



London
C A N A D A

COUNCIL MINUTES 3RD MEETING

January 29, 2013

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, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant, S.E. White and C. Saunders (City Clerk).

ALSO PRESENT: A. Zuidema, J.P. Barber, J. Braam, B. Coxhead, J. Fleming, T. Graway, A. Hagan, M. Hayward, G.T. Hopcroft, J. Jackson, O. Katolyk, L. Livingstone, J. Page, M. Ribera, L.M. Rowe, B. Steinberg, L. Stevens, B. Warner and B. Westlake Power.

At the beginning of the Meeting all Members are present, except Councillors J.B. Swan, N. Branscombe and P. Van Meerbergen.

I DISCLOSURES OF PECUNIARY INTEREST

Councillor P. Hubert discloses a pecuniary interest in clause 12 of the 3rd Report of the Community and Protective Services Committee having to do with two pilot Ontario Works employment initiatives, by indicating that he is the Executive Director of a social service agency with a purchase of service agreement with Ontario Works.

Councillor M. Brown discloses a pecuniary interest in clause 13 of the 3rd Report of the Community and Protective Services Committee and the related Bill No. 75, having to do with a funding and project agreement with Thames Valley District School Board regarding the construction of a neighbourhood and family centre at White Oaks Public School, by indicating that Thames Valley District School Board is his employer.

Councillor J.P. Bryant discloses a pecuniary interest in clause 12 of the 4th Report of the Civic Works Committee and the related Bill No. 79, having to do with an agreement with the University of Western Ontario for the construction of the Southern Ontario Water Consortium – London Wastewater Facility, by indicating that her spouse is a faculty member at the University of Western Ontario.

Councillor N. Branscombe discloses a pecuniary interest in clause 4 of the 3rd Report of the Corporate Services Committee and related Bill No. 72, having to do with the Skyway Industrial Park, by indicating that her spouse owns and operates a business in close proximity to the Skyway Industrial Park.

II REVIEW OF CONFIDENTIAL MATTERS TO BE CONSIDERED IN PUBLIC

None.

III ADDED REPORTS

None.

At 4:04 PM Councillors J.B. Swan and P. Van Meerbergen enter the meeting.

At 4:05 PM Councillor N. Branscombe enters the meeting.

IV COMMITTEE OF THE WHOLE, IN CAMERA

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

- a) A matter pertaining to instructions and directions to officers and employees of the Corporation pertaining to a proposed acquisition of land; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; reports or advice or recommendations of officers and employees of the Corporation pertaining to a proposed acquisition of land; commercial and financial information supplied in confidence pertaining to the proposed acquisition the disclosure of which could reasonably be expected to, prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of the Corporation, result in similar information no longer being supplied to the Corporation where it is in the public interest that similar information continue to be so supplied, and result in undue loss or gain to any person, group, committee or financial institution or agency; commercial, information relating to the proposed acquisition that belongs to the Corporation that has monetary value or potential monetary value; information concerning the proposed acquisition whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or its competitive position; information concerning the proposed acquisition whose disclosure could reasonably be expected to be injurious to the financial interests of the Corporation; and instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the Corporation concerning the proposed acquisition. (CSC)
- b) 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. (CSC)
- c) A matter pertaining to litigation or potential litigation with respect to the application of Liahn Farms Limited to the Ontario Superior Court of Justice, in connection with By-law C.P.-1466-249, the Tree Conservation By-law; advice that is subject to solicitor-client privilege, including communications necessary for that purpose, in connection with the application of Liahn Farms Limited to the Ontario Superior Court of Justice, in connection with By-law C.P.-1466-249, the Tree Conservation By-law; and giving instructions and directions to the solicitors of the municipality in connection with an application filed in the Ontario Superior Court of Justice by Liahn Farms Limited. (PEC)

Motion Passed

The Council rises and goes into Committee of the Whole, in camera, at 4:05 PM, with Mayor J.F. Fontana in the Chair and all Members present.

The Committee of the Whole rises and Council resumes in regular session at 4:56 PM, with all Members present.

V RECOGNITIONS

1. His Worship the Mayor presents a plaque for "London's Featured Company" to Synergy Manufacturing Incorporated.
2. His Worship the Mayor presents a certificate for "London's Featured Community Organization" to the Lawson Foundation.

VI CONFIRMATION AND SIGNING OF THE MINUTES OF THE SECOND MEETING HELD ON JANUARY 15, 2013

Motion made by Councillor P. Hubert and seconded by Councillor J.P. Bryant to Approve that pursuant to section 13.7 of the Council Procedure By-law, the actions of the Municipal Council taken at its meeting of January 15, 2013, related to the adoption of clause 14 of the 2nd Report of the Corporate Services Committee, concerning the Covent Garden Market's request to increase the draw down on its reserve to replace the existing lighting in the underground parking at the Covent Garden Market BE RECONSIDERED.

Motion Passed

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

Motion made by Councillor B. Polhill and seconded by Councillor D. Brown to Approve that the Covent Garden Market BE AUTHORIZED to increase the draw down on its reserve to \$78,711.23 in order to replace the existing lighting in the underground parking at the Covent Garden Market.

Motion Passed

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

Motion made by Councillor P. Van Meerbergen and seconded by Councillor D. Brown to Approve Minutes of the 2nd Meeting, as amended, held on January 15, 2013.

Motion Passed

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

VII COMMUNICATIONS AND PETITIONS

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

1. A. Haidar, Argyle Community Association - Veterans Memorial Parkway Noise Study (Refer to the Civic Works Committee Stage for Consideration with Clause 5 of the 4th Report of the Civic Works Committee.)
2. M. Doornbosch, Zelinka Priamo Ltd. - Properties located at Wonderland Road North/Fanshawe Park Road West Neighbourhood Commercial Node and 1761 Wonderland Road North (O-8131) (Refer to the Planning and Environment Committee Stage for Consideration with Clause 19 of the 2nd Report of the Planning and Environment Committee.)

Motion Passed

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

VIII MOTIONS OF WHICH NOTICE IS GIVEN

None.

IX REPORTS

3rd Report of the Community and Protective Services Committee
Councillor D. Brown presents.

Motion made by Councillor D. Brown to Approve clauses 1 to 13, inclusive.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Dearness Home Community Newsletter January - 2013

That the January 2013 Dearness Newsletter BE RECEIVED.

3. 1st Report of the London Housing Advisory Committee

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

4. Ontario Medal for Young Volunteers

That the correspondence dated December 2012, from the Honourable Michael Chan, with respect to nominations for the Ontario Medal for Young Volunteers, BE RECEIVED; it being noted that Members of Council are encouraged to submit nominations for these recognitions.

5. Single Source Supply and Delivery of Electric Golf Carts

That, on the recommendation of the Managing Director of Parks & Recreation, the following actions be taken with respect to the single source supply and delivery of electric golf carts:

- a) the negotiated amount with Canadian Cart Sales Inc. for the supply and delivery of 136 refurbished electric golf carts at their proposed price \$224,610, HST extra, for a 2-year lease (2013 and 2014 golf season) BE ACCEPTED on a single source basis as per section 14.4 (d) of the Procurement of Goods and Services Policy; it being noted that the funding for this lease is included as part of the proposed 2013 operating budget;
- b) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this lease; 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.

6. Pool Fence Specifications

That, on the recommendation of the Managing Director, Development and Compliance Services & Chief Building Official, the report dated January 21, 2013, regarding Pool Fence Specifications, BE RECEIVED for information.

7. Support for making the Community More Cardiac Safe

That the following actions be taken with respect to support for making the community more cardiac safe:

- a) the following requests from the Heart and Stroke Foundation BE REFERRED to the Civic Administration for review and report back at a future meeting of the Community and Protective Services Committee (CPSC):
 - i) commitment to implement a broad public education campaign raising awareness around issues such as the ease of CPR training and use of an automated external defibrillator (AED);
 - ii) work with the Heart and Stroke Foundation, through the Ontario Defibrillator Access Initiative (ODAI) to ensure AEDs are placed in all sport and recreation facilities and schools; and,
 - iii) write to the Minister of Health and Long-Term Care in support of the Heart and Stroke Foundations' request that the script for emergency medical dispatchers be revised to provide the most compelling, clear and mandatory CPR direction in all cases of cardiac arrest; and,
- b) the Middlesex London Health Unit BE CONSULTED with respect to any initiatives or recommendations related to the above;

it being noted that the Community and Protective Services Committee received the attached presentation from C. Hurtado, Heart and Stroke Foundation.

8. Animal Welfare Advisory Committee 1st and 2nd Reports

That the following actions be taken with respect to the 1st Report of the Animal Welfare Advisory Committee (AWAC), from its meeting held on December 6, 2012 and the 2nd Report of the AWAC, from its meeting held on January 3, 2013:

- a) clause 1 of the 1st Report of the AWAC BE NOTED; it being noted that clause 1 reads as follows:

“1. That the Civic Administration BE REQUESTED to fully review the Request for Proposal (RFP) 12-28 for Animal Welfare Services submissions and award the contract by March 28, 2013, which is six months from the RFP submission deadline date; it being noted that the AWAC reviewed and received a Municipal Council resolution adopted at its meeting held on October 30, 2012 and a Report dated November 6, 2012, from the Managing Director, Development and Compliance Services and Chief Building Official, with respect to extending the current contract for Animal Control, Shelter and Licensing Services”;

- b) clauses 2, 3 and 4 of the 1st Report of the AWAC BE REFERRED to the Civic Administration for review and report back at a future meeting of the Community and Protective Services Committee (CPSC); it being noted that clauses 2, 3, and 4 read as follows:

“2. That the following actions be taken with respect to the Animal Services 2011 Performance Statistics:

- a) the 2011 Annual Report and Performance Statistics BE FORWARDED to the Community and Protective Services Committee in the same format as the 2010 Report, as soon as possible;
- b) the Civic Administration BE REQUESTED to include in the 2011 Annual Report and Performance Statistics the number of animals killed and the number of animals transferred out to rescue groups, and that the statistics not be presented merely in percentages;
- c) upon the completion of (a) and (b) above, the 2011 Annual Report and Performance Statistics BE REFERRED to the Animal Welfare Advisory Committee (AWAC) for its consideration and review; and,
- d) the attached communication dated November 15, 2012, from H. Chapman, Manager, Municipal Law Enforcement Services BE FORWARDED to the Members of the Municipal Council; it being noted that the AWAC expressed its concern with the content of the above-noted communication; it being further noted that the AWAC reviewed and received the attached communication dated December 6, 2012, from V. Van Linden, with respect to this matter.

3. That the Civic Administration BE REQUESTED to consider the following proposed amendments to the Dog and Cat Licensing and Control By-laws (PH-4 and PH-3):

- a) foster homes housing dogs, under the direction of known and recognized animal rescue groups, be added to Part 2 Exemptions, as follows:

“this by-law shall not apply to individuals providing foster homes that are housing dogs – which includes providing food, shelter, training and veterinary care – under the direction of known and recognized animal rescue groups within our community”; and,

- b) foster homes housing cats, under the direction of known and recognized animal rescue groups, be added to Part 2 Exemptions, as follows:

“this by-law shall not apply to individuals providing foster homes that are housing cats – which includes providing food, shelter, and veterinary care – under the direction of known and recognized rescue groups within our community”;

it being noted that the Animal Welfare Advisory Committee (AWAC) reviewed and received the attached communication from A. Papmehl, with respect to this matter.

4. That the Ecologist Planner BE REQUESTED to respond to the attached communication from a community resident, with respect to damage to trees by beavers; it being noted that the Animal Welfare Advisory Committee continues to work on solutions for urban wildlife issues.”

- c) clauses 5 to 12 of the 1st Report of the AWAC BE RECEIVED;
- d) clauses 1 and 2 of the 2nd Report of the AWAC BE REFERRED to the Civic Administration for review and report back at a future meeting of the CPSC; it being noted that clauses 1 and 2 read as follows:

“1. That the following actions be taken with respect to the Animal Control By-law, PH-3:

- a) the Civic Administration BE REQUESTED to bring forward the necessary by-law amendments to allow “Class 7” animals to be kept within the City as follows:
 - i) by Ministry of Natural Resources (MNR) approved authorized wildlife custodians;
 - ii) for the purpose of rehabilitation;
 - iii) to facilitate the re-introduction of the animal into the natural environment within the City;
- b) the above-noted proposed amendments BE ENACTED prior to March 1, 2013, in order to be prepared for the need for rehabilitation that traditionally arises with the change of seasons;

it being noted that the Animal Welfare Advisory Committee reviewed and received the ~~attached~~ report dated December 19, 2012, from its Wildlife Sub-committee, with respect to this matter.

2. That the following actions be taken with respect to the terms of reference and the composition of the Animal Welfare Advisory Committee (AWAC):

- a) the three (3) vacant categories as listed below, BE AMENDED as follows:
 - (i) Veterinarian or Veterinarian Technician – be eliminated and a member-at-large be added in its place;
 - (ii) London Veterinary Association – be eliminated and a member-at-large be added in its place; and,
 - (iii) London Humane Society – be eliminated and a member-at-large be added in its place;
- b) an additional four (4) members-at-large, with related experience, BE ADDED for an increase to its voting members-at-large composition;

it being noted that several attempts to recruit members under the existing definitions have been unsuccessful and these positions have consistently been vacant throughout the entire history of the AWAC; it being further noted that the additional four extra members-at-large will provide much needed support for the AWAC.” and,

- e) clauses 3 to 7 of the 2nd Report of the AWAC BE RECEIVED;

it being noted that the Community and Protective Services Committee received a verbal presentation from S. Rans, Chair and V. VanLinden, Member, AWAC, with respect to these reports.

9. 3rd Report of the London Diversity and Race Relations Advisory Committee

That the following actions be taken with respect to the 3rd Report of the London Diversity & Race Relations Advisory Committee (LDRRAC), from its meeting held on November 15, 2012:

- a) clause 1 BE REFERRED to the Civic Administration for consideration and a report back to the Community and Protective Services Committee with a broader scope of International Days; it being noted that clause 1 reads as follows:

“1. That the following actions be taken with respect to the Education Sub-

committee meeting notes from its meeting held on November 6, 2012:

- a) the Civic Administration BE REQUESTED to work with the London Diversity and Race Relations Advisory Committee (LDRRAC) to develop a calendar and program to acknowledge International Days of Recognition including, but not limited to, the following:
 - i) the International Day for the Elimination of Racial Discrimination (March 21);
 - ii) Human Rights Day (December 10); and,
- b) the meeting notes BE RECEIVED;

it being noted that the London Diversity & Race Relations Advisory Committee (LDRRAC) reviewed and received a verbal update from D. Lacey, on behalf of the Education Sub-committee; it being further noted the Education Sub-committee will prepare an educational poster for Human Rights Day, December 10, 2012 and work with Civic Administration for design and distribution.”; and,

- b) clauses 2 to 10 BE RECEIVED.

10. Council Housing Leadership Committee

That the following actions be taken with respect to the 1st Report of the Council Housing Leadership Committee (CHLC) from its meeting held on December 19, 2012:

- a) on the recommendation of the Director of Municipal Housing, the following actions be taken with respect to the establishment of a local Housing Development Corporation:
 - i) the creation of a Housing Development Corporation BE SUPPORTED IN PRINCIPLE;
 - ii) the Director of Municipal Housing BE DIRECTED to establish a working group consisting of stakeholders, as identified in the report dated December 19, 2012, to explore options and implementation plans associated with the potential creation of a local Housing Development Corporation to advance affordable housing in London; it being noted that the following be taken into consideration:
 - A. the parameters of new construction;
 - B. the implementation of policy changes and tools;
 - C. ensuring that the affordable housing is in all areas of the City; and,
 - D. ensuring that affordable housing is built, and looks, the same as the rest of the development; and,
 - iii) following the receipt of the recommendations from the Working Group, as noted in ii), above, a qualified consultant BE ENGAGED to review options and to provide a recommendation, with an accompanying business case, related to exploring the creation of a housing development entity;

it being noted that the Council Housing Leadership Committee received the attached presentation from the Director of Municipal Housing;

- b) on the recommendation of the Director of Municipal Housing, the following actions be taken with respect to the Investment in Affordable Housing (IAH) Program:
 - i) the uncommitted federal/provincial funds from the Ontario Renovates component in the amount of \$206,572, BE REALLOCATED to the Affordable Homeownership component of IAH and the program delivery and fiscal plan be adjusted accordingly;
 - ii) the Affordable Homeownership Program component BE ADJUSTED to provide 8% down payment assistance plus 2% towards closing costs, for a maximum assistance amount of 10% of the total purchase price of an eligible home, to be allocated to qualifying households; and,
 - iii) the attached revised proposed by-law (Appendix “A”) BE INTRODUCED at the Municipal Council meeting of January 29, 2013, to approve the standard form Homeownership Loan Agreement, to delegate authority to the Director of

Municipal Housing to execute Home Ownership Loan Agreements on behalf of The Corporation of the City of London under the Investing in Affordable Housing Program and to repeal By-law No. A.-6722-44; and,

- c) clauses 3 to 6 BE RECEIVED.

11. Single Source for the Supply of Food Products

That, on the recommendation of the Tim Dobbie, Consultant, the following actions be taken with the respect to the supply and delivery of food products to the City of London:

- a) approval hereby BE GIVEN to declare Sysco Food Services the single source supplier of food products for the City of London for a one-year term in accordance with the "Procurement of Goods and Services Policy" Section 14.4 Single Source, clauses d and e;
- b) the Civic Administration BE AUTHORIZED to enter into negotiations with a supply chain group buying consortium for a group purchasing program on the platform of Sysco Food Services as the supplier of food products;
- c) the above-noted approval BE CONDITIONAL upon the Corporation negotiating satisfactory prices, terms and conditions for food products from Sysco Food Services through the group purchasing program to the satisfaction of the Manager, Purchasing & Supply;
- d) the Civic Administration BE AUTHORIZED to undertake all the necessary administrative acts in connection with this matter; and
- e) the above-noted approval BE CONDITIONAL upon the Corporation entering into a formal contract or having a purchase order relating to the subject matter of this approval.

12. Ontario Works Employment Innovations

Recommendation: That, on the recommendation of the Acting Ontario Works Administrator, the following actions be taken to initiate two pilot Ontario Works employment initiatives authorized by the Ministry of Community and Social Services:

- a) the Civic Administration BE AUTHORIZED to contribute the estimated cost of the two pilot Ontario Works employment initiatives in the amount of \$650,000 to the Consolidated Verification Reserve Fund; and
- b) the Civic Administration BE AUTHORIZED to draw down from the Consolidated Verification Reserve Fund to fund the municipal share of the two pilot employment initiative expenditures.

13. Neighbourhood Family Centre-Thames Valley District School Board
White Oaks Public School

Recommendation: That, on the recommendation of the Managing Director of Neighbourhood, Children and Fire Services the attached proposed by-law (Appendix A) BE INTRODUCED at the Municipal Council meeting to be held on of January 29, 2013 to:

- a) approve a Funding and Project Agreement between the City and the Thames Valley District School Board for the construction of a Neighbourhood Family Centre at White Oaks Public School; and
- b) authorize the Mayor and the City Clerk to execute the agreements in (a) above;

it being noted that the estimated cost of \$1.057 million associated with this project is within the available amount of \$1.212 million of 100% Provincial funding.

Pursuant to section 17.2 of the Council Procedure By-law, Councillor J.L. Baechler calls for a separate vote on clause 10.

Pursuant to section 17.2 of the Council Procedure By-law, Councillor P. Hubert calls for a separate vote on clause 12.

Pursuant to section 17.2 of the Council Procedure By-law, Councillor M. Brown calls for a separate vote on clause 13.

Pursuant to section 17.2 of the Council Procedure By-law, Councillor P. Hubert calls for a separate vote on clause 8.

Motion made by Councillor D. Brown and seconded by Councillor J.L. Baechler to Amend clause 10 by deleting the last sentence of part a) in its entirety and by replacing it with the following new sentence:

“it being noted that the Council Housing Leadership Committee received the attached presentation from the Director of Municipal Housing;”.

Motion Passed

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

The motion to Approve clause 10, as amended is put.

Motion Passed

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

Clause 10 as amended, reads as follows:

That the following actions be taken with respect to the 1st Report of the Council Housing Leadership Committee (CHLC) from its meeting held on December 19, 2012:

- a) on the recommendation of the Director of Municipal Housing, the following actions be taken with respect to the establishment of a local Housing Development Corporation:
 - i) the creation of a Housing Development Corporation BE SUPPORTED IN PRINCIPLE;
 - ii) the Director of Municipal Housing BE DIRECTED to establish a working group consisting of stakeholders, as identified in the report dated December 19, 2012, to explore options and implementation plans associated with the potential creation of a local Housing Development Corporation to advance affordable housing in London; it being noted that the following be taken into consideration:
 - A. the parameters of new construction;
 - B. the implementation of policy changes and tools;
 - C. ensuring that the affordable housing is in all areas of the City; and,
 - D. ensuring that affordable housing is built, and looks, the same as the rest of the development; and,
 - iii) following the receipt of the recommendations from the Working Group, as noted in ii), above, a qualified consultant BE ENGAGED to review options and to provide a recommendation, with an accompanying business case, related to exploring the creation of a housing development entity;

it being noted that the Council Housing Leadership Committee received the attached presentation from the Director of Municipal Housing;

- b) on the recommendation of the Director of Municipal Housing, the following actions be taken with respect to the Investment in Affordable Housing (IAH) Program:
 - i) the uncommitted federal/provincial funds from the Ontario Renovates component in the amount of \$206,572, BE REALLOCATED to the Affordable Homeownership component of IAH and the program delivery and fiscal plan be adjusted accordingly;

- ii) the Affordable Homeownership Program component BE ADJUSTED to provide 8% down payment assistance plus 2% towards closing costs, for a maximum assistance amount of 10% of the total purchase price of an eligible home, to be allocated to qualifying households; and,
- iii) the attached revised proposed by-law (Appendix "A") BE INTRODUCED at the Municipal Council meeting of January 29, 2013, to approve the standard form Homeownership Loan Agreement, to delegate authority to the Director of Municipal Housing to execute Home Ownership Loan Agreements on behalf of The Corporation of the City of London under the Investing in Affordable Housing Program and to repeal By-law No. A.-6722-44; and,

c) clauses 3 to 6 BE RECEIVED.

The motion to Approve clause 12 is put.

Motion Passed

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

RECUSED: P. Hubert (1)

Motion to Approve clause 13 is put.

Motion Passed

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

RECUSED: M. Brown (1)

The motion to Approve clause 8 is put.

Motion Passed

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

Motion to Approve clauses 1 to 7, inclusive, 9 and 11 is put.

Motion Passed

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

3rd Report of the Corporate Services Committee
Councillor N. Branscombe presents.

Motion made by Councillor N. Branscombe to Approve clauses 1 to 11, inclusive, except for clause 4.

1. Disclosures of Pecuniary Interest

That it BE NOTED that Councillor N. Branscombe disclosed a pecuniary interest in clause 4 of this report, having to do with the Skyway Industrial Park, by indicating that her spouse owns and operates a business in close proximity to the Skyway Industrial Park.

2. Assessment Growth for 2013, Changes in Taxable Phase-In Values and Shifts in Taxation as a Result of the 2013 Reassessment

That, on the recommendation of the Managing Director, Corporate Services and the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the report dated January 22, 2013 regarding assessment growth for 2013, changes in taxable phase-in values

and shifts in taxation as a result of the 2013 reassessment BE RECEIVED for information.

3. 2013 General Insurance Renewal

That, on the recommendation of the City Solicitor, on the advice of the Risk Manager, with respect to the general insurance program for 2013, that insurance coverage for 2013 BE CONTINUED with no changes on behalf of The Corporation of the City of London, Covent Garden Market Corporation, London Convention Centre Corporation, London Police Services Board, London Public Library Board, Museum London, Tourism London, London Middlesex Housing and the Middlesex-London Health Unit for a total annual premium of \$2,476,212.32 inclusive of sales tax.

5. Request for Designation of the International Food Festival as a Municipally Significant Event

That the International Food Festival to be held June 21-23, 2013, in Victoria Park, BE DESIGNATED as an event of municipal significance in the City of London.

6. Request for Designation of the London Rib Fest as a Municipally Significant Event

That the London Rib Fest to be held August 1-5, 2013, in Victoria Park, BE DESIGNATED as an event of municipal significance in the City of London.

7. Request for Designation of Rock the Road 10k as a Municipally Significant Event

That the Rock the Road 10K to be held Sunday, August 18, 2013, in London, Ontario, with a fenced off beer garden in the parking lot of Masonville Mall, BE DESIGNATED as an event of municipal significance in the City of London.

8. Request for Delegation Status at the Corporate Services Committee re Use of Local Improvement Charges

That the following actions be taken with respect to the communication dated January 3, 2013 from O. Hobson, 45 Evergreen Avenue, regarding expanded use of local improvement charges and a request for delegation status before the Corporate Services Committee (CSC) regarding this matter:

- a) the communication BE REFERRED to the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, for consideration and incorporation into the staff report coming forward to the February 5, 2013 meeting of the CSC, in response to an earlier direction of the Municipal Council; and
- b) the Committee Secretary BE DIRECTED to invite Mr. Hobson to appear as a delegation when the staff report comes forward to the CSC.

9. Resignation from the London Advisory Committee on Heritage

That the communication from Jenn Nelson, resigning her appointment to the London Advisory Committee on Heritage, BE ACCEPTED and Ms. Nelson BE THANKED for participating on the London Advisory Committee on Heritage.

10. Appointment to the London Diversity and Race Relations Advisory Committee

That the following individual BE APPOINTED to the London Diversity and Race Relations Advisory Committee for the term ending February 28, 2015;

Non-Voting:

- Carlen Costa (London Urban Services Organization)

11. Councillor D. Henderson Proposal - Charitable Donations for Civic Purposes

That the ~~attached~~ communication dated January 22, 2013, from Councillor D. Henderson, putting forth a proposal for raising monies for civic purposes through charitable donations, BE

REFERRED to the Civic Administration for review and report back at a future meeting of the Corporate Services Committee; it being noted that Councillor D. Henderson gave a verbal outline of his proposal.

Motion Passed

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

Motion made by Councillor J.B. Swan to Approve clause 4.

4. Request from London Machinery Inc. to Extend its Option on Parts 15 to 19, Plan 33R-17397 - Skyway Industrial Park

That, on the recommendation of the Manager Realty Services, the following actions be taken:

- a) the request submitted by London Machinery Inc. to extend its option to purchase until June 30, 2014, on approximately 29.5 acres of land located on the west side of Robin's Hill Road, described as Parts 15 to 19, Plan 33R-17397, as outlined on the location map attached as Appendix "A" to this report, BE APPROVED; and
- b) the attached proposed by-law (Appendix "B") BE INTRODUCED at the Municipal Council meeting to be held on January 29, 2013, to approve this request and to authorize the Mayor and the City Clerk to execute the amended Option Agreement.

Motion Passed

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

RECUSED: N. Branscombe (1)

4th Report of the Civic Works Committee
Councillor P. Van Meerbergen presents.

Motion made by Councillor P. Van Meerbergen to Approve clauses 1, 2, 6 to 9, inclusive, 11, 13 and 14.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. 1st Report of the Advisory Committee on the Environment

That the 1st Report of the Advisory Committee on the Environment, from its meeting held on January 9, 2013, BE RECEIVED.

6. Reflective Marking Material Single Source SS13-02

That, on the recommendation of the Managing Director - Environmental & Engineering Services & City Engineer, the following actions be taken with respect to Reflective Marking Material Single Source SS13-02:

- a) approval hereby BE GIVEN to enter into annual negotiations and obtain a supply contract for a one (1) year period with options to renew for two (2) additional one (1) year periods for the purchase of Reflective Marking Material with 3M Canada Company, P.O. Box 5757, London, ON N6A 4T1;
- b) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this contract;
- c) approval hereby given BE CONDITIONAL upon the Corporation negotiating satisfactory prices, terms and conditions with 3M Canada Company to the satisfaction of the Director of Roads and Transportation; and,
- d) approval hereby given BE CONDITIONAL upon the Corporation entering into a formal contract or having a purchase order relating to the subject matter of this approval.

7. Supply and Installation of Sewer Liners - Cured In Place Pipe (CIPP)
(Tender 13-03)

That, on the recommendation of the Managing Director, Environmental & Engineering Services & City Engineer, the following actions be taken with respect to the Supply and Installation of Sewer Liners - Cured in Place Pipe (CIPP) Tender 13-03:

- a) the bid submitted by Insituform Technologies Limited, 3 Burford Road, Hamilton, ON L8C 3C6 at their tendered price of \$2,506,395.00 HST extra, with an option to renew for one (1) additional year, BE ACCEPTED; it being noted that the bid submitted by Insituform Technologies Limited was the lowest of two (2) bids and meets the City's specifications and requirements in all areas;
- b) the funding for this purchase BE APPROVED as set out in the Source of Finance Report appended to the staff report dated January 21, 2013;
- c) the Civic Administration BE AUTHORIZED to undertake all of the administrative acts that are necessary in connection with this contract; and,
- d) the approval hereby given BE CONDITIONAL upon the Corporation entering into formal contract or issuing purchase orders or contract record relating to these matters of this approval.

8. 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 January 29, 2013 for the purpose of amending the Traffic and Parking By-law (P.S. 111).

9. Service Level Agreement Amendment with London Hydro for Water Meter Reading and Water and Sewer Billing

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the ~~attached~~ revised proposed by-law BE INTRODUCED at the Municipal Council meeting of January 29, 2013, to approve a Service Level Agreement for the water meter reading, billing, collection, and customer service of the City's water and sewer accounts by London Hydro Inc.

11. Rental of General Equipment with Operators (Tender 13-06)

That, on the recommendation of the Managing Director, Environmental & Engineering Services & City Engineer, the following actions be taken with respect to the Rental of General Equipment with Operators:

- a) the bids submitted for the Rental of General Equipment with Operators at their tendered prices for a two (2) year period, as appended to the staff report dated January 21, 2013 BE ACCEPTED;
- b) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project, and
- c) 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.

it being noted that funding has been included in the 2013 Operating and Capital Budgets.

13. Tile Drain Loan - 731615 Ontario Limited

That, on the recommendation of the Deputy City Treasurer, the following actions be taken with respect to Tile Drain Loan applications:

- a) the ~~attached~~ proposed Borrowing By-law authorizing the borrowing capacity of the City of London with respect to Tile Drain Loans BE INTRODUCED at the Municipal Council meeting to be held on January 29, 2013; and

- b) the application submitted by 731615 Ontario Limited, for the property located at Con 8 N Pt Lot 15 Glanworth Dr. City of London (formerly Town of Westminster) for a Tile Drain Loan in the estimated amount of \$50,000.00 BE APPROVED, subject to the funding and approval of the loan being received from the Province of Ontario.

14. Commemorative Street Naming Policy

That, on the recommendation of the Manager, Development and Compliance Services, the following actions be taken with respect to the Commemorative Street Naming Policy:

- a) the ~~attached~~ revised proposed by-law (Appendix "A") BE INTRODUCED at the Municipal Council meeting of January 29, 2013 to establish Council Policy 25() entitled "Commemorative Street Naming Policy", ~~attached~~ as Schedule "A" to the by-law, related to the naming of streets to broaden the eligibility of names to be honoured by the introduction of a Commemorative Streets Category;
- b) subject to approval of a) above, the City Clerk BE DIRECTED to bring forward the necessary amendments to By-law A-46, being "A by-law to provide for Various Fees and Charges" to implement a new application fee for Commemorative Streets, in the amount of \$250.00 plus applicable taxes and 100% cost recovery of the new street signs and installation thereof.

Motion Passed

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

Motion made by Councillor P. Van Meerbergen to Approve clause 3.

3. Trowbridge Avenue Parking Passes

That, on the recommendation of the Director of Roads & Transportation, the Residential Parking Pass Program (RPPP) BE INITIATED for Trowbridge Avenue (all), Mary Avenue (all) and Pinewood Avenue from Mary Avenue to Randol Drive; it being noted that the Council approved user fees being applied if the program is supported by the property owners.

Motion made by Councillor P. Van Meerbergen and seconded by Councillor D. Brown to Amend claus3 3, in line 2, by adding the word "survey" prior to the words "BE INITIATED" and further amended by deleting the following words at the end of the clause; "it being noted that the Council approved user fees being applied if the program is supported by the property owners."

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, N. Branscombe (2)

Motion to Approve clause 3, as amended, is put.

Motion Passed

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

Clause 3, as amended reads as follows:

That, on the recommendation of the Director of Roads & Transportation, the Residential Parking Pass Program (RPPP) survey BE INITIATED for Trowbridge Avenue (all), Mary Avenue (all) and Pinewood Avenue from Mary Avenue to Randol Drive.

Motion made by Councillor P. Van Meerbergen to Approve clause 4.

4. 2013 Major Infrastructure Construction Program

That, on the recommendation of Director of Roads & Transportation, the report dated January 21, 2013 with respect to the 2013 Major Infrastructure Construction Program BE RECEIVED.

Motion Passed

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

Motion made by Councillor P. Van Meerbergen to Approve clause 5.

5. Veterans Memorial Parkway Noise Study

That, on the recommendation of the Director, Roads and Transportation, the report dated January 21, 2013 with respect to the Veterans Memorial Parkway Noise Study BE RECEIVED.

Motion made by Councillor S.E. White and seconded by Councillor D.G. Henderson to Refer clause 5 back to the Civic Administration to report back to the Civic Works Committee, within two months, on possible options and associated costs related to the implementation of noise attenuation measures to improve noise levels for landowners adjacent to the Veterans Memorial Parkway, including an identification of the Civic Administration's preferred option.

Motion made by Councillor J.B. Swan and seconded by Councillor W.J. Armstrong to Amend the motion to refer clause 5 by adding the words "and an opportunity for public input at a public participation meeting".

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, M. Brown, J.P. Bryant, S.E. White (8)

NAYS: J.L. Baechler, N. Branscombe, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher (7)

Motion to Refer, as amended, is put.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, M. Brown, P. Hubert, D.G. Henderson, J.P. Bryant (9)

NAYS: J.L. Baechler, N. Branscombe, P. Van Meerbergen, D. Brown, H.L. Usher, S.E. White (6)

Clause 5, as amended, reads as follows:

That Clause 5 BE REFERRED to the Civic Administration to report back to the Civic Works Committee, within two months, on possible options and associated costs related to the implementation of noise attenuation measure to improve noise levels for landowners adjacent to the Veterans Memorial Parkway, including an identification of the Civic Administration's preferred option and an opportunity for public input at a public participation meeting.

Motion made by Councillor P. Van Meerbergen to Approve clause 10.

10. Ontario Power Generation Deep Geological Repository

That, on the recommendation of the Managing Director, Environmental & Engineering Services & City Engineer, the following actions be taken with respect to the proposed Ontario Power Generation Deep Geological Repository:

- a) the Civic Administration BE DIRECTED to request Ontario Power Generation, Canadian Nuclear Safety Commission Joint Review Panel and the Ministry of Environment to:

- i) investigate any potential threats with respect to the long-term storage of nuclear waste, informing the Ministry of Environment that the City of London has concerns with this practice with specific regard to the long-term potential for contamination of groundwater and Lake Huron as the source of drinking water for this region;
- ii) provide further clarification and additional information with respect to the Ontario Power Generation Deep Geological Repository with specific regard to source water protection; and,
- iii) confirm that the Repository will only accept low and intermediate level nuclear waste, not high level radioactive material at any time;

it being noted that the Civic Works Committee asked the Civic Administration to report back at a future meeting with respect to this matter.

Motion made by Councillor J.B. Swan and seconded by Councillor P. Hubert to Amend clause 10 in part a) by adding the following new part iv):

- “iv) consult with the international Joint Commission Great Lakes Water and the Joint Water Boards of Management on this matter;”

Motion Passed

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

Clause 10, as amended, is put.

Motion Passed

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

Clause 10, as amended, reads as follows:

That, on the recommendation of the Managing Director, Environmental & Engineering Services & City Engineer, the following actions be taken with respect to the proposed Ontario Power Generation Deep Geological Repository:

- a) the Civic Administration BE DIRECTED to request Ontario Power Generation, Canadian Nuclear Safety Commission Joint Review Panel and the Ministry of Environment to:
 - i) investigate any potential threats with respect to the long-term storage of nuclear waste, informing the Ministry of Environment that the City of London has concerns with this practice with specific regard to the long-term potential for contamination of groundwater and Lake Huron as the source of drinking water for this region;
 - ii) provide further clarification and additional information with respect to the Ontario Power Generation Deep Geological Repository with specific regard to source water protection; and,
 - iii) confirm that the Repository will only accept low and intermediate level nuclear waste, not high level radioactive material at any time;
 - iv) consult with the International Joint Commission Great Lakes Water and the Joint Water Boards of Management on this matter;

it being noted that the Civic Works Committee asked the Civic Administration to report back at a future meeting with respect to this matter.

Motion made by Councillor P. Van Meerbergen to Approve clause 12.

12. Southern Ontario Water Consortium - London Wastewater Facility

That, on the recommendation of the Managing Director, Environmental and Engineering Services & City Engineer and the Deputy City Treasurer, the following actions be taken with respect to the Southern Ontario Water Consortium - London Wastewater Facility:

- a) the by-law ~~attached~~ as Appendix A BE INTRODUCED at the Municipal Council meeting of January 29, 2013, to approve an Agreement with the University of Western Ontario for the construction of the Southern Ontario Water Consortium – London Wastewater Facility, and authorize the Mayor and the City Clerk to sign the Agreement;
- b) the Deputy City Treasurer BE AUTHORIZED to award a future, tendered contract for construction of the Southern Ontario Water Consortium – London Wastewater Facility at a dollar limit higher than Section 13.2 and Schedule A of the Procurement of Goods and Services Policy, but not greater than \$8 million;

it being noted that all other requirements for the contract award under the Procurement of Goods and Services Policy will be maintained, and that an information report will be provided to the Civic Works Committee on the award result; it being further noted that this action will accelerate the expenditure of FedDev funds (through the University of Western Ontario Agreement) that are to be claimed within a specified timeline; and,

- c) the financing for the Southern Ontario Water Consortium – London Wastewater Facility BE APPROVED as set out in the Sources of Financing Report, as appended to the staff report dated January 21, 2013.

Motion made by Councillor P. Van Meerbergen and seconded by Councillor D. Brown to Amend clause 12 in line 1 of part a) by inserting the word “revised” before the word “by-law”; and further amended by replacing page 1 of the Agreement with the ~~attached~~ revised page 1.

Motion Passed

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

RECUSED: J.P. Bryant (1)

Motion to Adopt clause 12, as amended, is put.

Motion Passed

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

RECUSED: J.P. Bryant (1)

Clause 12, as amended, reads as follows:

That, on the recommendation of the Managing Director, Environmental and Engineering Services & City Engineer and the Deputy City Treasurer, the following actions be taken with respect to the Southern Ontario Water Consortium - London Wastewater Facility:

- a) the revised by-law ~~attached~~ as Appendix A BE INTRODUCED at the Municipal Council meeting of January 29, 2013, to approve an Agreement with the University of Western Ontario for the construction of the Southern Ontario Water Consortium – London Wastewater Facility, and authorize the Mayor and the City Clerk to sign the Agreement;
- b) the Deputy City Treasurer BE AUTHORIZED to award a future, tendered contract for construction of the Southern Ontario Water Consortium – London Wastewater Facility at a dollar limit higher than Section 13.2 and Schedule A of the Procurement of Goods and Services Policy, but not greater than \$8 million;

it being noted that all other requirements for the contract award under the Procurement of Goods and Services Policy will be maintained, and that an information report will be provided to

the Civic Works Committee on the award result; it being further noted that this action will accelerate the expenditure of FedDev funds (through the University of Western Ontario Agreement) that are to be claimed within a specified timeline; and,

- c) the financing for the Southern Ontario Water Consortium – London Wastewater Facility BE APPROVED as set out in the Sources of Financing Report, as appended to the staff report dated January 21, 2013.

2nd Report of the Planning and Environment Committee
Councillor B. Pohill presents.

Motion made by Councillor B. Polhill to Approve clauses 1 to 18, excluding clauses 6, 8 and 11.

- 1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

- 2. 1st Report of the Environmental and Ecological Planning Advisory Committee

That the 1st Report of the Environmental and Ecological Planning Advisory Committee from its meeting held on December 20, 2012, BE RECEIVED.

- 3. 1st Report of the Advisory Committee on the Environment

That the 1st Report of the Advisory Committee on the Environment from its meeting held on January 9, 2013, BE WITHDRAWN as it was included on the Civic Works Committee Agenda at its meeting held on Monday, January 21, 2013.

- 4. Properties located at 8 Fairview Court and 770 Whetter Avenue - Notice of Appeal to the Ontario Municipal Board (OZ-8055)

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 December 3, 2012 and submitted by Robert and Carolann Seguin, relating to Zoning By-law amendments (File No. OZ-8055) concerning 8 Fairview Court and 770 Whetter Avenue, 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.

- 5. Property located at 260 Sarnia Road - Notice of Appeal to the Ontario Municipal Board (Z-8075)

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 November 2, 2012 and submitted by Alan Patton, Patton, Cormier & Associates, relating to the refusal by the Municipal Council of an application for a Zoning By-law amendment concerning 260 Sarnia Road, 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.

- 7. Million Tree Challenge Status Update

That, on the recommendation of the Managing Director, Planning and City Planner, the report, dated January 22, 2013, relating to the status update on the Million Tree Challenge, BE RECEIVED.

- 9. Property located at 1647 Fanshawe Park Road East - Ontario Municipal Board Decision (39T-10503/Z-7785)

That, on the recommendation of the Senior Planner, Development Services, the report, dated January 22, 2013, relating to the Ontario Municipal Board decision with respect to the Zoning By-law No. Z.-1 and Draft Plan of Subdivision appeal by Alan Patton, Patton, Cormier & Associates, on behalf of 756949 Ontario Limited, c/o Global Vision Investments, concerning the property located at 1647 Fanshawe Park Road East, BE RECEIVED.

10. Property located at 124 St. James Street - Notice of Appeal to the Ontario Municipal Board (A.106/12)

That, on the recommendation of the Managing Director, Development & Compliance Services & Chief Building Official, the following actions be taken in response to the letter of appeal to the Ontario Municipal Board, dated November 16, 2012 and submitted by Alasdair Beaton, relating to the minor variance application concerning 124 St. James Street:

- a) the Ontario Municipal Board BE ADVISED that the Municipal Council supports the Committee of Adjustment's decision to grant the minor variance; and,
- b) the City Solicitor and the Managing Director, Development & Compliance Services & Chief Building Official, BE DIRECTED to provide legal and planning representation at the Ontario Municipal Board Hearing to support the Committee of Adjustment's decision.

12. Property located at 65 Heather Place - Notice of Appeal to the Ontario Municipal Board (A.108/12)

That, on the recommendation of the Managing Director, Development & Compliance Services & Chief Building Official, the following actions be taken in response to the letter of appeal to the Ontario Municipal Board, dated November 13, 2012 and submitted by Lisa O'Brien, relating to the minor variance application concerning 65 Heather Place:

- a) the Ontario Municipal Board BE ADVISED that the Municipal Council supports the Committee of Adjustment's decision to refuse the minor variance; and,
- b) the City Solicitor and the Managing Director, Development & Compliance Services & Chief Building Official, BE DIRECTED to provide legal and planning representation at the Ontario Municipal Board Hearing to support the Committee of Adjustment's decision.

13. Property located at 1451 Wharncliffe Road South - Andover Trails Phase 4 (39T-07510)

That, on the recommendation of the Senior Planner, Development Services, based on the Draft Plan of Subdivision application of Sifton Properties Limited, relating to the property located at 1451 Wharncliffe Road South, the Approval Authority BE ADVISED that the Municipal Council supports granting a one (1) year extension of the draft plan of subdivision, submitted by Sifton Properties Limited (File No. 39-07510), prepared by Stantec Consulting Limited, certified by Robert D. Stirling, (Ontario Land Surveyor), (Drawing No. 614-02109, dated September 17, 2007), as red-line amended, which shows 2 multi-family medium density residential blocks, 2 multi-family high density residential blocks, 2 restricted service commercial blocks and 2 park blocks, served by a secondary collector road SUBJECT TO the conditions imposed by the Municipal Council at its meeting held on January 10, 2012.

14. Property located at 160 Sunningdale Road West Ltd. - Tricar Subdivision (Phase 1) (39T-11504)

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to entering into a subdivision agreement between The Corporation of the City of London and 160 Sunningdale Road West Ltd. for the subdivisions of land over Part of Lot 41, Registrar's Compiled Plan 1029, (Geographic Township of London), City of London, County of Middlesex, situated on the south side of Sunningdale Road West, on the west side of Richmond Street and Meadowlands Way:

- a) the ~~attached~~ Special Provisions to be contained in a Subdivision Agreement between The Corporation of the City of London and 160 Sunningdale Road West Ltd for the Tricar Subdivision, Phase 1 (39T-11504), BE APPROVED;
- b) the Mayor and the City Clerk BE AUTHORIZED to execute the Agreement referred to in part a), above, any amending agreements and all documents required to fulfill its conditions; and,
- c) the financing for this project BE APPROVED in accordance with the "Related Costs and Revenues" provided as Schedule "B" to the associated staff report, dated January 22, 2013.

15. Building Division Monthly Report for November 2012

That the Building Division Monthly Report for the month of November, 2012 BE RECEIVED.

16. 2nd Report of the London Advisory Committee on Heritage

That, the following actions be taken with respect to the 2nd Report of the London Advisory Committee on Heritage (LACH) from its meeting held on January 9, 2013:

- a) the London Advisory Committee on Heritage recommendation with respect to the establishment of a City/County Archive, BE RECEIVED; it being noted that the Planning and Environment Committee received a Municipal Council resolution adopted at its meeting held on July 25, 2011, with respect to this matter;
- b) the request to undertake a review of the existing Archaeological Master Plan BE REFERRED to the Civic Administration for possible inclusion in the 2014 Budget;
- c) the Heritage Alteration Permit Application of J. Regehr and R. Kaplansky, for the property located at 591 Maitland Street BE DEFERRED to the February 5, 2013 Planning and Environment Committee meeting to allow the parties to meet and to allow delegation status for the applicants, the Woodfield Community Association and the Civic Administration, with respect to this matter;
- d) that Parks Planning, in conjunction with the MHBC Consultants, BE REQUESTED to consider the use of the name "Queen Elizabeth Memorial Park" at the Western Counties-Westminster Ponds site, to honour the veterans who received rehabilitation there; it being noted that this initiative may assist in obtaining funds from the other levels of government;
- e) the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer BE REQUESTED to investigate recent changes to Ontario Regulation 586/06 (Local Improvement Charges) to determine whether these changes would allow owners of designated heritage properties to carry out works related to the conservation of their heritage properties or, more specifically, works related to encouraging energy efficiency measures for older homes and to report back to the February 5, 2013 Corporate Services Committee meeting; and,
- f) that clauses 6 to 14, inclusive, of the 2nd Report of the LACH, BE RECEIVED AND NOTED;

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

17. Properties located at 3841 Cheese Factory Road and 1605 Max Brose Drive (OZ-8126)

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, relating to the properties located at 3841 Cheese Factory Road and 1605 Max Brose Drive:

- a) the attached proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on January 29, 2013 to amend the Official Plan to:
 - i) amend Schedule "A" Land Use to change the designation of 3841 Cheese Factory Road FROM Light Industrial TO Open Space, to allow for passive recreational uses including woodlands; and,
 - ii) amend Schedule B-1 – "Natural Heritage Features", to ADD "Woodlands" to 3841 Cheese Factory Road;
- b) the attached proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on January 29, 2013 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan, as amended in part a), above), to:
 - i) change the zoning of 3841 Cheese Factory Road FROM a Light Industrial (LI1/LI2/LI6) Zone, which permits manufacturing uses TO an Open Space (OS5) Zone, to allow for passive recreational uses including woodlands; and,

- ii) change the zoning of 1605 Max Brose Drive FROM a Light Industrial (LI2/LI2/LI6) Zone, which permits manufacturing uses TO a Light Industrial Special Provision (LI1(_)/LI2(_)/LI6(_)) Zone, which permits manufacturing uses and requires a minimum landscaped setback from the easterly property line of 10m;

it being pointed out that there were no oral submissions made at the public participation meeting associated with this matter. (2013-D14A)

18. Properties located at 1400 and 1440 North Wenige Drive (39CD-12514)

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the Vacant Land Plan of Condominium application of Sifton Properties Limited, relating to a portion of the properties located at 1400 & 1440 North Wenige Drive:

- a) the Approval Authority BE ADVISED that there were no issues raised at the public participation meeting of the Planning and Environment Committee with respect to the application for draft plan of vacant land condominium; and,
- b) the Approval Authority BE REQUESTED to utilize, if possible, one agreement, instead of a separate development agreement and a separate condominium agreement, to address the development of this site;

it being pointed out that there were no oral submissions made at the public participation meeting associated with this matter.

Motion Passed

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

Motion made by Councillor B. Polhill to Approve clause 19.

Motion made by Councillor B. Polhill and seconded by Councillor S.E. White to Approve that pursuant to section 13.7 of the Council Procedure By-law, the actions of the Municipal Council taken at its meeting of July 24 and 25, 2012, related to the adoption of clause 8 of the 19th Report of the Planning and Environment Committee, concerning properties located within the Wonderland Road North/Fanshawe Park Road West Neighbourhood Commercial Node and 1761 Wonderland Road North BE RECONSIDERED.

Motion Passed

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

Councillor D. Brown leaves the meeting.

Motion to Approve clause 19 is put.

19. Properties located at Wonderland Road North/Fanshawe Park Road West Neighbourhood Commercial Node and 1761 Wonderland Road North (O-8131)

That, on the recommendation of the Managing Director, Planning and City Planner, with respect to the application of the City of London, relating to the properties located within the Wonderland Road North/Fanshawe Park Road West Neighbourhood Commercial Node and 1761 Wonderland Road North, the ~~attached~~ proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on January 29, 2013 to amend the Official Plan to DELETE Special Policy 4.3.8.6.(3) (Wonderland Road North/Fanshawe Park Road West) and ADD a new special policy to 4.3.8.6. (Special Policies) stating, "Notwithstanding policy 4.3.8.5, additional commercial development may be permitted on the lands located at 1761 Wonderland Road North in addition to the uses permitted in the Neighbourhood Commercial Node designation, a supermarket is also permitted.";

it being noted that the Planning and Environment Committee received a Municipal Council resolution adopted at its meeting held on July 24 and 25, 2012, 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:

- Michelle Doornbosch, Zelinka Priamo Limited, on behalf of City Centre Storage and Sam Adams – advising that her clients recently built a 90,000 square foot storage building; pointing out a landscaped section to the east of the building; expressing concern that the 13,000 m² cap would be imposed instead of the 23,000 m² cap; indicating that no restrictions have been placed on the York Developments site; advising that, should the owner wish to expand the building in the future, the building already exceeds the floor area; indicating that, in 2009, the total footage allowed was 19,000 m²; expressing concern with the discrepancies in allowable footage; requesting that this matter be referred back to the Civic Administration for further consideration; and requesting that the Civic Administration review their policies with existing commercial users in the area.
- Richard Zelinka, Zelinka Priamo Limited, on behalf of FCHT Holdings (Ontario) Corporation, Loblaw Properties Limited, Barvest Realty Inc., Sunningdale Developments Inc. and Auburn Developments – indicating that, by removing the floor area cap and by explicitly allowing a supermarket on the York Developments property, the proposed Official Plan Amendment conflicts with the City of London Official Plan policies, with respect to the scale and function of the Neighbourhood Commercial Node; undermines the approved site community commercial node at Richmond Street and Sunningdale Road; indicating that the supermarket is an important anchor for community commercial and should be located in the designated community commercial node and not as a second supermarket in the neighbourhood commercial area; advising that this will have adverse impacts on traffic and the city's arterial road system in the Fanshawe Park Road/Wonderland Road area; advising that it is telling that there is no clear indication of the size of the Neighbourhood Commercial Node today; and requesting that the Official Plan Amendment not be approved to lift the cap for the York Developments site and permission for the supermarket at this site.
- Carol Weibe, MHBC Planning, on behalf of York Developments – expressing support for the Civic Administrations' recommendation; indicating that the Civic Administration tried to explain the complicated history of this site to the Committee; advising that the original Official Plan Amendment included the property located at 1771 Wonderland Road; noting that this was appealed; further noting that the appeal was withdrawn in December, 2012; indicating that the issues outlined by Mr. Zelinka will be dealt with at the Ontario Municipal Board hearing in February, 2013; and advising that the Official Plan Amendment being brought forward tonight will not preclude his clients from being heard at the Ontario Municipal Board. (2013-D09)

Motion Passed

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

Councillor D. Brown enters the meeting.

Motion made by Councillor B. Polhill to Approve clause 6.

6. Southwest Area Secondary Plan - Notice of Appeal to the Ontario Municipal Board (O-7609)

That, on the recommendation of the Managing Director, Planning and City Planner, in response to letters of appeal, as referenced in the Civic Administration's report, dated January 22, 2013, to the Ontario Municipal Board, relating to By-law No. C.P.-1284-(st)-331 to approve Official Plan Amendment 541, the Southwest Area Secondary Plan, the following actions be taken:

- a) the Ontario Municipal Board BE REQUESTED to amend Sections 20.5.3.3 ii), 20.5.9.1 ii), and 20.5.10.1ii) to delete the last sentence "Drive-through commercial uses shall not be permitted." from these policies;
- b) the City Solicitor's Office BE REQUESTED to retain a land use planner and to retain Hermann J. Kircher, Land Use and Retail Economist to provide evidence in support of Municipal Council's approval of the "Wonderland Road Community Enterprise Corridor" land use designation and related policies; and,

- c) 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. (2013-D09)

Pursuant to section 17.2 of the Council Procedure By-law, Councillor P. Hubert calls for a separate vote on part a) of clause 6.

Motion to Approve part a) of clause 6 is put.

Motion Passed

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

Motion to Approve parts b) and c) of clause 6 is put.

Motion Passed

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

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

At 6:55 PM Councillor H.L. Usher leaves the meeting.

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

8. Property located at 642 Princess Avenue - Notice of Appeal to the Ontario Municipal Board (A.094/12)

That, on the recommendation of the Managing Director, Development & Compliance Services & Chief Building Official, the following actions be taken in response to the letter of appeal to the Ontario Municipal Board, dated October 1, 2012 and submitted by Biagio E. Iaboni, relating to the minor variance application concerning the property located at 642 Princess Avenue:

- a) the Ontario Municipal Board BE ADVISED that the Municipal Council supports the Civic Administration's recommendation to support the requested variance pursuant to the provisions under Section 45(2) of the Planning Act; and,
- b) the City Solicitor and the Managing Director, Planning & City Planner, BE DIRECTED to provide legal and planning representation at the Ontario Municipal Board Hearing to support the Municipal Council's decision.

Motion made by Councillor P. Hubert and seconded by Councillor S.E. White to Amend in part b) of clause 8, by deleting the words "Managing Director, Planning and City Planner" and by replacing them with the words "Managing Director, Development & Compliance Services & Chief Building Official".

Motion Passed

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

NAYS: S. Orser (1)

Motion to Approve clause 8, as amended, is put.

Motion Passed

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

NAYS: S. Orser (1)

Clause 8, as amended, reads as follows:

That, on the recommendation of the Managing Director, Development & Compliance Services & Chief Building Official, the following actions be taken in response to the letter of appeal to the Ontario Municipal Board, dated October 1, 2012 and submitted by Biagio E. Iaboni, relating to the minor variance application concerning the property located at 642 Princess Avenue:

- a) the Ontario Municipal Board BE ADVISED that the Municipal Council supports the Civic Administration's recommendation to support the requested variance pursuant to the provisions under Section 45(2) of the Planning Act; and,
- b) the City Solicitor and the Managing Director, Development & Compliance Services & Chief Building Official, BE DIRECTED to provide legal and planning representation at the Ontario Municipal Board Hearing to support the Municipal Council's decision.

Motion made by Councillor B. Polhill to Approve clause 11.

11. Property located at 19 Woodgate Court - Notice of Appeal to the Ontario Municipal Board (A.101/12)

That, on the recommendation of the Managing Director, Development & Compliance Services & Chief Building Official, the following actions be taken in response to the letter of appeal to the Ontario Municipal Board, dated October 29, 2012 and submitted by Georgina Ann Wolfe Zaifman, relating to the minor variance application concerning 19 Woodgate Place:

- a) the Ontario Municipal Board BE ADVISED that the Municipal Council supports the Committee of Adjustment's decision to refuse the minor variance; and,
- b) the City Solicitor and the Managing Director, Development & Compliance Services & Chief Building Official, BE DIRECTED to provide legal and planning representation at the Ontario Municipal Board Hearing to support the Committee of Adjustment's decision.

Motion made by Councillor B. Polhill and seconded by Councillor S. Orser to Amend in clause 11, the last line of the first paragraph, by deleting the word "Place" and by replacing it with the word "Court".

Motion Passed

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

Motion to Approve clause 11, as amended, is put.

Motion Passed

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

Clause 11, as amended, reads as follows:

That, on the recommendation of the Managing Director, Development & Compliance Services & Chief Building Official, the following actions be taken in response to the letter of appeal to the Ontario Municipal Board, dated October 29, 2012 and submitted by Georgina Ann Wolfe Zaifman, relating to the minor variance application concerning 19 Woodgate Court:

- a) the Ontario Municipal Board BE ADVISED that the Municipal Council supports the Committee of Adjustment's decision to refuse the minor variance; and,
- b) the City Solicitor and the Managing Director, Development & Compliance Services & Chief Building Official, BE DIRECTED to provide legal and planning representation at the Ontario Municipal Board Hearing to support the Committee of Adjustment's decision.

3rd Report of the Strategic Priorities and Policy Committee
Councillor P. Hubert presents.

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

1. Disclosures of Pecuniary Interest

That it BE NOTED that Councillor J.B. Swan disclosed a pecuniary interest in those matters related to Orchestra London and the use of Centennial Hall as Orchestra London is his employer and receives funding from the City of London.

2. 2013 Budget - Public Participation Meeting

That the following presentations BE RECEIVED:

- a) the ~~attached~~ presentation from Deb Lowery, President, Friends of the London Public Library;
- b) the ~~attached~~ presentation from Bill Tufts, Fair Pensions for All (FPFA);
- c) the ~~attached~~ presentation from Michelle Baldwin, Executive Director, Pillar Nonprofit Network; Andrew Lockie, CEO, United Way London & Middlesex; and Martha Powell, President & CEO, London Community Foundation;
- d) the ~~attached~~ presentation from Sean Quigley, Executive Director, Emerging Leaders London Community Network;
- e) the ~~attached~~ presentation from Sandy Levin, London;
- f) the ~~attached~~ presentation from Stephen Turner, Urban League of London;
- g) the ~~attached~~ presentation from Abe Oudshoorn, on behalf of the London Homeless Coalition;
- h) the ~~attached~~ presentation from Michele Girash, London, Ontario;
- i) the ~~attached~~ presentation from Tom McClenaghan, London, Ontario;
- j) the ~~attached~~ presentation from Andrew Lockhart, Progressive Librarians Guild London Chapter;
- k) the ~~attached~~ presentation from Dean Sheppard, Reforest London;
- l) the ~~attached~~ presentation from Tanya Park, 300 South Street, President, SoHo Community Association;
- m) the verbal delegation from Gary Brown, 35A-59 Ridout Street South, indicating the level of public engagement for this budget has been outstanding; speaking in support of the points made by preceding delegations; and pointing out the many studies in various different jurisdictions which support bike lanes as a strong component of economic well being, quality of life and property values, which would indicate that any decision to delay or delete the further implementation of bike lanes would be imprudent;
- n) the verbal delegation from Oliver Hobson indicating support for the comments by the preceding delegations and stating that he hopes the input does not fall on deaf ears;
- o) the verbal delegation from Amanda Pallant, 51 Byron Avenue, indicating support for many of the comments by the preceding delegations and that she is happy to see the level of participation; expressing concern with the condition of London's roads and requesting that funding for roads not be reduced; indicating support for bike lanes; noting that other cities have much better public transit

than London, young people are looking for a good public transit system, with access to all the new neighbourhoods, and many people rely on the public transit system to get to work; and

- p) the verbal delegation from William Ryan Joseph Chawchuk, 139 Pine Lawn Avenue, indicating that the best way to solve tree problems is to replant; questioning why public transit routes would be eliminated as there is public need for this service; and noting that the way things are currently done does not dictate how they should be done.

Motion Passed

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

At 7:04 PM Councillor H.L. Usher enters the meeting.

3rd Report of the Committee of the Whole
Councillor B. Polhill presents.

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

ALSO PRESENT: A. Zuidema, J.P. Barber, J. Braam, J. Fleming, A. Hagan, M. Hayward, J. Page, L.M. Rowe, B. Steinberg and B. Warner.

Councillor B. Polhill reports progress with respect to the following matters:

- a) 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. (CSC)
- b) A matter pertaining to litigation or potential litigation with respect to the application of Liahn Farms Limited to the Ontario Superior Court of Justice, in connection with By-law C.P.-1466-249, the Tree Conservation By-law; advice that is subject to solicitor-client privilege, including communications necessary for that purpose, in connection with the application of Liahn Farms Limited to the Ontario Superior Court of Justice, in connection with By-law C.P.-1466-249, the Tree Conservation By-law; and giving instructions and directions to the solicitors of the municipality in connection with an application filed in the Ontario Superior Court of Justice by Liahn Farms Limited. (PEC)

Motion made by Councillor B. Polhill and seconded by Councillor D. Brown 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:

1. That, on the recommendation of the Manager of Realty Services, with the concurrence of the Director of Corporate Investments and Partnerships, with respect to the acquisition of the properties located at 2555 and 2591 Bradley Avenue, the following actions be taken:
 - a) the offer submitted by 1058551 Ontario Limited (the "Vendor") to sell to the City land municipally known as 2555 Bradley Avenue (Property 1), located on the south side of Bradley Avenue, further described as Concession 2, north Part Lot 3, Part of Reference Plan 33R-5266, PIN No. 08189-0025, containing an area of approximately 5.66 acres, for the purpose of the development of a future industrial park, for the sum of \$1,600,000, BE ACCEPTED subject to the following conditions:
 - i) the City having 120 days from the date of acceptance to carry out geotechnical, soil and environmental tests, satisfactory to the City;
 - ii) the City agreeing to the assignment of the current lease for a term of three (3) years with provision to terminate the lease early, if required for municipal purposes such as redevelopment for industrial;

- iii) the City completing the purchase of the property located at 2591 Bradley Avenue;
- iv) the City obtaining a zoning change in order to use the lands for industrial development;
- b) the offer submitted by 1058551 Ontario Limited (the "Vendor") to sell to the City land municipally known as 2591 Bradley Avenue (Property 2), located on the south side of Bradley Avenue, further described as Concession 2, north Part Lot 3, PIN No. 08197-0023 (LT) and 08197-0024 (LT), containing an area of approximately 81.45 acres, for the purpose of the development of a future industrial park, for the sum of \$4,150,000 BE ACCEPTED subject to the following conditions:
 - i) the City having 120 days from the date of acceptance to carry out geotechnical, soil and environmental tests, satisfactory to the City;
 - ii) the City agreeing to lease back to the Vendor the residence located on the property for a term of one (1) year;
 - iii) the City agreeing to permit the Vendor to harvest the existing agricultural crop prior to December 31, 2013;
 - iv) the City recognizing the Vendor's historical connection to the property in an appropriate manner;
 - v) the City completing the purchase of the property located at 2555 Bradley Avenue;
 - vi) the City obtaining a zone change in order to use the property for industrial development;
- c) the Sources of Financing BE APPROVED as detailed in Appendix "A" of the associated staff report dated January 22, 2013.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (15)
The motion to Approve clause 1 is put.

Motion Passed

X DEFERRED MATTERS

None.

XI ENQUIRIES

None.

XII EMERGENT MOTIONS

None.

XIII BY-LAWS

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

Motion made by Councillor B. Polhill and seconded by Councillor P. Van Meerbergen to Approve 1st reading of Bill No.s 71, 73, 75 to 78, inclusive and 80 to 94, inclusive.

Motion Passed

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

Motion made by Councillor B. Polhill and seconded by Councillor J.P. Bryant to Approve 2nd reading of Bill No.s 71, 73, 75 to 78, inclusive and 80 to 94, inclusive.

Motion Passed

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

Motion made by Councillor B. Polhill and seconded by Councillor D. Brown to Approve 3rd reading of Bill No.s 71, 73, 75 to 78, inclusive and 80 to 94, inclusive.

Motion Passed

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

Motion made by Councillor B. Polhill and seconded by Councillor H.L. Usher to Approve 1st reading of Bill No. 72.

Motion Passed

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

RECUSED: N. Branscombe (1)

Motion made by Councillor D. Brown and seconded by Councillor S. Orser to Approve 2nd reading of Bill No. 72.

Motion Passed

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

RECUSED: N. Branscombe (1)

Motion made by Councillor B. Polhill and seconded by Councillor M. Brown to Approve 3rd reading of Bill No. 72.

Motion Passed

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

RECUSED: N. Branscombe (1)

Motion made by Councillor B. Polhill and seconded by Councillor H.L. Usher to Approve 1st reading of Bill No. 74.

Motion Passed

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

RECUSED: M. Brown (1)

Motion made by Councillor B. Polhill and seconded by Councillor D. Brown to Approve 2nd reading of Bill No. 74.

Motion Passed

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

RECUSED: M. Brown (1)

Motion made by Councillor B. Polhill and seconded by Councillor P. Van Meerbergen to Approve 3rd reading of Bill No. 74.

Motion Passed

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

RECUSED: M. Brown (1)

Motion made by Councillor B. Polhill and seconded by Councillor P. Van Meerbergen to Approve 1st reading of Bill No. 79.

Motion Passed

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

RECUSED: J.P. Bryant (1)

Motion made by Councillor B. Polhill and seconded by Councillor S. Orser to Approve 2nd reading of Bill No. 79.

Motion Passed

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

RECUSED: J.P. Bryant (1)

Motion made by Councillor B. Polhill and seconded by Councillor D. Brown to Approve 3rd reading of Bill No. 79.

Motion Passed

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

RECUSED: J.P. Bryant (1)

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

Bill No. 71
By-law No. A.- 6906-53 A by-law to confirm the proceedings of the Council Meeting held on the 29th day of January, 2013. (City Clerk)

Bill No. 72
By-law No. A.- 6907-54 A By-law to authorize an Option Agreement between The Corporation of the City of London and London Machinery Inc., and to authorize the Mayor and the City Clerk to execute the Agreement. (4/3/CSC)

Bill No. 73
By-law No. A.- 6908-55 A by-law to repeal By-law No. A.-6722-44 and replace it with a new by-law to approve the standard form Homeownership Loan Agreement and to delegate authority to the Director of Municipal Housing to execute Home Ownership Loan Agreements on behalf of The Corporation of the City of London under the Investing in Affordable Housing Program. (10b/3/CPSC)

Bill No. 74 By-law No.A.- 6909-56	A By-law to approve the Funding and Project Agreement with Thames Valley District School Board for construction of a Neighbourhood Family Centre at White Oaks Public School. (13/3/CPSC)
Bill No. 75 By-law No. A.- 6910-57	A By-law to authorize and approve a Service Level Agreement between The Corporation of the City of London and London Hydro Inc. regarding water meter reading, billing, collection and customer service for the City's water and sewer accounts services and to authorize the Mayor and Clerk to execute the agreement. (9/4/CWC)
Bill No. 76 By-law No. A.- 6911-58	A by-law to establish Council Policy 25() entitled "Commemorative Street Naming Policy" to provide for an alternative means to recognize influential pieces of London history. (14/4/CWC)
Bill No. 77 By-law No.A.-5895(g)- 59	A by-law to amend By-law No. A.-5895-232 entitled, "A by-law to appoint Property Standards Officers." (Manager By-law Enforcement)
Bill No. 78 By-law No. A.-5896(s)- 60	A by-law to amend By-law No. A.-5896-233 entitled, "A by-law to appoint Municipal Law Enforcement Officers for the purpose of enforcing the by-laws of The Corporation of the City of London. (Manager By-law Enforcement)
Bill No. 79 By-law No. A.- 6912-61	A By-law to authorize and approve an Agreement between The Corporation of the City of London and The University of Western Ontario regarding construction of the Southern Ontario Water Consortium – London Wastewater Facility and to authorize the Mayor and Clerk to execute the agreement (12/4/CWC)
Bill No. 80 By-law No. C.P.-1284(sy)-62	A by-law to amend the Official Plan for the City of London, 1989 relating to the Fanshawe Park Road West/Wonderland Road North Neighbourhood Commercial Node and 1761 Wonderland Road North. (19/2/PEC)
Bill No. 81 By-law No. C.P.-1284(sz)-63	A by-law to amend the Official Plan for the City of London, 1989 relating to. 3841 Cheese Factory Road. (17/2/PEC)
Bill No. 82 By-law No. DR- 103-64	A by-law to raise \$200,000 to aid in the construction of drainage works under the <i>Tile Drainage Act</i> , R.S.O. 1990, c. T.8. (13/4/CWC)
Bill No. 83 By-law No.PS-111-13117	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." (8/4/CWC)
Bill No. 84 By-law No. S.- 5521-64	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, north of Eclipse Walk and the purposes of a public highway for pedestrian use only, south of Eclipse Walk. (Chief Surveyor)
Bill No. 85 By-law No.S.- 5522-65	A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Main Street, west of Bainard Street) (Chief Surveyor)
Bill No. 86 By-law No. S.- 5523-66	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 Gough Avenue.) (Chief Surveyor)

Bill No. 87 By-law No. S.- 5524-67	A by-law to lay out, constitute, establish and assume certain reserves in the City of London as public highway. (widening to Egerton Street, north of Grafton Street) (Chief Surveyor)
Bill No. 88 By-law No. S.- 5525-68	A by-law to assume certain works and services in the City of London. (Oakridge Crossing Subdivision-Phase 4; 33M-611) (City Engineer)
Bill No. 89 By-law No. S.- 5526-69	A by-law to assume certain works and services in the City of London. (Oakridge Crossing Subdivision-Phase 3; 33M-511) (City Engineer)
Bill No. 90 By-law No. S.- 5527-70	A by-law to assume certain works and services in the City of London. (Northridge North Subdivision-Phase 4; 33M-589) (City Engineer)
Bill No. 91 By-law No. S.- 5528-71	A by-law to permit Labatt Brewing Company Limited to maintain and use encroachments upon the road allowances for Richmond Street, Horton Street and Grey Street, City of London. (City Solicitor)
Bill No. 92 By-law No. S.- 5529-72	A by-law to rename the south portion of Logans Way, west of Logans Run, in the City of London, to Logans Trail. (10/15/CWC)
Bill No. 93 By-law No. Z.-132164	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 3841 Cheese Factory Road and 1605 Max Brose Drive. (17/2/PEC)
Bill No. 94 By-law No. A.-6913-73	A By-law to authorize Agreements of Purchase and Sale between The Corporation of the City of London and 1058551 Ontario Limited, for the acquisition of the properties located at 2555 and 2591 Bradley Avenue, and to authorize the Mayor and the City Clerk to execute the Agreements. (C-1/3/CSC)

XIV ADJOURNMENT

Motion made by Councillor P. Van Meerbergen and seconded by Councillor N. Branscombe to Adjourn.

Motion Passed

The meeting adjourned at 7:11 PM.

Joe Fontana, Mayor

Catharine Saunders, City Clerk