of Directors of the Home which is London City Council.

7. 2013-2016 Long-Term Care Home Accountability Planning Submission (LAPS)

That, on the recommendation of Tim Dobbie, Consultant, the 2013-2016 Long-Term Care Home Accountability Planning Submission for Dearness Home, as appended to the original Report dated December 3, 2012, BE APPROVED for submission to the South West Local Health Integration Network (LHIN); it being noted that it is a requirement of the LHIN that the Planning Submission be approved by the Board of Directors of the Home which is London City Council.

8. Election of Vice-Chair for the Term Ending November 20, 2012

That Councillor B. Armstrong BE ELECTED Vice Chair of the Community and Protective Services Committee, for the term ending November 30, 2013.

9. 3rd Report of the Community Safety and Crime Prevention Advisory Committee

That the following actions be taken with respect to the 3rd Report of the Community Safety and Crime Prevention Advisory Committee, from its meeting held on November 22, 2012:

- a) clause 1 BE REFERRED to the 2013 Budget process; it being noted that clause 1 reads as follows:

“That the Municipal Council BE REQUESTED to consider a \$21,000 2013 Budget increase, to the London Block Parent® Program, per year for 3 years, to accommodate the additional office hours and staff required to provide the new re-screening process to its Block Parent families; it being noted that the London Police Services previously provided this service for the Block Parent® Program; it being further noted that the Community Safety and Crime Prevention Advisory Committee (CSCP) reviewed and received a communication and heard the ~~attached~~ presentation from G. McMahon, London Block Parent®, with respect to this matter.”; and,

- b) clauses 2 to 7, inclusive, BE RECEIVED.

10. 4th Report of the Animal Welfare Advisory Committee

That the following actions be taken with respect to the 4th Report of the Animal Welfare Advisory Committee, from its meeting held on November 1, 2012:

- a) clause 1 BE REFERRED to the Civic Administration for consideration in conjunction with the previous direction of Council; it being noted that clause 1 reads as follows:

“That the following actions be taken with respect to wildlife and how it is considered and accommodated in municipal planning and decisions, where existing wildlife and/or habitat is potentially affected:

- (a) the Civic Administration BE REQUESTED to research, consider and discuss humane solutions from the simplest (e.g., install flow devices to allow water flow through beaver dams) to the more comprehensive (e.g., expropriating or purchasing land adjacent to rather than on natural heritage system land) so that appropriate measures are taken;
- (b) the Civic Administration BE REQUESTED to consult with the Environmental, Parks and Planning Departments, including the City Ecologist, to ensure all possible humane solutions are found; and,
- (c) the Civic Administration BE REQUESTED to advise the Animal Welfare Advisory Committee (AWAC) with respect to any actions arising from (a) or (b), above;

it being noted that the AWAC reviewed and received a report from its Wildlife Subcommittee dated November 1, 2012, with respect to this matter.”; and,

- b) that clauses 2 to 10, inclusive, BE RECEIVED.

11. Licensing Issues and By-law Enforcement

That the inquiry of T. Vieira, with respect to a request for delegation status related to licensing issues regarding public garages, BE NOTED AND FILED; it being noted that the Community and Protective Services Committee received a verbal update from the Manager II, By-law Enforcement with respect to this matter.

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

The motion to Approve clauses 1 to 11, excluding clause 4, is put.

Motion Passed

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

The motion to Approve clause 4 is put.

Motion Passed

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

RECUSED: P. Hubert (1)

1st Report of the Strategic Priorities and Policy Committee
Councillor D.G. Henderson presents.

Motion made by Councillor D.G. Henderson to Approve clauses 1 to 13, except clauses 4 and 5.

1. Disclosures of Pecuniary Interest

That it BE NOTED that the following pecuniary interests were disclosed:

- a) Councillor J.B. Swan discloses a pecuniary interest in those parts of the 2013 Budget that relate to Orchestra London by indicating that Orchestra London is his employer. Councillor J.B. Swan further discloses a pecuniary interest in any fees and charges related to Centennial Hall as his employer rents space from Centennial Hall.
- b) Councillor D. Brown discloses a pecuniary interest those parts of the 2013 Budget that relate to the London Transit Commission by indicating that her employer has a contract with the London Transit Commission.
- c) Councillor P. Hubert discloses a pecuniary interest in those parts of the 2013 Budget that relate to Ontario Works by indicating that he is the Executive Director of a social services agency that has dealings with Ontario Works.
- d) Councillor S. White discloses a pecuniary interest in those parts of the 2013 Budget that relate to London CAReS by indicating that her employer is currently in negotiations with WOTCH, which receives funding from the City of London.

2. Service London Value Proposition

That, on the recommendation of the Managing Director of Neighbourhood, Children's and Fire Services, and at the request of Council on October 30, 2012, the following actions be taken with respect to the Service London initiative:

- a) the staff report dated December 4, 2012 BE RECEIVED for information, and
- b) as recommended to the Strategic Priorities and Policy Committee on October 29, 2012, the Civic Administration BE DIRECTED to proceed with the first three years of the attached Service London Implementation Plan, including the creation of a temporary Service London Office to implement the Plan; it being noted that this can be accommodated through the already committed one-time funding of \$2.3 million and no new funding is being requested at this time.

3. 2012 Report to the Community

That the presentation by the City Manager and the Manager, Corporate Initiatives, with respect to the 2012 Report to the Community BE RECEIVED.

6. Community Engagement Task Force - Phase II Report

That, on the recommendation of the Director, Corporate Communications, the following actions be taken with respect to the work of the Community Engagement Task Force (CETF):

- a) the attached final recommendations of the CETF BE REFERRED to the Civic Administration for review and consideration; and
- b) the members of the CETF BE THANKED for their efforts in concluding the tasks assigned by the Municipal Council.

7. Status of Rethink London Community Engagement Report Draft Values, Vision and Direction

That, on the recommendation of the Managing Director, Planning & City Planner, the following actions be taken with respect to ReThink London:

- a) the draft Values, Vision Statement and Directions, attached hereto BE ENDORSED in principle,
- b) the staff report dated December 4, 2012 on the status of ReThink London Community London BE RECEIVED; and
- c) the Civic Administration BE DIRECTED to continue to engage the public to solicit feedback on the draft Values, Vision Statement and Directions;

it being noted that the Strategic Priorities and Policy Committee heard the attached presentation from the Managing Director, Planning & City Planner, the Manager III, Land Use Planning Policy, and the Manager, Urban Design, with respect to this matter.

8. Growth Management Implementation Strategy (GMIS): 2013 Annual Review and Update

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

- a) the implementation of the Official Plan growth management policies applicable to the financing of growth-related infrastructure works the Growth Management Implementation Strategy Update BE APPROVED as attached in Appendix "A", it being noted that:
 - i) this strategy will provide direction on future development applications and be used as a guidance document for the 2014 Development Charge By-law update process; and
 - ii) the Growth Management Implementation Strategy will be used to adjust the 10-year Capital Program for growth infrastructure;
- b) the emerging possibility of large scale deferrals of SWM ponds or an increase in the stormwater management component of the development charge as a result of a deteriorating position of the Development Charge SWM Reserve Fund BE NOTED, and that staff BE ENCOURAGED to continue to monitor the situation, develop alternative financing approaches through the ongoing work on the 2014 Development Charge study and report back in early 2013 in conjunction with other Development Charge policy review matters;

it being noted that the Strategic Priorities and Policy Committee heard the attached presentation from the Director, Development Finance, with respect to this matter.

9. Industrial Lands Review O-8014

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

- a) the Industrial Lands Study, dated November 2012, and the associated staff report dated December 4, 2012 BE RECEIVED for information, and this information BE CIRCULATED for public and agency consultation; and
- b) following a public consultation process, Planning staff BE DIRECTED to prepare an Official Plan Amendment for the expansion of the Urban Growth Area for the designation of approximately 500 hectares of new Urban Reserve Industrial Growth lands;

it being noted that the Strategic Priorities and Policy Committee heard the attached presentation from Managing Director, Planning and City Planner and the Manager III, Land Use Planning Policy with respect to this matter.

10. Consideration of Appointment to the Argyle BIA Board of Management

That the following individuals BE APPOINTED to the Argyle BIA Board of Management for the term ending November 30, 2014:

- Councillor B. Armstrong
- Jeff, Baggaley - Color Company
- Brendan Colafranceschi - The Co-operators
- Scott Coulter - Coulter's Pharmacy
- Sandy Desmarais - CIBC Securities Inc
- Peter DeMelo - Subway
- Elissa Ielapi - Libro Financial Group
- Brock Merrifield - Staples Canada Inc
- Bill Ross - M&M Meat Shops

11. Appointment Recommendations for the London Convention Centre Board of Directors

That the following actions be taken with respect to appointments to the London Convention Centre (LCC) Board of Directors:

- a) a second 3-year term for Jeannine Cookson, Fanshawe College and Dr. Ted Hewitt, UWO for the first two-years of the second term to run until November 30, 2014 BE APPROVED;
- b) a second 2-year term for Michael Seabrook, CEO of the London International Airport for 2013 to November 30, 2014 BE APPROVED; and
- c) the appointment of Stephen Peters to the London Convention Centre Board of Directors for an initial two year term effective January 1, 2013 to November 30, 2014 BE APPROVED.

12. London Police Services Board

That the following actions be taken with respect to the Municipal Council's appointment to the London Police Services Board:

- a) the communication dated November 22, 2012 from M. Deeb, Chair, London Police Services Board regarding the resignation of Mayor J. F. Fontana from the London Police Services Board BE RECEIVED; and
- b) Councillor D. Brown BE APPOINTED to fill the vacancy on the London Police Services Board arising from the resignation of Mayor J.F. Fontana

13. Extension of Term for Jeff Brown to the London International Airport Board of Directors

That, on the recommendation of the London International Airport Board of Directors, the current appointment of Jeff Brown BE EXTENDED for two years effective August, 2014.

Motion Passed

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

The motion to Approve clause 4 is put.

4. Tabling of the 2013 Draft Budget

That the 2013 Draft Budget BE RECEIVED and BE REFERRED to the 2013 Budget review process; it being noted that the Strategic Priorities and Policy Committee heard the attached presentation from the Managing Director, Corporate Services & City Treasurer, Chief Financial Officer and the Director, Financial Planning and Policy, with respect to this matter.

Motion Passed

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

The motion to Approve clause 5 is put.

5. Amendments to Consolidated Fees and Charges By-law

That, on the recommendation of the City Clerk, with the concurrence of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the attached proposed by-law (Appendix "A") BE INTRODUCED at the Municipal Council meeting on December 11, 2012 for the purpose of repealing By-law No. A-42, as amended, being "A by-law to provide for Various Fees and Charges" and replacing it with a new Fees and Charges By-law that updates, adds and increases certain fees and charges for services or activities provided by the City of London; it being noted that there were no members of the public in attendance to speak to the Strategic Priorities and Policy Committee, at the public hearing associated with the Amendments to Consolidated Fees and Charges By-law; it being further noted that Page 2 of the staff report related to this matter was replaced with a revised Page 2.

Motion Passed

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

NAYS: J.L. Baechler (1)

At 9:06 PM Councillor S. Orser leaves the meeting.

Pursuant to section 12.3 of the Council Procedure By-law, Councillor H.L. Usher calls for a separate vote on clause 11.

The motion to Approve clause 11 is put.

11. Appointment Recommendations for the London Convention Centre Board of Directors

That the following actions be taken with respect to appointments to the London Convention Centre (LCC) Board of Directors:

- a) a second 3-year term for Jeannine Cookson, Fanshawe College and Dr. Ted Hewitt, UWO for the first two-years of the second term to run until November 30, 2014 BE APPROVED;
- b) a second 2-year term for Michael Seabrook, CEO of the London International Airport for 2013 to November 30, 2014 BE APPROVED; and
- c) the appointment of Stephen Peters to the London Convention Centre Board of Directors for an initial two year term effective January 1, 2013 to November 30, 2014 BE APPROVED.

Motion Passed

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

At 9:10 PM Councillor S. Orser enters the meeting.

19th Report of the Investment and Economic Prosperity Committee
Councillor J.B. Swan presents.

Motion made by Councillor J.B. Swan to Approve clauses 1 – 10, except clauses 7 and 8.

1. Disclosures of Pecuniary Interest

That it BE NOTED that Councillor J.B. Swan disclosed a pecuniary interest in Item #7 and Item

#8 of this Report having to do with the Grand Theatre Proposal and the Music London Initiative by indicating that both are related to a proposed concert hall in the Downtown Core, which relates to his employer, Orchestra London.

2. Investment and Economic Prosperity Proposal Assessment Process

That, on the recommendation of the Director of Corporate Investments and Partnerships, the updated investment and economic prosperity proposal assessment plan BE ENDORSED, in order to guide the timeline by which proposals will be evaluated and the process by which selected proposals will evolve from ideas to executable projects; it being noted that Mr. Filger gave the attached presentation with respect to this matter.

3. Guidelines for Establishing a Small Business

That, on the recommendation of the Chief Technology Officer and the Managing Director, Development and Compliance Services and Chief Building Official, the staff report dated November 27, 2012, with respect to guidelines for establishing a small business, BE RECEIVED for information.

4. 2nd Report of the London Diversity & Race Relations Advisory Committee

That the 2nd Report of the London Diversity & Race Relations Advisory Committee, from its meeting held on October 18, 2012, BE RECEIVED.

5. 3rd Report of the Creative City Committee

That the 3rd Report of the Creative City Committee, from its meeting held on October 10, 2012, BE RECEIVED.

6. Ontario Concrete Pipe Association

That the communication dated October 5, 2012, from H. Brown, President, Brown & Cohen Communications & Public Affairs, BE NOTED AND FILED and Mr. Brown BE ADVISED that while the City is always interested in potential economic development opportunities, any discussions will have to wait until after the City of London's 2013 Budget deliberations have concluded; it being noted that discussions may also take place with other industry and technology representatives.

9. Social Innovation Shared Space Presentation

That the communication from Pillar Nonprofit Network, with respect to a Social Innovation Shared Space proposal, BE REFERRED to the Civic Administration for review and assessment in developing its report back on the various investment and economic prosperity proposals.

10. Councillor D.G. Henderson - Survey - Development Proposals

That it BE NOTED that Councillor D.G. Henderson advised the Investment and Economic Prosperity Committee that he is surveying developers to see what proposals they might be able to bring forward to add to the list of investment and economic prosperity proposals, at no cost to the City, in order to further London's economic position.

Pursuant to section 12.3 of the Council Procedure By-law, Councillor H.L. Usher calls for a separate vote on clauses 6 and 10.

The motion to Approve clauses 1 to 5, inclusive and clause 9 is put.

Motion Passed

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

The motion to Approve clause 6 is put.

Motion Passed

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

The motion to Approve clause 10 is put.

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

NAYS: P. Hubert, H.L. Usher (2)

The motion to Approve clauses 7 and 8 is put.

7. Grand Theatre Proposal

That the communication dated November 15, 2012, with respect to the Grand Theatre's proposal for a Downtown concert hall, BE REFERRED to the Civic Administration for review and assessment in developing its report back on the various investment and economic prosperity proposals.

8. Music London Initiative

That the communication dated November 22, 2012, with respect to Orchestra London's proposal for a Downtown concert hall, BE REFERRED to the Civic Administration for review and assessment in developing its report back on the various investment and economic prosperity proposals.

Motion Passed

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

5th Report of the Audit Committee
Councillor P. Hubert presents.

Motion made by Councillor P. Hubert to Approve clauses 1 to 5, inclusive.

1. Disclosure of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Brownfields Update

That, on the recommendation of the Managing Director, Corporate Services & City Treasurer, Chief Financial Officer and the Managing Director, Environmental & Engineering Services & City Engineer the following actions be taken with respect to brownfields management :

- a) the report dated November 29, 2012 with respect to this matter BE RECEIVED for information;
- b) the next steps to be undertaken as contained in the above-noted report, BE ENDORSED; and
- c) the Civic Administration BE DIRECTED to submit a report to the Audit Committee in November 2013, providing a further update on this matter.

3. Quarterly Reports on Internal Audit Results

That the following actions be taken with respect to the Quarterly Report on Internal Audit Results, dated November 29, 2012, from PricewaterhouseCoopers:

- a) Expenditure Approval and Payment – the Action Plans included as Appendix 'A' of the above-noted report BE IMPLEMENTED; and,
- b) the remaining two 2012 internal audit projects, Succession Planning and Payroll Administration, BE RECOMMENDED for presentation at the Audit Committee meeting to be scheduled for January 2013; it being noted that January 31, 2013 was suggested as a meeting date.

4. Internal Audit Services of PricewaterhouseCoopers

That, on the recommendation of the Audit Committee, the City Manager and the Audit Chair BE REQUESTED to jointly approach the City of London's Boards and Commissions to:

- a) request and encourage the Boards and Commissions to engage the services of PricewaterhouseCoopers for the purpose of an internal audit of their existing processes, under the City's existing terms of engagement and at the City's expense, subject to:
 - i) annual budget availability;
 - ii) submission of detailed requests to the City of London's Audit Committee; and
 - iii) prioritization of the annual audit plan by the City of London's Audit Committee; and
- b) suggest that any operational savings resulting from an internal audit of a board or commission be returned to the City of London to assist in covering the costs of the audit and, where there are "go-forward" savings, to reduce the overall budget of the Board or Commission;

it being noted that the Middlesex London Housing Corporation recently undertook such an audit and is reviewing the potential implementation of the recommendations and the associated cost-savings.

5. Audit Planning Report for the year ending December 31, 2012

That the ~~attached~~ KPMG LLP Audit Planning Report, for the year ending December 31, 2012, BE APPROVED; it being noted that, as required, the Members of the Audit Committee noted no instances of, actual, suspected or alleged fraud or non-compliance with laws and regulations, including misconduct or unethical behaviour related to financial reporting or misappropriation of assets.

Motion Passed

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

NAYS: J.B. Swan (1)

1st Report of the Corporate Services Committee
Councillor J.P. Bryant presents.

Motion made by Councillor J.P. Bryant to Approve clauses 1 to 4, inclusive.

1. Disclosure of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed

2. Municipal Infrastructure Investment Initiative (MIII) - Capital Program

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the following actions be taken with respect to the Municipal Infrastructure Investment Initiative (MIII) – Capital Program; it being noted that eligible recipients may receive contributions up to a maximum of 90% of the project or \$2 million (whichever is less) under this Program:

- a) the Expression of Interest included as Appendix A to the staff report dated December 11, 2012 BE APPROVED for submission under the Municipal Infrastructure Investment Initiative (MIII) – Capital Program; and
- b) the Civic Administration BE AUTHORIZED to submit necessary applications and prepare any necessary by-laws regarding projects that are approved for funding under the Municipal Infrastructure Investment Initiative (MIII) – Capital Program.

3. Election of Vice-Chair for the term ending November 30, 2013

That Councillor J.P. Bryant BE ELECTED as Vice Chair of the Corporate Services Committee for the term ending November 30, 2013.

4. Minutes of the 1st Meeting of the County/City Liaison Committee

That the following actions be taken with respect to the Minutes of the 1st Meeting of the County/City Liaison Committee:

- a) the following actions be taken with respect to cost apportionment arrangements for social housing and land ambulance, renewal of agreements for the delivery of child care and Ontario Works and compensation for County roads:
 - i) the Civic Administration for the City of London BE DIRECTED to continue to meet to negotiate a potential resolution towards renewing the service agreements between the County and the City for Social Housing, Ontario Works, Child Care and Land Ambulance services; and
 - ii) consent BE GIVEN to mediation, if necessary, prior to taking any steps toward arbitration, with a view to a potential resolution towards renewing the service agreements between the County and the City for Social Housing, Ontario Works, Child Care and Land Ambulance services;

it being noted that the County/City Liaison Committee heard a presentation from the Chief Administrative Officer for the County of Middlesex and received a City of London staff report dated May 7, 2012, addressed to the City of London's Finance and Administrative Services Committee, with respect to this matter;

- b) the County/City Liaison Committee's terms of reference BE AMENDED to provide for a minimum of two meetings per year; and
- c) clauses 1, 2, 3, 6, and 7 BE RECEIVED;

Motion Passed

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

1st Report of the Committee of the Whole
Councillor H.L Usher presents.

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

ABSENT: N. Branscombe

ALSO PRESENT: A. Zuidema, J.P. Barber, G. Belch, J. Braam, B. Coxhead, T.L. Dobbie (Tim L. Dobbie Consulting Ltd.) M. Hayward, V. McAlea Major and L.M. Rowe.

Councillor H.L. Usher reports progress with respect to the following matters:

- a) A matter pertaining to personal matters about identifiable individuals, including municipal or local board employees relating to the Queen Elizabeth II Diamond Jubilee Medal.
- b) A matter pertaining to litigation currently before the Ontario Court of Justice, pertaining to charges under the *Environmental Protection Act, R.S.O. 1990, c.E. 19*, as amended related to the Greenway WPCC or potential litigation affecting the municipality and arising of the aforementioned litigation; and advice that is subject to solicitor-client privilege, including communications necessary for that purpose. (CWC)
- c) 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)

- d) A matter pertaining to personal matters involving identifiable individuals who are municipal employees with respect to employment related matters. (FASC)
- e) A matter pertaining to reports, advice and recommendations of officers and employees of the Corporation, concerning labour relations and employee negotiations in regard to one of the Corporation's associations or unions and litigation or potential litigation, including matters before administrative tribunals, affecting the municipality. (FASC)
- f) A matter pertaining to personal information about identifiable individuals including municipal employees, with respect to employment-related matters; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; advice or recommendations of officers and employees of the Corporation, including communications necessary for that purposes; and for the purpose of providing instructions and directions to officers and employees of the Corporation. (FASC)
- g) A matter pertaining to advice and recommendations of officers and employees of the Corporation concerning labour relations and employee negotiations relating to one of the Corporation's associations or unions. (FASC)
- i) A personal matter pertaining to identifiable individual, including municipal employees, with respect to the 2013 Mayor's New Years Honour List. (IEPC)
- j) A personal matter pertaining to identifiable individual, including municipal employees, with respect to the 2013 Mayor's New Years Honour List. (IEPC)
- l) A matter pertaining to litigation or potential litigation affecting the municipality; advice subject to solicitor-client privilege, including communications necessary for that purpose, as it relates to leave of absence for a Member of Council.

1. Organizational Matters Update

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

That, on the recommendation of the Managing Director, Corporate Services & Chief Human Resources Officer, the contract with Tim L. Dobbie Consulting Ltd, dated August 13, 2012, BE AMENDED to increase the amount payable under the contract by up to an additional \$75,000, exclusive of HST, and to extend the term of the contract for an additional three months up to June 13, 2013;

it being noted that the Finance and Administrative Services Committee heard a verbal update from the Managing Director, Corporate Services & Chief Human Resources Officer and T.L. Dobbie, Tim L. Dobbie Consulting Ltd. with respect to organizational matters.

2. Update Dearness Matters

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

That, on the recommendation of the Civic Administration, the following actions be taken with respect to the Dearness Home:

- i) the City Clerk BE DIRECTED to bring forward, in public session, for consideration by the Municipal Council at its meeting on December 11, 2012, by-laws to:

- A) approve an Agreement between The Corporation of the City of London and peopleCare Inc., 28 William Street North, Tavistock, Ontario, N0B 2R0 to provide operational consulting services up to March 31, 2013, at a cost of \$25,000.00 per month, plus HST and disbursements, substantially in the form attached, and to delegate authority to the City Manager to provide written notice of termination of this Agreement pursuant to the termination provisions of the Agreement;
- B) approve the Agreement between The Corporation of the City of London and peopleCare Inc., 28 William Street North, Tavistock, Ontario, N0B 2R0 to provide the services of an Administrator up to March 31, 2013, at a cost of \$15,000.00 per month, plus HST and disbursements, substantially in the form attached, and to delegate authority to the City Manager to provide written notice of termination of this Agreement pursuant to the termination provisions of the Agreement; and
- ii) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with the Agreements noted above; and
- iii) the sources of funding for the Agreements outlined above, estimated at a maximum cost of \$175,000.00, including HST, BE APPROVED as a drawdown from the Operating Budget Contingency Reserve.

Motion Passed

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

X DEFERRED MATTERS

None.

XI ENQUIRIES

None.

XII EMERGENT MOTIONS

Motion made by Councillor B. Polhill and seconded by Councillor P. Van Meerbergen to Approve leave to introduce a motion related to a reception for the presentation of the Queen's Diamond Jubilee medals pursuant to section 11.4 of the Council Procedure By-law.

Motion Passed

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

At 9:40 PM Councillor W.J. Armstrong leaves the meeting.

Motion made by Councillor H.L. Usher and seconded by Councillor D. Brown to Approve that the City Clerk BE DIRECTED to make the necessary arrangements to hold a reception, prior to February 28, 2013, to present Queen's Diamond Jubilee medals to all recipients nominated by Municipal Council.

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, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (13)

XIII BY-LAWS

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

Motion made by Councillor B. Polhill and seconded by Councillor S. Orser to Approve 1st reading of Bill No. 31.

Motion Passed

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

RECUSED: M. Brown (1)

Motion made by Councillor B. Polhill and seconded by Councillor S. Orser to Approve 2nd reading of Bill No. 31.

Motion Passed

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

RECUSED: M. Brown (1)

Motion made by Councillor H.L. Usher and seconded by Councillor D. Brown to Approve 3rd reading and enactment of Bill No. 31.

Motion Passed

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

RECUSED: M. Brown (1)

Motion made by Councillor P. Van Meerbergen and seconded by Councillor S. Orser to Approve 1st reading of Bill No. 3.

Motion Passed

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

RECUSED: P. Hubert (1)

Motion made by Councillor S. Orser and seconded by Councillor D. Brown to Approve 2nd reading of Bill No. 3.

Motion Passed

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

RECUSED: P. Hubert (1)

Motion made by Councillor S. Orser and seconded by Councillor P. Van Meerbergen to Approve 3rd reading and enactment of Bill No. 3.

Motion Passed

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

RECUSED: P. Hubert (1)

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

Motion made by Councillor M. Brown and seconded by Councillor D. Brown to Approve 1st reading of Bill Nos. 1, 2, 4 to 30, inclusive, and Bill Nos. 32 to 34.

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, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (13)

Motion made by Councillor M. Brown and seconded by Councillor J.P. Bryant to Approve 2nd reading of Bill Nos. 1, 2, 4 to 30, inclusive, and Bill Nos. 32 to 34.

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, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (13)

Motion made by Councillor B. Polhill and seconded by Councillor H.L. Usher to Approve 3rd reading of Bill Nos. 1, 2, 4 to 30, inclusive, and Bill Nos. 32 to 34.

Motion Passed

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

NAYS: S. Orser (1)

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

Bill No. 1 By-law No. A.-6892-1	A by-law to confirm the proceedings of the Council Meeting held on the 11 th day of December, 2012. (City Clerk)
Bill No. 2 By-law No. A.-6151(f)-2	A By-law to amend By-law A.-6151-17, being a by-law to establish policies for the sale and other disposition of land, hiring of employees, procurement of goods and services, public notice, accountability and transparency, and delegation of powers and duties, as required under section 270(1) of the <i>Municipal Act, 2001</i> . (2/32/FASC)
Bill No. 3 By-law No. A.-6893-3	A By-law to approve Agreements for Ontario Works Employment Assistance Services with 13 corporations. (4/1/CPSC)
Bill No. 4 By-law No. A-46	A by-law to provide for Various Fees and Charges. (5/1/SPPC)
Bill No. 5 By-law No. C.P.-1284(sw)-4	A by-law to amend the Official Plan for the City of London Planning Area, 1989. (7/30/PEC)
Bill No. 6 By-law No. PS-111-13116	A by-law to amend By-law PS-111 entitled, "A by-law to regulate traffic and the parking of motor vehicles in the City of London." (4/1/CWC)
Bill No. 7 By-law No. S.-5494-5	A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as part of Blackacres Boulevard, west of Thackeray Place) (Chief Surveyor)
Bill No. 8 By-law No. S.-5495-6	A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as part of Callingham Drive, west of Quarrier Road) (Chief Surveyor)
Bill No. 9 By-law No. S.-5496-7	A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Trafalgar Street, east of Hamilton Road and as widening to Hamilton Road, east of Trafalgar Street) (Chief Surveyor)
Bill No. 10 By-law No. S.-5497-8	A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Commissioners Road East, at Frontenac Road) (Chief Surveyor)
Bill No. 11 By-law No. S.-5498-9	A by-law to lay out, constitute, establish and assume certain reserves in the City of London as public highway. (as part of

	Sumac Way, west of Warbler Woods Walk) (Chief Surveyor)
Bill No. 12 By-law No. S.-5499-10	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, west of Ballymote Avenue) (Chief Surveyor)
Bill No. 13 By-law No. S.5500-11	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, east of Callingham Drive) (Chief Surveyor)
Bill No. 14 By-law No. S.-5501-12	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, between Silverfox Drive and Silverfox Crescent) (Chief Surveyor)
Bill No. 15 By-law No. S.-5502-13	A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Fanshawe Park Road East, west of Adelaide Street North) (Chief Surveyor)
Bill No. 16 By-law No. S.-5503-14	A by-law to lay out, constitute, establish and assume certain reserves in the City of London as public highway. (as part of Elson Road, west of Smither Road) (Chief Surveyor)
Bill No. 17 By-law No. S.-5504-15	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, south of Singleton Avenue) (Chief Surveyor)
Bill No. 18 By-law No. W.-5329-16	A by-law to authorize the the SWM Facilities – Fox Hollow 1 (Project No. ES3020-FH1) (5/17/CWC)
Bill No. 19 By-law No. W.-5330-17	A by-law to authorize the the SWM Facilities – Fox Hollow 3 (Project No. ES3020-FH3) (5/17/CWC)
Bill No. 20 By-law No. W-7-13008	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.” (11/1/CWC)
Bill No. 21 By-law No. WM-26-13011	A by-law to amend By-law WM-26 entitled, “A by-law to establish the Schedule of Sewer System Fees and Charges.” (11/1/CWC)
Bill No. 22 By-law No. W.M.-11-18	A bylaw to authorize the the construction of a watermain along a portion of Fanshawe Park Road East from Highbury Avenue to 375 meters east of Fanshawe Park Road East as a local improvement pursuant to section 5 of Ontario Regulation 586/06 under the <i>Municipal Act, 2001</i> . (City Engineer)
Bill No. 23 By-law No. Z.-1-132151	A by-law to amend By-law No. Z.-1 to remove the holding provision from the zoning on a portion of the land located at 890 Southdale Road West. (11/30/PEC)
Bill No. 24 By-law No. Z.-1-132152	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 1480 and 1552 Riverbend Road. (12/30/PEC)
Bill No. 25 By-law No. Z.-1-132153	A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for a portion of land located at 311-319 Wharnccliffe Road North. (13/30/PEC)
Bill No. 26 By-law No. Z.-1-132154	A by-law to amend By-law No. Z.-1 to remove the holding provisions from the zoning on the land located at 3455 Morgan Crescent. (14/30/PEC)

Bill No. 27 By-law No. Z.-1-132155	A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for a portion of land located at 160 Sunningdale Road West. (15/30/PEC)
Bill No. 28 By-law No. Z.-1-132156	A by-law to extend the Temporary Use of an area of land located at 195 Dundas Street. (22/30/PEC)
Bill No. 29 By-law No. Z.-1-132157	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 510, 518 and 526 Southdale Road East. (25/30/PEC)
Bill No. 30 By-law No. Z.-1-132158	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 1205 Riverside Drive. (26/30/PEC)
Bill No. 31 By-law No. Z.-1-132159	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 2095 Coronation Drive. (29/30/PEC)
Bill No. 32 By-law No. A.- 6737(a)-19	A By-law to amend By-law No. A.-6737-305 Entitled "A by-law to delegate powers to the Executive Director of Planning, Environmental and Engineering Services to prepare and submit bids to provide Blue Box processing services to other municipalities." (17/1/CWC)
Bill No. 33 By-law No. A.-6894-20	A by-law respecting an Agreement between The Corporation of the City of London and peopleCare Inc. for the provision of the services of an Administrator for the Dearness Home. (7/1/CW)
Bill No. 34 By-law No. A.-6895-21	A by-law respecting an Agreement between The Corporation of the City of London and peopleCare Inc. for the provision of consulting services to the Dearness Home. (7/1/CW)

XIV ADJOURNMENT

Motion made by Councillor H.L. Usher and seconded by Councillor J.B. Swan to Adjourn.

Motion Passed

The meeting adjourned at 9:55 PM.

Joe Fontana, Mayor

Catharine Saunders, City Clerk