



London
C A N A D A

COUNCIL MINUTES 4TH MEETING

February 12, 2013

The Council meets in Regular Session in the Council Chambers this day at 4:04 PM.

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, G. Belch, J. Braam, B. Coxhead, J. Fleming, P. Foto, E. Gamble, A. Hagan, M. Hayward, G.T. Hopcroft, G. Kotsifas, L. Livingstone, V. McAlea Major, J. Page, M. Ribera, L.M. Rowe, E. Soldo, B. Warner and B. Westlake-Power.

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

I DISCLOSURES OF PECUNIARY INTEREST

Councillor P. Hubert discloses a pecuniary interest in clause 6 of the 4th Report of the Community and Protective Services Committee having to do with Ontario Works Decentralization, by indicating that he is the Executive Director of a social service agency with a purchase of service agreement with Ontario Works.

At 4:05 PM Councillor D.G. Henderson enters the meeting.

Councillor M. Brown discloses a pecuniary interest in clause 4 of the 4th Report of the Corporate Services Committee having to do with potential uses for Local Improvement Charges and clause 6 of the 2nd Report of the Investment and Economic Prosperity Committee having to do with Lorne Avenue Public School, by indicating that the Thames Valley District School Board is his employer.

Councillor P. Van Meerbergen discloses a pecuniary interest in clause 2 of the 4th Report of the Community and Protective Services Committee having to do with the 1st Report of the Childcare Advisory Committee, by indicating that his spouse owns and operates a daycare business.

Councillor W.J. Armstrong discloses a pecuniary interest in clause C-1 of the 5th Report of the Corporate Services Committee having to do with the Dearness Home by indicating that he had a family member in care at the Home.

Councillor J.B. Swan discloses a pecuniary interest in clauses 2 and 3 of the 2nd Report of the Investment and Economic Prosperity Committee having to do with Orchestra London and any reference to a performing art centre, by indicating that Orchestra London is his employer.

At 4:06 PM Councillor J.B. Swan enters the meeting.

II REVIEW OF CONFIDENTIAL MATTERS TO BE CONSIDERED IN PUBLIC

None.

III ADDED REPORTS

5th Report of Corporate Services Committee.

IV COMMITTEE OF THE WHOLE, IN CAMERA

Motion made by Councillor P. Hubert and seconded by Councillor J.P. Bryant 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 litigation or potential litigation affecting the municipality, personal matters about an identifiable individual and information whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the Corporation as it relates to a claim for bodily injury and death; and advice that is subject to solicitor-client privilege, including communications necessary for that purpose. (CSC)
- b) A matter pertaining to instructions and directions to officers and employees of the Corporation 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)
- c) A matter pertaining to proposed or pending acquisition of land by the municipality in connection with the Dingman Creek Erosion Control Facility project; litigation in the Ontario Superior Court of Justice, Court File No. 8579/12, with respect to the expropriation of part of properties municipally located on Dingman Drive, including matters before administrative tribunals, affecting the municipality or local board; advice that is subject to solicitor-client privilege, including communications necessary for that purpose, in connection with litigation in the Ontario Superior Court of Justice, Court File No. 8579/12, in respect of the expropriation of part of properties municipally located on Dingman Drive; and directions and instructions to officers and employees or agents of the municipality regarding conduct of litigation in connection with litigation in the Ontario Superior Court of Justice, Court File No. 8579/12, in respect of the expropriation of part of properties municipally located on Dingman Drive. (CSC)
- d) 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 in relation to Councillors indemnification. (CSC)
- e) A matter pertaining to instructions and directions to officers and employees of the Corporation pertaining to a proposed acquisition and disposition of lands in the vicinity of South Street; 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 and disposition of land; commercial and financial information supplied in

confidence pertaining to the proposed acquisition and disposition the disclosure of which could reasonably be expected to, prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of the Corporation, result in similar information no longer being supplied to the Corporation where it is in the public interest that similar information continue to be so supplied, and result in undue loss or gain to any person, group, committee or financial institution or agency; commercial, information relating to the proposed acquisition and disposition that belongs to the Corporation that has monetary value or potential monetary value; information concerning the proposed acquisition and disposition whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or its competitive position; information concerning the proposed acquisition and disposition whose disclosure could reasonably be expected to be injurious to the financial interests of the Corporation; and instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the Corporation concerning the proposed acquisition and disposition. (PEC)

- f) A matter pertaining to personal matters about identifiable individuals, including municipal employees and labour relations related to the PwC Quarterly Report on Internal Audit Results: Corporate Services/Finance - Payroll Administration. (Audit)
- g) A matter pertaining to personal information about identifiable individuals including municipal employees, with respect to employment-related matters; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; advice or recommendations of officers and employees of the Corporation, including communications necessary for that purpose; and for the purpose of providing instructions and directions to officers and employees of the Corporation. (CSC)

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. Hubert, D. Brown, H.L. Usher, J.P. Bryant (13)

At 4:08 PM Councillor N. Branscombe enters the meeting.

The Council rises and goes into Committee of the Whole, in camera, at 4:08 PM, with Mayor Fontana in the Chair and all Members present, except Councillors P. Van Meerbergen and S.E. White.

At 4:14 PM Councillor S.E. White enters the meeting.

The Committee of the Whole rises and Council resumes in regular session at 4:47 PM with all Members present, except Councillor P. Van Meerbergen.

Motion made by Councillor J.L. Baechler and seconded by Councillor S. Orser to Recess.

Motion Passed

The Council recesses at 4:47 PM and reconvenes at 4:57 PM with Mayor J.F. Fontana in the chair and all Members present except Councillor P. Van Meerbergen.

V RECOGNITIONS

1. His Worship the Mayor presents a cheque to Wayne Dunn representing the Business Cares Food Drive and Jane Roy representing the London and Area Food Bank for the 2012 Business Cares Food Drive Campaign.

At 4:59 PM, Councillor P. Van Meerbergen enters the meeting.

2. His Worship the Mayor presents a certificate for "London's Featured Community Organization" to The Grand Theatre.

3. His Worship the Mayor and Councillor H.L. Usher acknowledge K. Ward, London Economic Development Corporation, for her recognition from the Federation of Canadian Municipalities.
4. His Worship the Mayor acknowledges P. White, London Economic Development Corporation, for the recent Economic Development Council of Ontario event in London, and the awards received by the LEDC for initiatives such as "Hire One" and "London Today Tonight".
5. His Worship the Mayor recognizes L. Wright and the Hearts of London and Middlesex.

VI CONFIRMATION AND SIGNING OF THE MINUTES OF THE THIRD MEETING HELD ON JANUARY 29, 2013

Motion made by Councillor M. Brown and seconded by Councillor N. Branscombe to Approve Minutes of the 3rd Meeting held on January 29, 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

None.

VIII MOTIONS OF WHICH NOTICE IS GIVEN

None.

IX REPORTS

4th Report of the Corporate Services Committee
Councillor J.P. Bryant presents.

Motion made by Councillor J.P. Bryant to Approve clause 4.

4. Local Improvement Charges - Potential Uses

Motion made by Councillor J.P. Bryant to Approve that the following actions be taken with respect to the use of Local Improvement Charges:

- a) the delegation from O. Hobson regarding this matter BE RECEIVED;
- b) the Civic Administration BE DIRECTED to report back to the Corporate Services Committee with Terms of Reference for a potential pilot project utilizing local improvement charges for the acquisition of lands occupied by Sherwood Forest Public School; and,
- c) the report dated February 5, 2013, from the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, regarding local improvement charges, BE REFERRED to the Civic Administration to provide a further report back to the Corporate Service Committee that would include information from the City Solicitor's Office with respect to this matter.

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 J.P. Bryant to Approve clauses 1 to 8, excluding clause 4.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Community Pulse Check

That, on the recommendation of the City Manager, the staff report dated February 5, 2013, regarding community perceptions in London, BE RECEIVED for information.

3. Real Property Acquisition Policy

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, with the concurrence of the Director of Corporate Investments and Partnerships, on the advice of the Manager of Realty Services and the Manager of Realty Services Operations, the ~~attached~~ proposed by-law (Appendix "B"), BE INTRODUCED at the Municipal Council meeting on February 12, 2013 to implement a Real Property Acquisition Policy for the City of London.

5. Appointment to the Town and Gown Committee

That the following actions be taken with respect to appointments to the Town and Gown Committee:

- a) Tony Frost (Administrative Representative of Fanshawe College) BE APPOINTED to the Town and Gown Committee as voting member for the term ending February 28, 2015; and,
- b) the City Clerk BE REQUESTED to review the Terms of Reference for the Town and Gown Committee and report back to the appropriate Standing Committee regarding the potential expansion of the Town and Gown Committee's voting membership to include voting representation from Western University, as well as from each of its affiliated colleges, and a representative of the London Property Management Association.

6. Resignation from the Animal Welfare Advisory Committee

That the communication dated January 24, 2013 from Joanne McFadden, resigning her appointment to the Animal Welfare Advisory Committee, BE ACCEPTED and Ms. McFadden BE THANKED for participating on the Animal Welfare Advisory Committee.

7. Association of Municipalities of Ontario Economic Development Task Force

That the following actions be taken with respect to the request from Councillor S.E. White for reimbursement of associated expenses for attending the 2013 meetings of the Economic Development Task Force for the Association of Municipalities of Ontario:

- a) the ~~attached~~ communication dated January 31, 2013, from Councillor S.E. White, BE RECEIVED; and,
- b) the request from Councillor S.E. White for reimbursement for expenses associated with attendance at the 2013 meetings of the Economic Development Task Force for the Association of Municipalities of Ontario BE APPROVED.

8. Request for Delegation Status at the Corporate Services Committee re Post Secondary Students Becoming More Involved in Municipal Government

That the following actions be taken with respect to the request from Adam Fearnall, President, University Students' Council, for delegation status at the Corporate Services Committee to discuss how post-secondary students could become more involved in Municipal Government:

- a) 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 12 of the 2nd Report of the Corporate Services Committee, concerning the above-noted

request, BE RECONSIDERED;

- b) the Committee Secretary BE REQUESTED to make arrangements for Mr. Fearnall, and other post-secondary education institution student representatives, to appear as a delegation before the Corporate Services Committee; and,
- c) the Civic Administration BE REQUESTED to report back, after the delegation noted in b), above, has been heard, on measures that could be taken to provide for greater involvement of the post-secondary school population in the municipal decision-making process.

Motion made by Councillor N. Branscombe and seconded by Councillor B. Polhill to Amend clause 5 in part b) by deleting all words following "representation" and by replacing with the following words, "from all of Western University affiliated colleges, a corresponding number of neighbourhood representatives, and a representative from the London Property Management Association."

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 5, as amended, reads as follows:

That the following actions be taken with respect to appointments to the Town and Gown Committee:

- a) Tony Frost (Administrative Representative of Fanshawe College) BE APPOINTED to the Town and Gown Committee as voting member for the term ending February 28, 2015; and,
- b) the City Clerk BE REQUESTED to review the Terms of Reference for the Town and Gown Committee and report back to the appropriate Standing Committee regarding the potential expansion of the Town and Gown Committee's voting membership to include voting representation from all of Western University affiliated colleges, a corresponding number of neighbourhood representatives, and a representative from the London Property Management Association.

The motion to adopt clauses 1 to 8, except clause 4, and including clause 5, 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)

5th Report of the Civic Works Committee
Councillor P. Van Meerbergen presents.

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

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Annual Ministry of Environment Inspection of the City of London Water Distribution System - 2012.

That, on the recommendation of the Director, Water and Wastewater and Treatment, the 2012 Annual Ministry of Environment Inspection of the City of London Water Distribution System BE RECEIVED.

3. Veterans Memorial Parkway Community Program 2012 Summary and 2013 Planning Report.

That, on the recommendation of the Director, Land Use Planning and City Planner, the staff report dated February 4, 2013 outlining the Veterans Memorial Parkway Community Program 2012 Summary and 2013 Planning Report BE RECEIVED as per the requirements of the City's agreement with Landscape Ontario for the enhancement of the Veterans Memorial Parkway.

4. New 2013 Traffic Signal Byron Baseline Road at Colonel Talbot Road.

That, on the recommendation of the Director, Roads & Transportation, the following actions be taken with respect to the new 2013 Traffic Signal at Byron Baseline Road at Colonel Talbot Road:

- a) the installation of a traffic signal at the intersection of Byron Baseline Road and Colonel Talbot Road BE APPROVED; and,
- b) future additional operating costs for the project in the amount of \$6,400 BE APPROVED as a first priority commitment from available assessment growth in 2013, subject to final budget approval.

5. Highway 401 Interchange Projects Agreement with Ministry of Transportation.

That, on the recommendation of the Director, Roads and Transportation, the following actions be taken with respect to an Agreement between Her Majesty the Queen In Right of the Province of Ontario, represented by the Minister of Transportation for the Province of Ontario (MTO), and The Corporation of the City of London for the construction of Highway 401 interchanges in the City of London:

- a) the attached proposed by-law (Appendix "A") BE INTRODUCED at the Municipal Council meeting on February 12, 2013 to:
 - i) approve an Agreement between the City and the Minister of Transportation, substantially in the form ~~attached~~ as Schedule 1 to the by-law and to the satisfaction of the City Solicitor, for the construction of Highway 401 interchanges in the City of London; and,
 - ii) authorize the Mayor and the City Clerk to execute the Agreement approved in i), above;
- b) the financing related to the subject Agreement BE APPROVED as set out in the Sources of Financing Report appended to the staff report dated February 4, 2013; and,
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with these projects.

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 Planning and Environment Committee
Councillor B. Polhill presents.

Motion made by Councillor B. Polhill to Approve clauses 1 to 10, excluding clause 8.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

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

That the following actions be taken with respect to the 2nd Report of the Environmental and Ecological Planning Advisory Committee from its meeting held on January 17, 2013:

- a) the Civic Administration BE ASKED to advise the Environmental and Ecological Planning Advisory Committee (EEPAC) when the Civic Administration applies trail standards in significant woodlands; it being noted that the EEPAC heard a verbal presentation from S. Levin, with respect to this matter; and,
- b) that clauses 2 to 8, inclusive, of the 2nd Report of the EEPAC, BE RECEIVED AND NOTED.

3. 1st Report of the Trees and Forests Advisory Committee

That the following actions be taken with respect to the 1st Report of the Trees and Forests Advisory Committee from its meeting held on January 23, 2013:

- a) the Civic Administration BE REQUESTED to forward the attached revised comments, prepared by the Trees and Forests Advisory Committee (TFAC), with respect to the draft Urban Forest Strategy, to Bruce Blackwell and Associates Ltd, the Consultants hired by the City to prepare the Strategy; it being noted that the TFAC reviewed and received a report dated January 23, 2013, from its Working Group, with respect to this matter;
- b) clause 2 BE REFERRED to the 2013 Budget;

clause 2 reads as follows:

“The Municipal Council BE REQUESTED to continue to maintain the Emerald Ash Borer funding at its current levels; it being noted that:

- a) even at its current level the budget allocation is substantially under the original amount endorsed by Council for the management of the Emerald Ash Borer;
- b) the elimination of Emerald Ash Borer funding could result in the closing of City parks and trails, the severe denuding of the streetscape and the loss of all previously injected ash trees; and,
- c) the exposure of the Corporation and its citizens to risk and loss of public trust;

it being noted that the Trees and Forests Advisory Committee (TFAC) reviewed and received a communication from A. Cantell, with respect to the elimination of the Emerald Ash Borer program funding from the 2013 Operating Budget;” and,

- c) that clauses 3 to 6, inclusive, of the 1st Report of the TFAC, BE RECEIVED AND NOTED.

4. Candidate Approval for the Urban Design Peer Review Panel

That, on the recommendation of the Managing Director, Planning and City Planner, the following candidates BE APPROVED for available positions on the Urban Design Peer Review Panel:

- a) John Tassiopoulos – Position of Urban Design Planner;
- b) Tom Tillman – Position of Architect; and,
- c) Andrew Wilson – Position of Landscape Architect. (2013-C04)

5. North Gren Land Corp. (Elron) 39T-00515 (33M-475) - 911690 Ontario Ltd. and Pacific & Western Bank of Canada (Gren) 39T-03515 (33M-483)

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to subdivision agreement amendments for the North Gren Land Corp. (Elron) 39T-00515 (33M-475) - 911690 Ontario Ltd. and Pacific & Western Bank of Canada (Gren) 39T-03515 (33M-483):

- a) the Subdivision Agreement between The Corporation of the City of London and North Gren Land Corp., which was registered on September 25, 2003 as Instrument Number ER246459 for the Elron Subdivision, BE AMENDED as set out in the attached

Subdivision Amending Agreement to amend Clause 27(c)(i) & 27(f) (iii), to remove reference to street lighting and to release the final securities;

- b) the Subdivision Agreement between The Corporation of the City of London and 911690 Ontario Limited and Pacific and Western Bank of Canada, which was registered on March 8, 2004 as Instrument Number ER274825 for the Gren Subdivision, BE AMENDED as set out in the attached Subdivision Amending Agreement to amend clause 27(b)(i) & 27(d), to remove reference to street lighting and release the final securities;
- c) the Civic Administration BE AUTHORIZED to undertake a design, as part of the development charge financed street lighting program, to provide street lighting in the ultimate location on Sunningdale Road East, from the east side of South Wenige Drive at Mother Theresa High School, to the west side of North Wenige Drive, at an estimated design and installation cost of \$265,000 (excluding applicable taxes);
- d) the Mayor and the City Clerk BE AUTHORIZED to execute these Subdivision Amending Agreements and all related documents required to fulfill its conditions; and,
- e) the financing for this project BE APPROVED in accordance with the "Source of Financing Report" provided as Appendix "A" to the associated staff report, dated February 5, 2013. (2013-L04)

6. Building Division Monthly Report for December 2012

That the Building Division Monthly Report for December 2012 BE RECEIVED. (2013-D00)

7. Properties located at a portion of 1956 Shore Road and a portion of 1585 Riverbend Road (Z-8113)

That, on the recommendation of the Senior Planner, Development Services, based on the application of Sifton Properties Limited, relating to a portion of the property located at 1956 Shore Road and a portion of the property located 1585 Riverbend Road (Riverbend Park), the attached proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on February 12, 2013, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a Holding Residential R6/Neighbourhood Facility (h•R6-5/NF) Zone, which permits a range of cluster residential dwellings and neighbourhood facilities including single detached and semi-detached dwellings, townhouses, low-rise apartment buildings, churches and elementary schools, subject to removal of the "h" holding provision TO a Residential R1 (R1-4) Zone, to permit single detached dwellings on lots with a minimum lot frontage of 12 metres (39.4 ft.) and minimum lot area of 360 square metres (3,875 sq. ft.) and to an Open Space (OS2) Zone, to permit public parks, conservation lands and recreational uses; and FROM an Open Space (OS2) Zone TO a Residential R1 (R1-4) Zone, to permit single detached dwellings on lots with a minimum lot frontage of 12 metres (39.4 ft.) and minimum lot area of 360 square metres (3,875 sq. ft.);

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

9. Property located at 591 Maitland Street

That, on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the following actions be taken with respect to the proposed demolition of the property located at 591 Maitland Street:

- a) the Chief Building Official BE ADVISED that the demolition permit applied for the structure at 591 Maitland Street BE APPROVED, subject to the following conditions:
 - i) professional architectural drawings for a new structure on this site BE PROVIDED and BE APPROVED for a building permit by the Building Division prior to the issuance of a demolition permit for the existing building;
 - ii) the drawings, as outlined in part i), above, BE CONSISTENT with the following criteria to the satisfaction of the Managing Director, Planning and City Planner:
 - A) replication of the general appearance and form of the front façade of the existing building;

- B) maintenance of the scale and form of the structure at the street to the depth of a single room, with the opportunity for an addition of a greater scale at a further depth into the site;
- C) a full front porch with a front yard building setback consistent with what currently exists; and,
- D) the new building be built consistent with the Conservation Guidelines contained within the West Woodfield Heritage Conservation District Plan;

it being noted that the Planning and Environment Committee heard verbal presentations from Renee Kaplansky, applicant, Hazel Elmslie, Woodfield Community Association, George Goodlet, Chair, London Advisory Committee on Heritage and Don Menard, Heritage Planner, with respect to this matter. (2013-R01)

10. Property located at 9345 Elviage Drive

That, the Civic Administration BE DIRECTED to report back to a future meeting of the Planning and Environment Committee, relating to the communication, dated January 15, 2013, from M. Doornbosch, Zelinka Priamo Ltd., relating to the property located at 9345 Elviage Drive; it being noted that M. Doornbosch, Zelinka Priamo Ltd., be granted delegation status when the Civic Administration reports back. (2013-D14A)

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)

8. Properties located at 1057, 1059 and 1061 Richmond Street (Z-8106)

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

Motion made by Councillor N. Branscombe and seconded by Councillor B. Polhill to Amend clause 8, to add the following wording after the word "consideration", "including, but not limited to".

Motion Passed

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

Motion made by Councillor N. Branscombe and seconded by Councillor S. Orser to Approve clause 8, as amended.

Motion Passed

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

Clause 8, as amended, reads as follows:

That, notwithstanding the recommendation of the Managing Director, Planning & City Planner, the application of Romlex International Inc., relating to the properties located at 1057, 1059 and 1061 Richmond Street BE REFERRED to the Civic Administration for consideration of including, but not limited to, the following:

- a) designating the laneway one way, heading north;
- b) traffic in and out access on/onto Richmond Street;
- c) the removal of the holding provision for the stairs; and,
- d) meet with the applicant and the neighbours;

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

- A. R. Patton, Patton, Cormier & Associates, on behalf of the applicant – advising that his client agrees with the “Conclusion” section of the Civic Administration’s report; expressing four issues of concern in the Civic Administration’s report; reading the second bullet point under “Additional Transportation Comments (January 25, 2013)”; advising that the stairs are accessed by the north and south sides of the building; noting that there is a patio in this area; advising that there is no doubt that the church built the stairs on city property; advising that the structure has been there for a long time, presumably with the City’s permission; indicating that the Civic Administration would like to remove the stairs and patio area for bus rapid transit; indicating that bus rapid transit is important; however, it is premature to have such an impact on this building; indicating that there is no need for the holding provision for the stairs; noting that the City owns the land; advising that the final design of the bus rapid transit on Richmond Street has not been completed; recommending that, 20 to 30 years from now, if the members of the Planning and Environment Committee are still on Council, that they have a bunker to hide in as the residents of Richmond Street are not going to be happy with the removal of their trees for bus rapid transit; reading the first bullet point under “Additional Transportation Comments (January 25, 2013)”; advising that Richmond Street is four lanes and enquiring as to what kind of median would be installed; advising that rights-in and rights-out onto Richmond Street are legal; advising that there is no proposal to restrict left turns onto Sherwood Avenue; indicating that, in the proposed by-law, the Civic Administration gets prescriptive; advising that the first unit and the east end shown on the proposed layout in the Civic Administration’s report is shown as a four bedroom apartment; noting that the proposed apartment will be approximately 1800 square feet, which is a luxury apartment and the patio will be included for the tenants of the apartment to use; noting that the proposed second four bedroom apartment will be the same layout and be located above the four bedroom apartment on the first floor; stating that Trudeau once commented that “the state has no business in people’s bedrooms”; advising that the expected tenants would be nurses, professionals and business owners along Richmond Street; advising that the church parishioners parked in the parking lot behind the church; indicating that there are 20 parking spaces for fourteen units; noting that the ratio of parking spots to units in this area of the City is one to one; indicating that the property is within easy walking distance to the University, the hospital and businesses; advising that they are meeting the parking standards established by the City; advising that the residence located at 1057 Richmond Street is not a well-kept building; noting that it has been a student residence for a long time; advising that the original proposal was to turn the building into offices and the property located at 203 Sherwood Avenue would be used for parking; indicating that when the development at 1057, 1059 and 1061 Richmond Street is completed, the property located at 203 Sherwood Avenue will be listed for sale; and requesting that the Zoning By-law be implemented with two changes, namely, the inclusion of two four bedroom apartments and the removal of the holding provision; advising that the garbage will be stored internally and picked up by the City on the assigned day; indicating that his client is willing to restrict vehicular traffic onto the laneway at the end of his parking lot; advising that the incline on the laneway starts well west of his clients’ property; advising that the laneway does not deal with the function or safety of the proposed development; and advising that it is an increase in one unit, not 10%.
- Jeff Gard, 204 Victoria Street – indicating that his property abuts 203 Sherwood Avenue; advising that he has had a bit of experience with laneways; indicating that the laneway from Victoria Street to Cheapside Street is a private laneway; noting that there is no verbage on the registered plan for the laneway between Sherwood Avenue and Victoria Street; advising that, prior to 2002, the City was listed as the owner of the laneway; indicating that there was a huge fight with the church when they wanted to install the stairs in 2000/2001; expressing concern with the effect of the development on the laneway; noting that the laneway is in horrific shape, is not maintained by the City and that gravel from the laneway runs on to the sidewalk; and enquiring as to whether the City is going to take responsibility when the sewers break because of the increased traffic.
- Helen Luckman, 1069 Richmond Street – advising that she has resided in her house since 1973; noting that she previously lived at 203 Sherwood Avenue; indicating that they were relative newcomers and were welcomed by their neighbours; reading item seven under “Rationale” in the Civic Administration’s report; emphasizing the words “while maintaining the character of the abutting residential neighbourhood”; suggesting that the living space in each of the units could be enlarged to have the number of units equal the number of

parking spaces; hoping that the developer sees the comments in a constructive manner; and hoping that this building can become a creative, attractive and novel destination in Old North.

- Steve Harris, 201 Sherwood Avenue – expressing concern with the dramatic increase in traffic; indicating that 10 of the 13 homes along Sherwood Avenue are owner occupied; indicating that the development will double traffic and tax the laneway; advising that laneway is one way; advising that the lane is accessed from Sherwood Avenue and runs from Regent Street to Grosvenor Street; indicating that there is poor visibility when turning onto Victoria Street; advising that his greatest concern is the safety of the children who travel along the laneway; advising that there is no room on the laneway for pedestrians if a vehicle uses the laneway; indicating that if two people were driving, from opposite ends of the laneway, one person would have to back all the way out; indicating that Richmond Street is designed to carry a high volume of traffic but the laneway is not; advising that there is no green space around the church; and indicating that it is sad that a heritage building may be torn down for a parking lot.
- James Waters, 1059 Richmond Street – indicating that access to and from the parking lot should only be from Richmond Street.
- Pollyanna McClinton, 194 Sherwood Avenue – advising that there are a lot of families living on Sherwood Avenue; indicating that it is a beautiful street and neighbourhood; noting that they have excellent neighbours; expressing concern with the impact of this application on the community; expressing concern with children using the laneway and having to watch out for cars; requesting that people think about how the laneway is used; noting that people bicycle along the laneway in the summer and that the laneway is not plowed in the winter; indicating that the laneway is in terrible shape; advising that she does not drive down the lane; indicating that that laneway is convenient for people along Sherwood Avenue; and, advising that the lane south of Victoria Street is larger, has speed bumps and is plowed.
- Mike Cornelius, 192 Sherwood Avenue – expressing concerns with the amount of density and the amount of vehicle parking; advising that the Official Plan states that the density needs to be 75 units per hectare; noting that this proposal is for 76.6 units per hectare; indicating that this would be a 10% increase from the Official Plan requirement; indicating that this raises questions about density; enquiring as to whether this Council is favouring low density residential or the higher density developments; advising that he thought that there would only be one four bedroom unit, not two; advising that the representative for the applicant indicated that they meet the requirement for parking; advising that most people have cars; noting that there will be 32 bedrooms and parking for 20 cars; further noting that there may be more than one person per unit and advising that guests will need parking.
- Mary Anne Colihan, 191 Sherwood Avenue – advising that the residents of Sherwood Avenue are hemmed in; indicating that this proposal will jam up their access; noting that Sherwood Avenue is a dead end street; indicating that there is a dip towards the end of the street; advising that there is no way to turn around at the end of the street and several vehicles have had to be towed out, including city garbage trucks, buses and plows; indicating that cars cannot park safely on the street, even after the plow has gone by; indicating that all of the trees along the laneway have been cut down by Mr. Grigoris; indicating that the lane was built for horses and buggies to travel down it; advising that the neighbours knew that the church would be occupied, they just weren't sure how it would be used; indicating that the property located at 203 Sherwood Avenue should not be cut down; enquiring as to what stops developers from knocking down more homes; advising that there is a sea of "for sale" signs along Richmond Street; expressing hope for a true adaptive use of the church; requesting that the development be made into a green development; advising that there could be a secure bike unit to encourage people to use their bicycles; and advising that the neighbours would like to see less density.
- Brian Luckman, 1069 Richmond Street – requesting that everyone look at the first floor plan; noting that there are three proposed entrances; further noting that there are currently only two entrances; expressing concerns with the possible increase in garbage on Richmond Street; enquiring as to where the garbage will be stored and where it will be picked up from; enquiring as to where the 10% green space is; advising that there is no green space on the owner's property, it's all on the City's property. (2013-D14A)

4th Report of the Community and Protective Services Committee
Councillor D. Brown presents.

Motion made by Councillor D. Brown to Approve clauses 1, 3, 4 and 5.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

3. 1st Report of the London Diversity and Race Relations Advisory Committee.

That the 1st Report of the London Diversity and Race Relations Advisory Committee, from its meeting held on January 17, 2013, BE RECEIVED.

4. 1st Report of the Community and Crime Prevention Advisory Committee.

That the 1st Report of the Community Safety and Crime Prevention Advisory Committee, from its meeting held on January 24, 2013, BE RECEIVED.

5. 2nd Report of the the London Housing Advisory Committee.

That, the following actions be taken with respect to the 2nd Report of the London Housing Advisory Committee, from its meeting held on January 16, 2013:

a) Clause 1 of the Report BE REFERRED to the 2013 Budget.

Clause 1, as referred reads as follows:

"1. Municipal Council BE REQUESTED to reaffirm its commitment to the London Housing Strategy and maintain an annual \$2 million contribution to the Affordable Housing Reserve for the following reasons:

- a) London's Community Housing Strategy was approved by Council in 2010 and the objective 5.3 of the strategy is to "maintain the annual \$2 million City investment in affordable housing";
- b) every \$1 of municipal investment has historically leveraged \$7 of investment from other orders of government and the private sector;
- c) best practice in affordable housing is a 'toolbox' approach that includes both less expensive temporary units and more expensive permanent units;
- d) the existing draws on the Affordable Housing Reserve Fund are already earmarked and Council-approved in the current Program Delivery Fiscal Plan; and,
- e) of the City goal of 1,000 new affordable housing units by 2015 our current Program Delivery and Fiscal Plan is for 614 new units;

it being noted that the London Housing Advisory Committee (LHAC) received the following, with respect to this matter:

- a communication from A. Oudshoorn, LHAC, with respect to an affordable housing motion;
- a communication from A. Oudshoorn, LHAC, with respect to the 2013 Budget - Service Changes; and,
- a communication from G. McGeorge, LHAC, with respect to the affordable housing crisis in London, Ontario";

it being noted that the Municipal Council has previously given direction to investigate the development of a Housing Development Corporation; it being further noted that the Community and Protective Services Committee (CPSC) noted that the amended Council goal was for 1,200 new affordable housing units by 2015;

b) the Civic Administration BE REQUESTED to host a ReThink workshop focusing on housing issues, and to invite the London Housing Advisory Committee to that workshop; it being noted that the LHAC will also form a subcommittee to prepare a workplan for their established priorities of:

- i) creating a housing mix within larger scale redevelopments;
 - ii) mix throughout the City; and
- c) clauses 3 to 6 BE RECEIVED;

it being noted that the CPSC received a verbal presentation from B. Sexsmith, Chair LHAC, with respect to 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 D. Brown to Approve clause 2.

2. 1st Report of the Childcare Advisory Committee.

That the 1st Report of the Childcare Advisory Committee, from its meeting held on January 23, 2013, 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, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (14)

RECUSED: P. Van Meerbergen (1)

Motion made by Councillor D. Brown to Approve clause 6.

6. Ontario Works Decentralization.

That, on the recommendation of the Acting Ontario Works Administrator, the following actions be taken with respect to the decentralization of Ontario Works services:

- a) the Ontario Works Decentralization plan, outlined in the staff report dated February 4, 2013, BE APPROVED in principle;
- b) the Civic administration BE AUTHORIZED to engage in community conversations to share the above-noted Ontario Works Decentralization plan; and,
- c) the Civic administration BE DIRECTED to report back to the Community and Protective Services Committee with a detailed implementation plan, including the associated financial strategy, and a summary of community and stakeholder input.

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)

At 5:49 PM Councillor P. Van Meerbergen leaves the meeting.

2nd Report of the Investment and Economic Prosperity Committee
Councillor J.B. Swan presents.

Motion made by Councillor J.B. Swan to Approve clauses 1, 4 and 5.

1. Disclosures of Pecuniary Interest

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

- a) Councillor J. Swan disclosed a pecuniary interest in clause 2 of this Report, having to do with the 2011-2012 financial results of Orchestra London, by indicating that he is employed by Orchestra London. Councillor J. Swan further disclosed a pecuniary interest in clause 3 of this Report, having to do with the investment and economic prosperity proposal assessment process, by indicating that his employer, Orchestra London, has an interest in the process.
- b) Councillor M. Brown disclosed a pecuniary interest in clause 6 of this Report, having to do with the Lorne Avenue Public School, by indicating that he is employed by the Thames Valley District School Board.

4. D.A.P.S. Trophy, IBM-Western University Industry Problem Solving Workshop

That the report dated January 28, 2013, from the Director of Corporate Investments and Partnerships, with respect to the D.A.P.S. Trophy, IBM-Western University Industry Problem Solving Workshop, BE RECEIVED for information.

5. Medical Research Fund

That the communication dated January 11, 2013, from D. Ross, President and CEO, London Health Sciences Foundation and M. Campbell, President and CEO, St. Joseph's Health Care Foundation, with respect to medical research fund, 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, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (14)

Motion made by Councillor J.B. Swan to Approve clause 6.

6. Lorne Avenue Public School

That the following actions be taken with respect to the enhancement of public use of the Lorne Avenue Public School;

- a) the above-noted matter BE REFERRED to the 2013 Capital Budget discussions; and,
- b) the Civic Administration BE DIRECTED to bring forward a report to the Strategic Priorities and Policy Committee Budget, including, but not limited to, identification of sources of financing and possible community uses in the school building.

it being noted that the Investment and Economic Prosperity Committee (IEPC) heard a verbal report from Mayor J. Fontana, with respect to this matter.

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

RECUSED: M. Brown (1)

Councillor J.B. Swan leaves the meeting.

Motion made by Councillor M. Brown to Approve clauses 2 and 3.

2. Orchestra London 2011-2012 Financial Results

That, on the recommendation of the Deputy City Treasurer, the following actions be taken with respect to funding assistance for Orchestra London:

- a) the 2011-2012 financial results of Orchestra London, attached to the staff report dated January 28, 2013, BE RECEIVED for information;
- b) the updated Business Plan for Orchestra London, attached to the staff report dated January 28, 2013, BE RECEIVED, for information;
- c) the continued Orchestra London funding BE PROVIDED in 2013, subject to:
 - i) the approval of the 2013 Municipal Budget;
 - ii) the review of Orchestra London's financial results to ensure it is operating within its business plan;
 - iii) the monthly monitoring of Orchestra London's cash flow by the Civic Administration; and,
- d) notwithstanding the funding approval in part c) above, a pro-rated amount equivalent to the January and February monthly installments of the proposed 2013 funding for Orchestra London BE APPROVED for release to Orchestra London, subject to the review and authorization by the Civic Administration.

3. Investment and Economic Prosperity Proposal Assessment Process Update

That, on the recommendation of the Director of Corporate Investments and Partnerships, the following actions be taken with respect to the proposed updated investment and economic prosperity proposal assessment process:

- a) the updated investment and economic prosperity proposal assessment plan to guide the timeline by which proposals will be developed, and the process by which selected proposals will evolve from ideas to executable projects, including the proposed public engagement plan BE ENDORSED; and,
- b) the synopsis of the January 12, 2013 public consultation BE RECEIVED.

Motion Passed

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

Councillor J.B. Swan enters the meeting.

2nd Report of the Audit Committee
Councillor M. Brown presents.

Motion made by Councillor M. Brown to Approve clauses 1 to 5, inclusive.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. 2011 and 2012 Internal Audit Results Summary

That, the following actions be taken regarding the 2011 and 2012 Internal Audit Results Summary:

- a) the report dated January 31, 2013 with respect to this matter BE RECEIVED;
- b) Corporate Communications BE REQUESTED to prepare a press release outlining the results of the 2011 and 2012 internal audit results; and,
- c) that information related to quantifying cost avoidances BE INCLUDED in future Annual Internal Audit Results Summary Reports.

3. Proposed Risk Assessment and 2013 Risk-Based Audit Plan

That, the following actions be taken with respect to the Proposed 2013 Risk Assessment and Risk-Based Audit Plan:

- a) the report dated January 31, 2013 with respect to this matter BE RECEIVED; and,
- b) the proposed 2013 Risk-Based Internal Audit Plan identified in Appendix A of the above-noted report BE APPROVED; it being noted that the revenue and cost model analysis for landfills will be reported out in the 4th Quarter, with the report on revenue and cost model analysis on solid waste collection being reported out in the 1st Quarter of 2014.

4. Quarterly Report on Internal Audit Results - Corporate Services/Finance - Payroll Administration

That, the following actions be taken with respect to the Quarterly Report on Internal Audit Results – Corporate Services/Finance – Payroll Administration:

- a) the report dated January 31, 2013 with respect to this matter BE RECEIVED; and
- b) the action plans identified in Appendix A of the report noted in a) above, BE IMPLEMENTED.

5. Quarterly Report on Internal Audit Results - Human Resources Succession Planning

That, the following actions be taken with respect to the Quarterly Report on Internal Audit Results – Human Resources – Succession Planning:

- a) the report dated January 31, 2013 with respect to this matter BE RECEIVED;
- b) the action plans identified in Appendices A and B of the report noted in a) above, BE IMPLEMENTED; and,
- c) the Managing Director, Corporate Services and Chief Human Resources Officer BE DIRECTED to report back to the Audit Committee on the following:
 - i) Observations & Action Plan #1 by April 2013;
 - ii) Observations & Action Plan #2 by May 2013; and,
 - iii) Observations & Action Plan #3 by July 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, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (14)

5th Report of the Corporate Services Committee
Councillor J.P. Bryant presents.

Motion made by Councillor J.P. Bryant to Approve clause 1.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

Motion Passed

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

4th Report of the Committee of the Whole

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, D. Brown, H.L. Usher, J.P. Bryant, S.E. White and C. Saunders (City Clerk).

ALSO PRESENT: A. Zuidema, J.P. Barber, G. Belch, P. Foto, M. Hayward, A. Hagan, V. McAlea Major, J. Page, L.M. Rowe and B. Warner.

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

- a) A matter pertaining to litigation or potential litigation affecting the municipality, personal matters about an identifiable individual and information whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the Corporation as it relates to a claim for bodily injury and death; and advice that is subject to solicitor-client privilege, including communications necessary for that purpose. (CSC)
- b) A matter pertaining to instructions and directions to officers and employees of the Corporation 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)
- c) A matter pertaining to proposed or pending acquisition of land by the municipality in connection with the Dingman Creek Erosion Control Facility project; litigation in the Ontario Superior Court of Justice, Court File No. 8579/12, with respect to the expropriation of part of properties municipally located on Dingman Drive, including matters before administrative tribunals, affecting the municipality or local board; advice that is subject to solicitor-client privilege, including communications necessary for that purpose, in connection with litigation in the Ontario Superior Court of Justice, Court File No. 8579/12, in respect of the expropriation of part of properties municipally located on Dingman Drive; and directions and instructions to officers and employees or agents of the municipality regarding conduct of litigation in connection with litigation in the Ontario Superior Court of Justice, Court File No. 8579/12, in respect of the expropriation of part of properties municipally located on Dingman Drive. (CSC)
- d) 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 in relation to Councillors indemnification. (CSC)
- e) A matter pertaining to instructions and directions to officers and employees of the Corporation pertaining to a proposed acquisition and disposition of lands in the vicinity of South Street; 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 and disposition of land; commercial and financial information supplied in confidence pertaining to the proposed acquisition and disposition the disclosure of which could reasonably be expected to, prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of the Corporation, result in similar information no longer being supplied to the Corporation where it is in the public interest that similar information continue to be so supplied, and result in undue loss or gain to any person, group, committee or financial institution or agency; commercial, information relating to the proposed acquisition and disposition that belongs to the Corporation that has monetary value or potential monetary value; information concerning the proposed acquisition and disposition whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or its competitive position; information concerning the proposed acquisition and disposition whose disclosure could reasonably be expected to be injurious to the financial interests of the Corporation; and instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the Corporation concerning the proposed acquisition and disposition. (PEC)

- f) A matter pertaining to personal matters about identifiable individuals, including municipal employees and labour relations related to the PwC Quarterly Report on Internal Audit Results: Corporate Services/Finance - Payroll Administration. (Audit)
- g) A matter pertaining to personal information about identifiable individuals including municipal employees, with respect to employment-related matters; advise that is subject to solicitor-client privilege, including communications necessary for that purpose; advice or recommendations of officers and employees of the Corporation, including communications necessary for that purpose; and for the purpose of providing instructions and directions to officers and employees of the Corporation. (CSC)

Motion made by Councillor J.P. Bryant and seconded by Councillor B. Polhill that, as a procedural matter pursuant to Section 239(6) of the *Municipal Act, 2001*, the following recommendations be forwarded to City Council for deliberation and a vote in public session:

1. That the following actions be taken with respect to the property located at 165 Elmwood Avenue East (former London Normal School):
 - a) the update report of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, detailing the findings of the financial analysis with respect to the property located at 165 Elmwood Avenue East, being the former London Normal School, BE RECEIVED for information; it being noted that negotiations are ongoing with the YMCA and Infrastructure Ontario; and,
 - b) the Civic Administration BE DIRECTED to refer the \$1 million capital cost for the purchase and renovation of the former London Normal School to the 2013 Budget process for consideration;

it being noted that there has not been an identified municipal need for the building itself; it being further noted that no funds have been identified to acquire the property or undertake the necessary Ontario Building Code and accessibility upgrades.

2. That, the following action be taken with respect to the application by Liahn Farms Limited with respect to the application by Liahn Farms Limited to the Ontario Superior Court of Justice, Divisional Court in connection with By-law C.P.-11466-249, the Tree Conservation By-law:
 - a) legal counsel BE INSTRUCTED to represent, pursuant to the Council Member Indemnification By-law, those members of City Council who may be named or otherwise identified in the application of Liahn Farms Limited and to institute such proceedings and take such steps in those proceedings as are considered reasonable necessary for the protection and advancement of their interest under the By-law.

Motion Passed

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

X DEFERRED MATTERS

None.

XI ENQUIRIES

Councillor S. White enquiries with respect to the use of inflatable devices at City-owned facilities. The Chair refers the enquiry to the Civic Administration.

XII EMERGENT MOTIONS

None.

At 6:05 PM Councillor W.J. Armstrong leaves the meeting.

XIII BY-LAWS

At 6:06 PM Councillor P. Van Meerbergen enters the meeting.

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

Motion made by Councillor B. Polhill and seconded by Councillor D. Brown to Approve 1st reading of Bill No.s 94 to 102, inclusive.

Motion Passed

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

Motion made by Councillor S. Orser and seconded by Councillor B. Polhill to Approve 2nd reading of Bill No.s 94 to 102, inclusive.

Motion Passed

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

Motion made by Councillor M. Brown and seconded by Councillor S. Orser to Approve 3rd reading and enactment of Bill No.s 94 to 102, inclusive.

Motion Passed

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

Bill No. 94
By-law No. A.-
6914-74

A by-law to confirm the proceedings of the Council Meeting held on the 12th day of February, 2013. (City Clerk)

Bill No. 95
By-law No. A.-
6915-75

A By-law to establish a policy with respect to Real Property Acquisition. (3/4/CSC)

Bill No. 96
By-law No. A.-
6916-76

A By-law to authorize an Agreement between The Corporation of the City of London and Her Majesty the Queen in Right of Ontario represented by the Minister of Transportation (MTO) for the construction of Highway 401 interchanges; and to authorize the Mayor and City Clerk to execute the Agreement. (5/4/CWC)

Bill No. 97 By-law No. A.- 5273(eh)-77	A by-law to amend By-law No. A.-5273-82 entitled, "A by-law to appoint Municipal Law Enforcement Officers for the City of London." (Manager By-law Enforcement)
Bill No. 98 By-law No. S.- 5530-73	A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Hamilton Road, east of Gore Road) (Chief Surveyor)
Bill No. 99 By-law No. S.- 5531-74	A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Southdale Road East, east of Jalna Boulevard) (Chief Surveyor)
Bill No. 100 By-law No. S.- 5532-75	A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening Gainsborough Road, west of Prince of Wales Gate) (Chief Surveyor)
Bill No. 101 By-law No. S.- 5533-76	A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Stackhouse Crescent; as widening to Nicole Avenue; and as widening to Stackhouse Avenue) (Chief Surveyor)
Bill No. 102 By-law No. Z.-1- 132165	A by-law to amend By-law No. Z.-1 to rezone a portion of lands located at 1956 Shore Road and a portion of lands located at 1585 Riverbend Road (Riverbend Park). (7/3/PEC)

XIV ADJOURNMENT

Motion made by Councillor P. Hubert and seconded by Councillor N. Branscombe to Adjourn.
Motion Passed

The meeting adjourned at 6:09 PM.

Joe Fontana, Mayor

Catharine Saunders, City Clerk