



**London**  
CANADA

## COUNCIL MINUTES 6TH MEETING

March 5, 2013

The Council meets in Regular Session in the Council Chambers this day at 4:02 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, S. Axford, J.P. Barber, J. Braam, B. Coxhead, K. Dawtrey, J. Fleming, E. Gamble, G.T. Hopcroft, G. Kotsifas, L. Livingstone, V. McAlea Major, J. Page, R. Sharpe, M. Turner, B. Warner and B. Westlake-Power.

At the beginning of the Meeting all Members are present.

### **I DISCLOSURES OF PECUNIARY INTEREST**

Councillor N. Branscombe discloses a pecuniary interest in clause 3 of the 7th Report of the Strategic Priorities and Policy Committee, having to do with an appointment to the Greater London International Airport Authority Board of Directors, by indicating that the nominee for the appointment is her spouse.

Councillor M. Brown discloses a pecuniary interest in clause 2 of the 7th Report of the Strategic Priorities and Policy Committee, having to do with appointments to the City of London and Thames Valley District School Board Liaison Committee, by indicating that the Thames Valley District School Board is his employer. Councillor M. Brown further discloses a pecuniary interest in clause 5 of the 7th Report of the Strategic Priorities and Policy Committee, having to do with communications related to funding and repurposing of the Sherwood Forest Public School, by indicating that Sherwood Forest Public School is part of the Thames Valley District School Board system and that the Thames Valley District School Board is his employer. Councillor M. Brown also discloses a pecuniary interest in clause 12 of the 5th Report of the Planning and Environment Committee, having to do with the application by Banman Developments (West) Inc., relating to the property located at 2095 Coronation Drive, by indicating that he owns property in close proximity to the subject property.

Councillor P. Hubert discloses a pecuniary interest in clause 7 of the 5th Report of the Community and Protective Services Committee, having to do with the Ontario Works caseload report, by indicating that he is the Executive Director of a social services agency that has a Purchase of Service Agreement with Ontario Works. Councillor P. Hubert further discloses a pecuniary interest in clause 10 of the 5th Report of the Community and Protective Services Committee, and related Bill No. 111, having to do with a Purchase of Services Agreement for Ontario Works Employment Assistance Services, by indicating that he is the Executive Director of a social services agency that has a Purchase of Service Agreement with Ontario Works.

Councillor J.B. Swan discloses a pecuniary interest in clause 3 of the 3rd Report of the Investment and Economic Prosperity Committee, having to do with the Investment and Economic Prosperity proposal assessment process, specifically as it relates to the proposal for a Performing Arts Centre, by indicating that his employer, Orchestra London, is involved in this proposal.

Councillor D. Brown discloses a pecuniary interest in clause 16 of the 5th Report of the Civic Works Committee, having to do with the rental of general equipment with operators, by indicating that her son-in-law is employed by one of the approved companies.

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

None.

### III ADDED REPORTS

6th Report of the Planning and Environment Committee

7th Report of the Corporate Services Committee

7th Report of the Strategic Priorities and Policy Committee

### IV COMMITTEE OF THE WHOLE, IN CAMERA

#### MOTION FOR IN CAMERA SESSION

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

- a) A matter being considered pertaining to litigation or potential litigation with respect to the appeal of Middlesex Vacant Land Condominium Corporation No. 677 to the Ontario Municipal Board, including matters before administrative tribunals, affecting the municipality or local board from an approval of a minor variance by the Committee of Adjustment for development of 181 Skyline Road; advice that is subject to solicitor-client privilege, including communications necessary for that purpose, in connection the appeal of Middlesex Vacant Land Condominium Corporation No. 677, including matters before administrative tribunals, affecting the municipality or local board from an approval of a minor variance by the Committee of Adjustment for development of 181 Skyline Road; and giving instructions and directions to the solicitors of the municipality in connection with the appeal of Middlesex Vacant Land Condominium Corporation No. 677 to the Ontario Municipal Board, including matters before administrative tribunals, affecting the municipality or local board from an approval of a minor variance by the Committee of Adjustment for development of 181 Skyline Road. (PEC)
- b) A matter pertaining to the purpose of instructions and directions to officers and employees of the Corporation pertaining to a proposed acquisition of land; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; reports or advice or recommendations of officers and employees of the Corporation pertaining to a proposed acquisition of land; commercial and financial information supplied in confidence pertaining to the proposed acquisition the disclosure of which could reasonably be expected to, prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of the Corporation, result in similar information no longer being supplied to the Corporation where it is in the public interest that similar information continue to be so supplied, and result in undue loss or gain to any person, group, committee or financial institution or agency; commercial, information relating to the proposed acquisition that belongs to the Corporation that has monetary value or potential monetary value; information concerning the proposed acquisition whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or its competitive position; information concerning the proposed acquisition whose disclosure could reasonably be expected to be injurious to the financial interests of the Corporation; and instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the Corporation concerning the proposed acquisition. (CSC)
- c) A matter pertaining to the purpose of instructions and directions to officers and employees of the Corporation pertaining to a proposed acquisition of land; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; reports or advice or recommendations of officers and employees of the Corporation pertaining to a proposed acquisition of land; commercial and financial information supplied in confidence pertaining to the proposed acquisition the disclosure of which could reasonably be expected to, prejudice significantly the competitive position or interfere significantly with the

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

- d) A matter pertaining to litigation or potential litigation and advice that is subject to solicitor-client privilege, including communications necessary for that purpose and for the purpose of providing instructions and directions to officers and employees of the Corporation with respect to the property located at 23 Winship Close. (CSC)
- e) A matter pertaining to litigation currently before the Superior Court of Justice, Court file No. 8922/12 effecting the municipality; and advice that is subject to solicitor-client privilege, including communications necessary for that purpose. (CSC)
- f) A matter pertaining to litigation currently before the Superior Court of Justice, Court file No. 38191/01 effecting the municipality; and advice that is subject to solicitor-client privilege, including communications necessary for that purpose. (CSC)
- g) A matter pertaining to personal matters about identifiable individuals, including a former municipal employee, outstanding litigation affecting the municipality and advice that is subject to solicitor-client privilege, including communications necessary for that purpose. (CSC)
- h) A matter pertaining to labour relations and employee negotiations, litigation or potential litigation, including matters before administrative tribunals, affecting the municipality, and advice that is subject to solicitor-client privilege, including communications necessary for that purpose, concerning Group Grievance 508-06 and Policy Grievance 902-07 between the London Civic Employees' Local Union No. 107 and The Corporation of the City of London in relation to the Equipment Operator 2 job evaluation. (CSC)
- i) A matter pertaining to labour relations and employee negotiations in regard to one of the Corporation's associations or unions and litigation or potential litigation, including matters before administrative tribunals, affecting the municipality and for the purpose of providing instructions and directions to officers and employees of the Corporation. (CSC)
- j) A matter pertaining to personal matters, including information regarding identifiable individuals, including municipal employees, with respect to employment related matters, matters pertaining to litigation or potential litigation, advice or recommendations of officers and employees of the Corporation including communications necessary for that purpose.
- k) A matter being considered pertaining to advice that is subject to solicitor-client privilege, including communications necessary for that purpose; 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, in connection with the application by Fincore Group, relating to the properties located at 56-82 Wellington Street, 283-323 South Street and 69-77 Waterloo Street.

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 Council rises and goes into Committee of the Whole, in camera, at 4:09 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 4:27 PM, with all Members present.

## **VI CONFIRMATION AND SIGNING OF THE MINUTES OF THE FOURTH MEETING HELD ON FEBRUARY 12, 2013**

Motion made by Councillor B. Polhill and seconded by Councillor P. Van Meerbergen to Approve the Minutes of the Fourth Meeting held on February 12, 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 P. Van Meerbergen to Approve referral of the following communications for consideration with the clauses noted:

1. Property located at 1460 Commissioners Road West (Refer to the Planning and Environment Committee Stage for Consideration with Clause 9 of the 5th Report of the Planning and Environment Committee.)
  - a) W. Dodgson, Dr. C. Rattenbury, J. Claypole and H. Aviss, By E-mail; and
  - b) L. & C. Morrison, 21-1443 Commissioners Road West
2. J. Harbell, Stikeman Elliott LLP - Property located at 2825 Tokala Trail (OZ-8115) (Refer to the Planning and Environment Committee Stage for Consideration with Clause 11 of the 5th Report of the Planning and Environment Committee.)
3. Properties located at 56-82 Wellington Street, 283-323 South Street and 69-77 Waterloo Street (OZ-8114) (Refer to the Planning and Environment Committee Stage for Consideration with Clause 13 of the 5th Report of the Planning and Environment Committee.)
  - a) A. Gibb, 19-374 Simcoe Street; and

- b) S. Harding, 1462 Trafalgar Street

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

Motion made by Councillor H.L. Usher and seconded by Councillor D. Brown to Approve that pursuant to section 7.4 of the Council Procedure By-law, the order of business be changed to permit consideration of clause 2 of the 4th Report of the Planning and Environment Committee, having to do with a Zoning By-law Amendment application relating to the property located at 527 Wellington Road, to be heard at 5:15 PM.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, 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 Planning and Environment Committee  
Councillor B. Polhill presents

Motion made by Councillor B. Polhill to Approve clauses 1 to 11, inclusive and clause 14.

1. Disclosures of Pecuniary Interest

Councillor M. Brown disclosed a pecuniary interest in clause 12 of this Report, having to do with the application by Banman Developments (West) Inc., relating to the property located at 2095 Coronation Drive, by indicating that he owns property in close proximity to the subject property; it being noted that Councillor M. Brown is not a member of the Planning and Environment Committee.

2. 2nd Report of the Advisory Committee on the Environment

That the 2nd Report of the Advisory Committee on the Environment from its meeting held on February 6, 2013 BE RECEIVED.

3. Properties located at 1010 and 1068 Fanshawe Park Road East (H-8119)

That, on the recommendation of the Senior Planner, Development Services, based on the application by Rembrandt Developments (Fanshawe) Inc., relating to the properties located at 1010 and 1068 Fanshawe Park Road East, the attached proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on March 5, 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 R5/Residential R6 (h\*R5-3/R6-5) Zone and a Holding Residential R5/Residential R6 (h\*h-18\*R5-3/R6-5) Zone TO a Residential R5/Residential R6 (R5-3/R6-5) Zone to remove the holding provision. (2013-D14A)

4. Properties located at 1235-1253 Richmond Street (H-8070)

That, on the recommendation of the Senior Planner, Development Services, based on the application by Rise Real Estate Inc., relating to the properties located at 1235-1253 Richmond Street, the attached proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on March 5, 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 R9 Bonus (h-5\*h-129\*R9-7\*H45\*B-14) Zone for the properties located at 1235-1247 Richmond Street, and a Holding Residential R9 Bonus (h-5\*h-129\*R9-7\*H50\*B-14) Zone for the property located at 1253 Richmond Street TO a Residential R9 Bonus (R9-7\*H45\*B-14) Zone and a Residential R9 Bonus (R9-7\*H50\*B-14) Zone to remove the holding provisions. (2013-D14A)

5. 3rd Report of the London Advisory Committee on Heritage

That the following actions be taken with respect to the 3rd Report of the London Advisory Committee on Heritage (LACH) from its meeting held on February 13, 2013:

- a) clause 1 of the 3rd Report of the London Advisory Committee on Heritage BE REFERRED to Agenda item 9 of the February 26, 2013 Planning and Environment Committee relating to the property located at 1460 Commissioners Road West;
- b) clause 1 of the 3rd Report of the London Advisory Committee on Heritage BE AMENDED to remove the words "it being noted that the owners of the subject property have concurred with this recommendation, with the understanding that the land to be included in the designation will be as shown on the assessment roll;"

Clause 1, as amended, reads as follows:

"That notice of the Municipal Council's intention to designate the property located at 1460 Commissioners Road West to be of cultural heritage value or interest BE GIVEN, for the attached reasons, under the provisions of subsection 29(3) of the *Ontario Heritage Act, R.S.O. 1990, c. O.18*; it being noted that in the event of future redevelopment of this site, the building be retained and the development be sympathetic to the original building.";

- c) clause 2 of the 3rd Report of the London Advisory Committee on Heritage BE REFERRED to Agenda item 7 of the February 26, 2013 Planning and Environment Committee relating to the property located at 229 Greenwood Avenue:

Clause 2 reads as follows:

"That the Heritage Planner BE ADVISED that the London Advisory Committee on Heritage does not wish to designate the property located at 229 Greenwood Avenue.";

- d) on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the Heritage Alteration Permit application for St. Paul's Cathedral requesting permission for changes to the designated heritage property located at 472 Richmond Street BE APPROVED based on the conceptual drawings submitted as part of the Civic Administration's Report on the February 13, 2013 London Advisory Committee on Heritage Agenda; it being noted that the Heritage Planner has reviewed the proposed changes and has advised that the impact of such alteration on the heritage features of the property identified in the reasons for designation is negligible;
- e) on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the Heritage Alteration Permit application of B. Porter requesting permission for an alteration to the designated heritage property located at 50 Byron Avenue BE APPROVED; it being noted that the Heritage Planner has reviewed the proposed changes and has advised that the impact of such alterations on the heritage features of the property identified in the reasons for designation is negligible;
- f) the notice of the Municipal Council's intention to designate the property located at 3378 Homewood Lane to be of cultural heritage value or interest BE GIVEN, for the attached reasons, under the provisions of subsection 29(3) of the *Ontario Heritage Act, R.S.O. 1990, c. O.18*; it being noted that the owners of the subject property have concurred with this recommendation, with the understanding that the land to be included in the designation will be as shown on the assessment roll; and,
- g) clauses 6 to 20, inclusive, of the 3rd Report of the LACH, BE RECEIVED AND NOTED;

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

6. Properties located at 2115, 2119 and 2121 Aldersbrook Road (Z-8125)

That, on the recommendation of the Managing Director, Planning and City Planner, based on the application of Union Development and Trading Company Inc., relating to the properties located at 2115, 2119 and 2121 Aldersbrook Road, the attached proposed by-law BE

INTRODUCED at the Municipal Council meeting to be held on March 5, 2013, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM a Highway Service Commercial (HS2) Zone, which permits automobile repair garages, taxi establishments, animal hospitals, automotive uses, restricted, convenience service establishments, convenience stores, duplicating shops, financial institutions, personal service establishments, restaurants, video rental establishments, brewing on premises establishment TO a Neighbourhood Shopping Area Special Provision (NSA1( )) Zone, to permit bake shops, catalogue stores, clinics, convenience service establishments, day care centres, duplicating shops, financial institutions, food stores, libraries, medical/dental offices, offices, personal service establishments, restaurants, retail stores, service and repair establishments, studios, video rental establishments, brewing on premises establishment with a special provision to retain existing automotive uses, existing automotive repair garages and add a pharmacy with a total maximum gross floor area of 1,800 m<sup>2</sup>;

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

7. Property located at 229 Greenwood Avenue

That, on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the following actions be taken with respect to the property located at 229 Greenwood Avenue:

- a) the Managing Director, Development and Compliance Services & Chief Building Official BE ADVISED that the Municipal Council does not object to the request for demolition of the Priority 3 listed property located at 229 Greenwood Avenue; and,
- b) the Managing Director, Development and Compliance Services & Chief Building Official BE ADVISED that the Municipal Council does not wish to issue a notice of Intent to Designate this property under Section 29(3) of the *Ontario Heritage Act*;

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

it being pointed out that there were no oral submissions made at the public participation meeting associated with this matter. (2013-P10D/R01)

8. Property located at 3047 Tillmann Road

That, on the recommendation of the Managing Director, Development and Compliance Services & Chief Building Official, the following actions be taken with respect to the site plan approval application of Westfield Village Estates Inc., relating to the property located at 3047 Tillmann Road:

- a) the Approval Authority BE ADVISED that, at the public participation meeting of the Planning and Environment Committee held with respect to this matter, the following issues were raised:
  - i) the increased traffic on Tillmann Road;
  - ii) the affect that the restaurants may have on the siding of the adjacent properties;
  - iii) if the variance is approved, the development will be 0.3 metres from the road; noting that the property next door will be built six metres from the road; further noting that there will be an eight foot fence between the properties;
  - iv) the fence for the restaurant is adjacent to a residential property and will cause a blind corner for the residents;
  - v) the potential for accidents in front of the property located at 3047 Tillmann Road; and,
  - vi) the loss of privacy and sunlight in backyards adjacent to the proposed three storey building; and,
- b) the Approval Authority BE ADVISED that the Municipal Council supports the approval of the ~~attached~~ Site Plan application for a one storey 544 m<sup>2</sup> commercial building with four commercial spaces and a one storey office building with 836 m<sup>2</sup> of gross floor area; and,

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

- Ali Soufan, York Developments, applicant – see attached communication.
- Mohammad Bhatti, 3467 McLauchlan Crescent – see attached communication.
- David Ross, 6677 Navin Crescent – advising that the issue of garbage disposal was discussed at the Committee of Adjustment meeting; indicating that he is pleased with the new Molok garbage system that is being proposed; and enquiring if the garbage will be moved to the west side of the building rather than the southwest side. (2013-D11)

9. Property located at 1460 Commissioners Road West

That, on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the Managing Director, Development and Compliance Services & Chief Building Official BE ADVISED that the Municipal Council intends to issue a Notice of its intent to designate the building located at 1460 Commissioners Road West under Section 29(3) of the *Ontario Heritage Act* for the attached Reasons:

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

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 Ltd., on behalf of the applicant – advising that the owner owns three connecting properties on Commissioners Road West; indicating that they have explored various options for the development of the properties; expressing concern with the information provided in the Civic Administration's report; indicating that the primary reason for designation is the cross-gable roof; advising that the Montessori School, two properties over has the same style of roof; indicating that the applicant will withdraw the demolition application, on the understanding that there be further discussion with the Civic Administration; advising that the lands are designated Low Density Residential; indicating that the applicant is proposing to build a three storey multi-unit building with a density of 75 units per hectare; and indicating that the development agreement states that if the land is to be developed, it is to be accessed by the Montessori School property.
- Guy Beliveau, #2 – 1443 Commissioners Road West – enquiring as to whether or not the photograph shown is of the Montessori School; indicating that the letter that the residents received was vague and that is why there are only four people in attendance; indicating that the homes at 1443 are one-floor condominiums; expressing concern with the proposed high rise; and advising that, due to the volume of traffic, they have difficulty exiting their driveway. (2013-P10D/R01)

10. Properties located at 200 & 275 Calloway Road and 180 & 200 Village Walk Boulevard (Z-8130)

That, on the recommendation of the Senior Planner, Development Planning, based on the City initiated application relating to the properties located at 200 and 275 Calloway Road and 180 and 200 Village Walk Boulevard, the attached proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on March 5, 2013, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the text of R6 Special Provision Zones (R6-5(23), R6-5(24), and R6-5(26)) Zones, by DELETING the minimum/maximum density of 35 units per hectare and REPLACING it with a minimum density of 30 units per hectare (12 units per acre) and a maximum density of 75 units per hectare (30 units per acre) and DELETING the maximum height of 12 metres and REPLACING it with a maximum building height of 15 metres (49.2 feet);

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

- Ron Koudys, 368 Oxford Street East, on behalf of Barvest Investments – indicating that he is looking forward to receiving more information on this matter.
- Rose Esposito, 228 Pebble Creek Walk – enquiring as to whether or not this will overpopulate the area; noting that there will be more people entering and exiting the subdivision in the Sunningdale area. (2013-D14A)

11. Property located at 2825 Tokala Trail (OZ-8115)

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of Claybar Developments Inc.,



relating to the property located at 2825 Tokala Trail:

- a) an amendment to the Fox Hollow Community Plan BE APPROVED at the Municipal Council meeting to be held on March 5, 2013, to change the land use on the subject property FROM Low Density Residential and Medium Density Residential TO High Density Residential and Commercial;
- b) the attached proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on March 5, 2013, to amend the Official Plan to change the designation of the subject lands FROM a Low Density Residential designation and a Multi-family, Medium Density Residential designation TO a Multi-family, High Density Residential designation and a Neighbourhood Commercial Node designation and to amend Section 3.5, entitled "Policies for Specific Residential Areas" to permit on the:

northern part of the property:

low and high-rise apartment buildings, apartment hotels, multiple attached dwellings, emergency care facilities, nursing homes, rest homes, homes for the aged, and rooming and boarding houses as the primary permitted uses, and convenience commercial uses in the ground floor of an apartment building, up to an overall maximum of 1,050 square metres of gross floor area, and oriented either to Dalmagarry Road or to a future or existing commercial development on lands to the immediate south; and,

southern part of the property:

small retail stores, food stores, pharmacies, convenience commercial uses, personal services, financial institutions, service-oriented office uses, community facilities, professional and medical/dental offices, small-scale restaurants, commercial recreation establishments, and similar uses that draw customers from a neighbourhood-scale trade area as the main permitted uses;

- c) the attached proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on March 5, 2013, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan, as amended in part b), above), to change the zoning of the subject property FROM an Urban Reserve (UR3) Zone, which permits existing dwellings, agricultural uses, conservation lands, managed woodlots, wayside pits, passive recreation uses, kennels, private outdoor recreation clubs and riding stables TO permit on the:

northern part of the property:

a Holding Residential R9 Special Provision/Holding Convenience Commercial Special Provision (h-120•R9-7(\*)•H30/CC6(\*\*)) Zone, to permit apartment buildings, lodging house class 2, senior citizens apartment buildings, handicapped persons apartment buildings, continuum of care facilities, townhouses and stacked townhouses with a maximum height of 30 metres, densities ranging from 125 to 150 units per hectare, a minimum yard depth abutting the commercial zone to the south of 0.0 metres, a minimum east yard depth of 5.0 metres, and a maximum yard depth abutting Dalmagarry Road and Tokala Trail of 5.0 metres, and convenience commercial uses in the ground floor of an apartment building including convenience service establishments, convenience stores, financial institutions, personal service establishments, medical/dental offices, food stores, restaurants, brewing on premises establishments, day care centres, offices, studios, bake shops, commercial schools, florist shops and pharmacies, with a maximum total gross floor area of 1,050 m<sup>2</sup>; and,

southern part of the property:

a Holding Neighbourhood Shopping Area Special Provision (h-120•NSA5(\*\*\*)) Zone, to permit bake shops, catalogue stores, clinics, convenience service establishments, day care centres, duplicating shops, financial institutions, food stores, libraries, medical/dental offices, offices, personal service establishments, restaurants retail stores, service and repair establishments, studios, video rental establishments and brewing on premises establishments with a maximum total gross floor area of 6,000 square metres, a maximum gross floor area for a food store of 3,200 square metres, a maximum gross floor area for one individual use of 1,000 square metres, and lesser maximum gross floor areas for all other uses, a minimum yard depth abutting the residential zone to the north of 7.0 metres, a minimum east yard depth of 5.0 metres,

and no parking permitted between any building or structure and any road allowance;

- d) the Site Plan Approval Authority BE REQUESTED to consider the following design issues through the site plan process:
- i) the development be generally in keeping with the plans, as outlined in Appendix “D” of the Civic Administration’s report, dated February 26, 2013;
  - ii) for the residential portion of the site:
    - ensure active uses such as lobbies, amenity areas, and/or residential units with separate front entrances are located on the ground floor of the proposed apartment buildings, in particular in the portions of the buildings that front onto Dalmagarry Road and Tokala Trail;
    - ensure the entrance into the lobby of residential building “B”, located at the corner of Dalmagarry and the internal private drive, is designed to serve as the primary entrance into the building, including similar architectural expression shown in the entrance of residential building “A” as provided in the Civic Administration’s report dated February 26, 2013;
    - include continuous pedestrian connections from all residential building entrances to the proposed outdoor amenity area; and,
    - upon the submission of elevations ensure that the articulation and massing in a coherent architectural manner continue to distinguish the buildings’ base, middle, and top;
  - iii) for the commercial portion of the site:
    - situate “Proposed Retail A” building so that it fronts onto Dalmagarry Road, in line with the “Proposed Restaurant” and “Proposed Retail B” in order to create a more consistent streetwall plane;
    - ensure that buildings “Proposed Retail A”, “Proposed Retail B”, “Proposed Sunripe Market” and “Proposed Restaurant” are oriented to the public street and include active building elements such as principal entrances, transparent windows, merchandise display windows, canopies, etc. fronting the street in order to create an active frontage and improve the pedestrian experience;
    - screen all parking lot frontages along public streets using enhanced landscaping and landscaping walls;
    - eliminate rows of parking which inhibit providing continuous pedestrian connections through the site, including between the residential and commercial portions. Ensure all buildings have a walkway to the street as well as continuous walkways connecting to other buildings on the site;
    - ensure all parking islands are appropriately landscaped and are of a sufficient size to allow for the planting of trees; and,
    - locate all garbage bins away from street frontages, ensure they are contained within masonry enclosures and appropriately screened with landscaping. Alternatively garbage enclosures could be created as part of or an extension of proposed buildings;
- e) pursuant to Section 34(17) of the *Planning Act*, no further notice BE GIVEN with respect to the proposed zoning by-law, as the revised Notice of Application, dated February 1, 2013, clearly contemplated the concept of commercial uses in the main floor of an apartment building and the application of a range of commercial uses with floor plates ranging up to 3,000 square metres in individual buildings;
- f) the request to amend the Official Plan to change the designation of the south part of the subject lands FROM a Multi-family, Medium Density Residential designation, which permits multiple-attached dwellings, low rise apartment buildings, rooming and boarding houses, emergency care facilities, converted dwellings, small-scale nursing homes, rest homes and homes for the aged as the primary permitted uses TO a Neighbourhood Commercial Node designation, to permit a neighbourhood scale commercial development, BE REFUSED for the following reason:
- i) a special policy, not requested as part of the application, was required in order to permit convenience commercial uses in the ground floor of an apartment building;
- g) the request to amend Zoning By-law No. Z.-1 to change to the zoning of the northern part of the subject property FROM an Urban Reserve (UR3) Zone, which permits existing dwellings, agricultural uses, conservation lands, managed woodlots, wayside

pits, passive recreation uses, kennels, private outdoor recreation clubs and riding stables TO permit on the:

northern part of the property:

a Residential R9 Special Provision (R9-7(\_))•H45 Zone, to permit eight storey high rise apartment buildings and townhouses, at an overall maximum density of 150 units per hectare with a total of approximately 290 units, and convenience commercial uses including convenience service establishments, convenience stores, financial institutions, personal service establishments, medical/dental offices, restaurants, brewing on premises establishments, day care centres, offices, studios, bake shops, commercial schools, florist shops and pharmacies, with special provisions to limit all convenience commercial uses to a maximum gross floor area of 1,050 square metres, and permit front, exterior side and rear yard setbacks of 0 metres, and an interior side yard setback of 5.0 metres TO an Associated Shopping Area Commercial (ASA1) Zone, to permit a range of retail, convenience and personal service uses, BE REFUSED for the following reasons:

- i) a minimum density, in addition to a maximum density, of residential development is considered appropriate to ensure that a sufficient number of residential units are constructed to support the new Neighbourhood Commercial Node;
- ii) a maximum height of 30 metres is sufficient to accommodate the requested eight storey apartment buildings; it being noted that taller buildings would be less compatible with the surrounding future low density residential development;
- iii) adjustments to the detailed special provisions for yard setbacks in the Residential R9 (R9-7) Zone were required for technical reasons and to ensure that the buildings and structures are located close to the road allowances in support of urban design objectives;
- iv) for technical reasons, the application of a CC6( ) Zone to allow convenience commercial uses in the ground floor of an apartment building is preferred, instead of a special provision to the Residential R9 (R9-7) zone;
- v) the range and scale of uses permitted within a Neighbourhood Shopping Area Zone variation is more appropriate within a Neighbourhood Commercial Node than an Associated Shopping Area Commercial Zone variation;
- vi) adjustments to the detailed special provisions in the Neighbourhood Shopping Area (NSA5) Zone for yard setbacks and parking location were required for technical reasons and to ensure that the buildings and structures are located close to the road allowances in support of urban design objectives; and,
- vii) a holding provision, affecting the entire site, which requires the completion of a Transportation Impact Study prior to site plan approval is required;

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

#### 14. Student Rental Housing

That the communication, dated September 25, 2012, from M. Noskiewicz, Goodmans, with respect to Student Rental Housing in Zoning By-law No. Z.-1 BE REFERRED to the Civic Administration and the Town & Gown Committee to determine how this can be applied using the Near Campus Neighbourhoods; it being noted that this include the modification of existing or the creation of new by-laws.

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 12.

#### 12. Property located at 2095 Coronation Drive

That, on the recommendation of the Managing Director, Development and Compliance Services & Chief Building Official, the following actions be taken with respect to the site plan approval application of Banman Developments (West) Inc., relating to the property located at 2095 Coronation Drive:

- a) the Approval Authority BE ADVISED that, at the public participation meeting of the Planning and Environment Committee held with respect to this matter, the following issues were raised:
- i) the requirement for a pedestrian access to the park at the end of the driveway into the neighbourhood; and,
  - ii) the elevation of the decks; it being noted that the concerns with the deck elevations were alleviated;
- b) the Approval Authority BE ADVISED that the Municipal Council supports the approval of the attached Site Plan for residential development; and,

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

- R. Knutson, on behalf of the applicant – expressing concern with the requirement for a pedestrian access to the park at the end of the driveway into the neighbourhood; noting that he has investigated this matter with legal counsel and an Ontario Municipal Board decision on a similar matter in Guelph; also noting that this requirement is beyond the Municipal authority to request.
- Gary Brown, 35A – 59 Ridout Street – expressing support for the wrought iron fence; indicating that it would be nice if the City owned the land and it was retained for open space; and indicating that the proposed design is nice.
- Tim Boston, 1852 Bayswater Crescent – expressing concern with the elevation of the decks.
- Jeff Whitney, 1828 Bayswater Crescent – expressing appreciation to Mr. Knutson for attending his property to alleviate his concerns; indicating that the proposed landscaping is nicer than the slides provided tonight; and expressing appreciation to Mr. Knutson for minimizing the impact of the development on their property. (2013-D11)

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 to Approve clause 13.

13. Properties located at 56-82 Wellington Street, 283-323 South Street and 69-77 Waterloo Street (OZ-8114)

That, notwithstanding the recommendation of the Managing Director, Planning and City Planner, the application of the Fincore Group, relating to the properties located at 56 - 82 Wellington St, 283 - 323 South Street and 69 - 77 Waterloo Street, the following actions be taken:

- a) the application BE REFERRED back to the Civic Administration for further discussion with the applicant and to report back at a second public participation meeting, to be held at a future meeting of the Planning and Environment Committee, on the following matters:
- i) the issues of property ownership;
  - ii) the phasing of the proposed development;
  - iii) the 100 year flood line as defined by the Upper Thames River Conservation Authority;
  - iv) ensure the elegance of the design;
  - v) the proposed limit of the Business District Commercial Special Provision/Neighbourhood Facility Zone; and,
  - vi) the establishment of a work plan for the completion of sanitary and storm sewer studies, with sources of financing;
- b) a special meeting of the Planning and Environment Committee BE HELD on Tuesday, March 5, 2013 at 3:00 p.m. to receive advice that is subject to solicitor-client privilege, including communications necessary for this purpose, relating to the issues of property ownership and the equality of potential land purchases in this area;

it being noted that there will be ongoing consultation between the applicant, the Civic Administration and the community;

it being also noted that a communication, dated February 24, 2013, was received from E. Dziadura, 101 Waterloo Street, 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:

- Ron Robertson, applicant – see attached presentation.
- Laurie Bursch, 356 Grey Street, on behalf of the SoHo Community Association – indicating that the SoHo Community Association is not against development; noting that the SoHo Community Association is against bad development; indicating that they are lucky that they have access to the Thames River; requesting that shadowing be considered; requesting that valuable lands are not purchased and then sold; requesting that any development conform with the SoHo Community Plan; indicating that the current plan complements the neighbourhood; noting concern that what they see is not what is going to be built; indicating that these lands could be a showplace for London; and requesting that a high standard be set for development along the River.
- Jamie Edwards, 304 South Street – advising that this looks like a great development; enquiring whether or not the eight stories includes mechanical rooms; enquiring about the heat and shade indexes; noting that he will be in the buildings shadow and without the winter sun mold will grow on his property; enquiring as to whether or not the zoning changes are permanent as Fincore does not own all the lands.
- Gary Brown, 35A – 59 Ridout Street – indicating that he supports infill; advising that he likes the proposed design; enquiring as to how far the building will be built from the Thames River; advising that the applicant is asking for zoning amendments to property that it does not own; and advising that this is not a precedent we should set.
- Tim Sher, London Village Rentals Limited – advising that the site plan appears to have a median in the roadway which would block his driveway; expressing concern with the monolithic parking garage; enquiring if something similar to the Renaissance Towers could be built; expressing concern with the targeting of the 55+ age group as the neighbourhood attracts young people and families.
- Peter Dziadura, 101 Waterloo Street – enquiring as to the timelines for the proposed development; noting that he will be living through the construction; enquiring if the buildings will be built in phases or all at once; and enquiring as to how this will be incorporated with the Victoria Hospital renovations. (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)

6th Report of the Planning and Environment Committee  
Councillor B. Polhill presents.

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

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, 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 Community and Protective Services Committee  
Councillor W.J. Armstrong presents.

Motion made by Councillor W.J. Armstrong to Approve clauses 1, 2, 3, 5, 6 and 9.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. 1st Report of the Accessibility Advisory Committee

That the 1st Report of the Accessibility Advisory Committee, from its meeting held on January 31, 2013, BE RECEIVED.

3. 3rd Report of the Animal Welfare Advisory Committee

That the 3rd Report of the Animal Welfare Advisory Committee, from its meeting held on February 7, 2013, BE RECEIVED.

5. Community-Led Parks Projects, 2012 Update

That, on the recommendation of the Managing Director, Planning and City Planner, the report dated February 25, 2013 with respect to Community-led Parks Projects in 2012 BE RECEIVED.

6. Noise By-law - Temporary Noise Permits 2012

That on the recommendation of the Managing Director, Development & Compliance Services and Chief Building Official, the report dated February 25, 2013 in compliance with the reporting requirements of the Noise By-law, BE RECEIVED. 2013-C01-P11

9. Annual Review, 2013 Special Events Policies and Procedures Manual

That, on the recommendation of the Managing Director of Parks and Recreation the by-law, as appended to the staff report dated February 25, 2013 BE INTRODUCED at the Municipal Council meeting of March 5, 2013 to approve the 2013 Special Events Policies and Procedures Manual. 2013-C01/M02

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 W.J. Armstrong to Approve clause 4.

4. Prohibiting Smoking Near Recreation Amenities and Entrances By-law

That, on the recommendation of the Managing Director of Parks & Recreation, the by-law, as appended to the staff report dated February 25, 2013, BE INTRODUCED at the Municipal Council meeting to be held on March 5, 2013 to prohibit smoking within 9 meters of playgrounds and recreation amenities in Municipal parks and entrances to Municipally-owned buildings.

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)

NAYS: D. Brown (1)

Motion made by Councillor W.J. Armstrong to Approve clause 8.

8. Food Truck Proposal

That on the recommendation of the Managing Director, Development & Compliance Services and the Chief Building Official, Civic Administration BE DIRECTED to report back at a public participation meeting of the Community and Protective Services Committee meeting on amendments to the Business Licensing By-law to implement a pilot program of permitting food trucks in the downtown area.

Motion made by Councillor N. Branscombe and seconded by Councillor D. Brown to Amend clause 8 in line 4 by adding the words "the proposed" before the words "amendments to"; and by adding the following sentence to the end of the clause: "it be noted that there will be a report

back to the Community and Protective Services Committee following the completion of the pilot project”.

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 8, 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 8, as amended, reads as follows:

That on the recommendation of the Managing Director, Development & Compliance Services and the Chief Building Official, Civic Administration BE DIRECTED to report back at a public participation meeting of the Community and Protective Services Committee meeting on the proposed amendments to the Business Licensing By-law to implement a pilot program of permitting food trucks in the downtown area; it being noted that there will be a report back to the Community and Protective Services Committee following the completion of the pilot project.

Motion made by Councillor W.J. Armstrong to Approve clause 10.

Motion made by Councillor D. Brown and seconded by Councillor H.L. Usher 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 December 10, 2012, related to the adoption of clause 4 of the 1st Report of the Community and Protective Services Committee, concerning purchase of service agreements for Ontario Works Employment Assistant Services 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, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (14)

RECUSED: P. Hubert (1)

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

That, on the recommendation of the Acting Administrator of Ontario Works, the by-law as ~~attached~~ to the staff report dated February 25, 2013, **BE INTRODUCED** at the Municipal Council meeting of March 5, 2013 to:

a) approve the Ontario Works Employment Assistance Services Agreements with:

- Collège Boréal, 355 Wellington St, Unit 279, London, ON N6A 3N7;
- Daya Counselling Centre, 141 Dundas St, 6th floor, London, ON N6A 1G3;
- Goodwill Industries, Ontario Great Lakes, 255 Horton St, London, ON N6B 1L1;
- Hutton House Association for Adults with Disabilities, 654 Wonderland Rd N, London, ON N6H 3E5;
- LEADS Employment Services London Inc., 171 Queens Av, Ste 410, London, ON N6A 5J7;
- Literacy Link South Central, 255 Horton St, 3rd floor, London, ON N6B 1L1;
- LUSO Community Services, 1193 Oxford St E, Unit 2, London, ON N5Y 3M2;
- Nokee Kwe, 1069 Wellington Rd S, Unit 104, London, ON N6E 2H6;
- Pathways Skill Development & Placement Centre, 210 Dundas St, 2nd floor, London, ON N6A 5J3
- Rehabilitation Foundation for the Disabled (known as March of Dimes), 920 Commissioners Rd E, London, ON N5Z 3J1;
- The London Community Small Business Centre, Inc., 316 Rectory St, 3rd floor, London, ON N5W 3V9;

- WIL Counselling and Training for Employment, 141 Dundas St, 4th floor, London, ON N6A 1G3; and
  - Youth Opportunities Unlimited, 141 Dundas St, 2nd floor, London, ON N6A 1G3.
- b) authorize the Mayor and City Clerk to execute the Ontario Works Employment Assistance Services Agreements; and
- c) authorize the City Manager or designate to provide written consent to amend the requirements of the Ontario Works Employment Assistance Services, pursuant to section 4.2 of each agreement.

The motion to Approve clause 10, is put.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, 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 made by Councillor W.J. Armstrong to Approve clause 7.

7. Ontario Works Caseload Annual Update, 2012

That, on the recommendation of the Manager Employment and Strategic Initiatives, with the concurrence of the Acting Director Housing and Social Services, the report dated February 25, 2013 with respect to the annual Ontario Works caseload, BE RECEIVED. 2013-S05

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)

**V RECOGNITIONS**

1. His Worship the Mayor presents a plaque for "London's Featured Company" to Dynamic Kitchens.
2. His Worship the Mayor presents a certificate for "London's Featured Community Organization" to Old East Village.
3. His Worship the Mayor welcomes Benoit Lavoie, President, Skate Canada.

6th Report of the Corporate Services Committee  
Councillor J.P. Bryant presents.

Motion made by Councillor J.P. Bryant to Approve clauses 1 to 7, inclusive.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Single Source - Supply and Install - Replacement Rooftop Unit for J. Allyn Taylor Building

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the actions taken to affect the replacement of the roof top unit at the J. Allyn Taylor Building at a cost of \$111,400 (excluding HST) BE CONFIRMED; it being noted that the required work will be carried out by the current service provider Climate Control and a Purchase Order has been issued relating to the subject matter.



3. Voluntary Donations to Municipality

That the following actions be taken with respect to voluntary donations to the Municipality:

- a) on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the report dated February 26, 2013 with respect to voluntary donations to a municipality BE RECEIVED;
- b) the Civic Administration BE REQUESTED to report back with a list of potential Council-approved projects that could be subject to voluntary donations; and,
- c) the Civic Administration BE REQUESTED to report back with respect to the administrative costs related to the implementation of a voluntary donations program.

4. Agreement with the Province of Ontario to Market the London and Middlesex Immigration Portal

That, on the recommendation of the Director of Intergovernmental and Community Liaison, the ~~attached~~ proposed by-law BE INTRODUCED at the Municipal Council meeting of March 5, 2013 to approve an agreement with Her Majesty the Queen in Right of Ontario, as represented by the Minister of Citizenship and Immigration, to obtain Provincial funding of \$19,800 to market the London and Middlesex Immigration Portal and to authorize the Mayor and City Clerk to execute the Agreement.

5. Agreement with the Province of Ontario to Enhance the London and Middlesex Immigration Portal Labour Market Section

That, on the recommendation of the Director of Intergovernmental and Community Liaison, the ~~attached~~ proposed by-law BE INTRODUCED at the Municipal Council meeting of March 5, 2013 to approve an agreement with Her Majesty the Queen in Right of Ontario, as represented by the Minister of Citizenship and Immigration, to obtain Provincial funding of \$110,000 to enhance the London and Middlesex Immigration Portal by enhancing the section on the local labour market and to authorize the Mayor and City Clerk to execute the Agreement.

6. Tax Adjustment Agenda

That the recommendations contained in the Tax Adjustment Agenda dated February 26, 2013 BE APPROVED; it being noted that there were no members of the public in attendance to speak to the Corporate Services Committee, at the public hearing associated with the Tax Adjustment Agenda.

7. Request for a Letter of Support for Public Safety TV Channel

That the following actions be taken with respect to the request for a letter for support for "All Points Bulletin" TV network:

- a) the Mayor BE REQUESTED to prepare a letter to the Canadian Radio-television & Telecommunications Commission (CRTC) in support of the request for renewal of the "All Points Bulletin" television license and renewal of its "Public Interest" status; and,
- b) the City Clerk BE DIRECTED to undertake a review of current policies or processes with respect to requests for letters of support or endorsement and report back on any recommended changes to ensure that sufficient information is submitted to Municipal Council with respect to the request.

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)

6th Report of the Civic Works Committee  
Councillor H.L. Usher presents.

Motion made by Councillor H.L. Usher to Approve clauses 1 to 14, inclusive.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. 2nd Report of the Advisory Committee on the Environment

That the 2nd Report of the Advisory Committee on the Environment, from its meeting held on February 6, 2013, BE WITHDRAWN as it was included on the February 26, 2013 Planning and Environment Committee Agenda.

3. Timeline for Major Environmental & Engineering Reports

That, on the recommendation of the Managing Director, Environmental & Engineering Services & City Engineer, the report dated February 25, 2013 with respect to the timeline for major environmental & engineering reports BE RECEIVED. 2013-C08

4. Update on Rethink Energy London - Celebrating Progress - Sustainable Energy London

That, on the recommendation of the Director, Environmental Programs & Solid Waste, the report dated February 25, 2013 with respect to an update on "Rethink Energy London - Celebrating Progress - Sustainable Energy London" BE RECEIVED. 2013-E19

5. World Figure Skating Championships - Parking

That, on the Recommendation of the Managing Director, Development & Compliance Services and Chief Building Official, the report dated February 25, 2013 with respect to parking during the World Figure Skating Championships BE RECEIVED. 2013-M18

6. Valastro v. The Corporation of the City of London - Application to the Ontario Superior Court of Justice - Court File No. 8937-12

That, on the recommendation of the City Solicitor, the decision of the Ontario Superior Court of Justice issued on February 4, 2013 in connection with a motion for an interlocutory injunction to restrain work being done by the Municipality under By-law DR-102-207 BE RECEIVED. 2013-L02

7. Amendments to the Traffic and Parking By-law

That, on the recommendation of the Managing Director, Environmental & Engineering Services & City Engineer, the ~~attached~~ proposed by-law (Appendix "A") BE INTRODUCED at the Municipal Council meeting to be held on March 5, 2013 for the purpose of amending the Traffic and Parking By-law (P.S. 111). 2013-C01

8. Contract Award: Tender No. 13-04 2013 Infrastructure Lifecycle Renewal Program Contract 7: Price Street and Dakin Street Reconstruction

That, on the recommendation of the Managing Director, Environmental & Engineering Services & City Engineer, the following actions be taken with respect to the Contract Award: Tender # 12-04, 2013 Lifecycle Renewal Program, Contract #7: Price Street and Dakin Street Reconstruction (ES2414-13, EW3765-13, TS3014-13):

- a) the bid submitted by J-AAR Excavating Ltd. (J-AAR), 200 King Street, Ilderton, ON, N0M 2A0, at its tendered price of \$2,326,381.60 (excluding H.S.T.), for the 2013 Infrastructure Lifecycle Renewal Program, Contract #7 project, BE ACCEPTED; it being pointed out that the bid submitted by J-AAR was the lowest of nine bids received and meets the City's specifications and requirements in all areas;
- b) Archibald, Gray, McKay Consulting Engineers (AGM), 3514 White Oak Road London ON, N6E 2Z9, BE AUTHORIZED to carry out the resident inspection and contract administration for the said project in accordance with the estimate, on file, at an upset amount of \$240,983.00 (excluding H.S.T.), noting that this firm completed the engineering design, based upon the Fee Guideline for Professional Engineering Services, recommended by the Ontario Society of Professional Engineers; and in accordance with Section 15.2 (g) of the City of London's Procurement of Goods and Services Policy;
- c) minor future additional annual operating costs of \$1,600.00 BE RECOGNIZED as a result of this project noting that these costs are as a result of new infrastructure installation and will be considered and accommodated within future Water & Wastewater operating budgets;

- d) the financing for this project BE APPROVED as set out in the Sources of Financing Report appended to the staff report dated February 25, 2013;
- e) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project;
- f) the approval given herein BE CONDITIONAL upon the Corporation entering into a formal contract or issuing a purchase order for the material to be supplied and the work to be done relating to this project (Tender 13-04); and,
- g) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. 2013-L04

9. Appointment of Consultant for the Relocation and Construction of Branch 'B' of the Avenue Municipal Drain ES 4825-11

That, on the recommendation of the Director, Roads & Transportation, the following actions be taken with respect to the Appointment of a Consultant for the Relocation and Construction of Branch 'B' of the Avenue Municipal Drain, in accordance with the Drainage Act:

- a) Spriet Associates London Limited, 155 York Street, London, Ontario, Canada N6A 1A8 BE APPOINTED Consulting Engineers for the design and construction of Branch 'B' of the Avenue Municipal Drain in the amount of \$17,820.00, excluding HST, in accordance with Section 15, Clause 15.2(d) of the Procurement of Goods and Services Policy;
- b) the financing for this work BE APPROVED as set out in the Sources of Financing Report appended to the staff report dated February 25, 2013;
- c) the consulting fees for the project identified in (a) above, BE IN ACCORDANCE with the estimate on file, which are based upon the Fee Guideline for Professional Engineering Services, 2006, recommended by the Ontario Society of Professional Engineers;
- d) the approvals given herein BE CONDITIONAL upon the Corporation entering into a formal contract with the consultant for the work; and,
- e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. 2013-A05

10. Southwest Area Sanitary Servicing Master Plan: Appointment of Consulting Engineer (ES5260)

That, on the recommendation of the Director of Water & Wastewater & Treatment, the following actions be taken with respect to the Southwest Area Sanitary Servicing Master Plan, Appointment of Consulting Engineer:

- a) Stantec Consulting Ltd., 171 Queens Avenue, 8th Floor, London, Ontario, N6A 5J7, BE APPOINTED Consulting Engineers in the amount of \$215,000, including 10% contingency, excluding HST, based upon the Fee Guideline for Professional Engineering Services, recommended by the Ontario Society of Professional Engineers; and in accordance with Section 15.2 (g) of the City of London's Procurement of Goods and Services Policy;
- b) the financing for the project BE APPROVED in accordance with the Sources of Financing Report appended to the staff report dated February 25, 2013;
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project;
- d) the approvals given herein BE CONDITIONAL upon the Corporation entering into a formal contract; and,
- e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. 2013-A05

11. Appointment of Consultant for the Reconstruction of the Bannister Drain-Branch 1 Remediation Design ES 4825-11

That, on the recommendation of the Director, Roads & Transportation, the following actions be taken with respect to the appointment of a consultant for the Bannister Drain-Branch 1 Remediation Design, in accordance with the Drainage Act:

- a) Spriet Associates London Limited, 155 York Street, London, Ontario, Canada BE APPOINTED Consulting Engineers for the Bannister Drain-Branch 1 Remediation Design, in the amount of \$43,450.00, excluding HST, in accordance with Section 15, Clause 15.2(d) of the Procurement of Goods and Services Policy;
- b) the financing for this work BE APPROVED as set out in the Sources of Financing Report appended to the staff report dated February 25, 2013;
- c) the consulting fees for the project identified in (a) above, BE IN ACCORDANCE with the estimate on file, which are based upon the Fee Guideline for Professional Engineering Services, 2006, recommended by the Ontario Society of Professional Engineers;
- d) the approvals given herein BE CONDITIONAL upon the Corporation entering into a formal contract with the consultant for the work; and
- e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. 2013-A05

12. 2nd Report of the Transportation Advisory Committee

That the following actions be taken with respect to the 2nd Report of the Transportation Advisory Committee from its meeting held on February 5, 2013:

- a) the Mayor BE ASKED to write letters to the Canadian Transportation Agency and the Ontario Ministry of Transportation asking that all levels of government encourage cycling as an alternative method of transportation;
- b) clause 2 BE REFERRED to the 2013 Budget;  
  
clause 2 reads as follows:  
  
“that the Municipal Council BE REQUESTED to approve the 2013 Budget amounts for audible pedestrian signals and cycling facilities; it being noted that the Transportation Advisory Committee heard a verbal presentation from E. Soldo, Director, Roads and Transportation, with respect to these matters”; and,
- c) that clauses 3 to 9, inclusive BE RECEIVED AND NOTED.

13. Railway Row Crossing Fee Policy

That, on the recommendation of the Managing Director of Environmental Services & City Engineer, Canadian National Railway's one-time crossing fee proposal for City owned infrastructure on Canadian National Railway owned right-of-way BE ACCEPTED; it being noted that the funding required for the 24 crossings would be \$64,000 and \$55,000 (excluding HST), respectively, from the 2013 Water and Wastewater Operating Budgets. 2013-F11

14. Ontario Water/Wastewater Agency Response Network

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the attached proposed by-law BE INTRODUCED at the Municipal Council meeting of March 5, 2013, to:

- a) approve the Mutual Aid and Assistance Agreement for an Ontario Water / Wastewater Agency Response Network (OnWARN); and,
- b) the Mayor and the City Clerk BE AUTHORIZED to execute the above-noted agreement. 2013-E08

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 H.L. Usher to Approve clause 15.

15. Railway Pedestrian Crossing Safety

That, on the recommendation of the Director, Roads & Transportation, the following actions be taken with respect to railway pedestrian crossing safety:

- a) the Civic Administration BE AUTHORIZED to undertake a railway pedestrian crossing assessment study to determine the appropriate pedestrian focused solutions at railway crossings; and,
- b) the Civic Administration BE REQUESTED to review and report back to the Civic Works Committee with respect to the use of locomotive whistles within the City of London.  
2013-D24

Pursuant to section 17.2 of the Council Procedure By-law, Councillor J.L. Baechler calls for a separate vote on part a) and b) of clause 15.

The motion to Approve part a) of clause 15 is put.

Motion Passed

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

NAYS: J.L. Baechler, D. Brown (2)

The motion to Approve part b) of clause 15 is put.

Motion Passed

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

NAYS: J.L. Baechler (1)

Motion made by Councillor H.L. Usher to Approve clause 16.

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

That, the previously-approved bids for the Rental of General Equipment with Operators, as appended to the staff report dated January 21, 2013 BE AMENDED by deleting "Benko Sewer Service, Division of Badger Daylighting Inc. 6629 Orr Drive, London, ON N6L 1P1" and replacing with "W. Carsey Trucking Inc., 2768 Catherine Street, Dorchester, Ontario N0L 1G4"; it being noted that the affected parties have been notified of the administrative error.

Motion made by Councillor H.L. Usher and seconded by Councillor B. Polhill 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 29, 2013, related to the adoption of clause 11 of the 4th Report of the Civic Works Committee, concerning the rental of general equipment with operators (Tender 13-06) 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, H.L. Usher, J.P. Bryant, S.E. White (14)

RECUSED: D. Brown (1)

Motion made by Councillor H.L. Usher and seconded by Councillor P. Polhill to Amend clause 16, by deleting the clause in its entirety and replacing it with the following new clause:

"That the following actions be taken with respect to the Rental of General Equipment with Operators (tender (13-06):

- 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, and amended by deleting "Benko Sewer Service, Division of Badger Daylighting Inc., 6629 Orr Drive, London, Ontario N6L 1P1" and replacing it with "W. Carsey Trucking Inc., 2768 Catherine Street, Dorchester, Ontario N0L 1G4" BE ACCEPTED; it being noted that the affected parties have been notified;
- 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."

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)

RECUSED: D. Brown (1)

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

Motion Passed

Clause 16, as amended, reads as follows:

That the following actions be taken with respect to the Rental of General Equipment with Operators (tender (13-06):

- 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, and amended by deleting "Benko Sewer Service, Division of Badger Daylighting Inc., 6629 Orr Drive, London, Ontario N6L 1P1" and replacing it with "W. Carsey Trucking Inc., 2768 Catherine Street, Dorchester, Ontario N0L 1G4" BE ACCEPTED; it being noted that the affected parties have been notified;
- 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.

4th Report of the Planning and Environment Committee  
Councillor B. Polhill presents.

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

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Property located at 527 Wellington Road

Recommendation: That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of Towards Recovery Clinics, relating to the property located at 527 Wellington Road:

- a) the request to amend the Official Plan by adding a special policy to recognize that the

251 metre distance between the subject property and the nearest school property boundary is appropriate due to unique separation characteristics BE REFUSED, for the following reasons:

- i) the request for a site-specific Official Plan amendment is not appropriate since the subject property does not exhibit any of the four conditions which could necessitate the need for a site-specific policy;
  - ii) the existing Official Plan policies pertaining to the location of new Methadone Clinics and Methadone Pharmacies accurately reflect the intent of Council;
  - iii) the requested amendment does not meet the evaluation criteria identified in Section 6.2.11 of the City of London Official Plan pertaining to Methadone Clinics and Methadone Pharmacies which preclude the location of these uses within 300 metres from an elementary school;
  - iv) the requested amendment does not meet the evaluation criteria identified in Section 6.2.11 of the City of London Official Plan pertaining to Methadone Clinics and Methadone Pharmacies requiring that sites must be large enough to accommodate the parking requirements; and,
  - v) the requested reduction in the separation distance from an elementary school is not appropriate based on the approach adopted by Council and supported by extensive research, consultation with health care providers, community and business groups and the planning impact analysis included in this report related to planning for Methadone Clinics and Methadone Pharmacies;
- b) the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject property FROM an Associated Shopping Area Commercial (ASA2/ASA5) Zone, which permits a wide range of retail, personal service and automobile uses **TO** a Holding Associated Shopping Area Commercial Special Provision (h-5•ASA2/ASA5( )) Zone, to add a Methadone Clinic and Methadone Pharmacy to the list of permitted uses and relieve the subject property from the general provisions that require the property boundary of Methadone Clinics and Methadone Pharmacies to be a minimum of 300m from the property boundary of an elementary school subject to a holding provision to require public site plan review BE REFUSED for the following reasons:
- i) the requested amendment to the Zoning By-law is not consistent with the Zoning regulations which do not permit Methadone Clinics and Methadone Pharmacies to be located within 300 meters of an elementary school;
  - ii) the subject property does not meet the minimum requirements of the Zoning By-law which require that 1 parking space be provided for every 15m<sup>2</sup> of gross floor area ("GFA"). The existing building has a GFA of 418m<sup>2</sup> requiring that 28 parking spaces be provided whereas the subject property has a total of 21 parking spaces; and,
  - iii) the proposal to utilize only 307m<sup>2</sup> of the existing building for the requested uses and leaving the remaining 111m<sup>2</sup> unfinished and separated from the rest of the building by a permanent wall would create a situation that requires on-going by-law enforcement to continually monitor the subject site to ensure that the unfinished portion of the building remains unused; and,
- c) the information report from the Managing Director, Planning and City Planner, relating to the City of London request to limit the number of clients served by methadone clinics and methadone dispensing pharmacies BE RECEIVED;

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

- a communication, dated February 11, 2013, from C. Crawford, Chief Executive Officer, Towards Recovery Clinics Inc.;
- a communication from T. Schnurr, Vice President, Sales Representative, CBRE Limited;
- a communication, dated February 11, 2013, from R. Zelinka, Zelinka Priamo Ltd.;
- a communication, dated November 20, 2012, from V. Zanov, 22 Torrington Crescent;
- a communication, dated February 14, 2013, from C. Clark, by e-mail;

- a communication, from T. Couture, 45-35 Waterman Avenue; and,
- a communication, dated February 13, 2013, from D. Young, Senior Planner, Stantec Consulting Ltd.;

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

- Cam Crawford, Chief Executive Officer, Towards Recovery Clinics Inc. – advising that Towards Recovery Clinics Inc. currently operates in three Ontario communities; indicating that the clinics are professionally staffed; advising that addiction is misunderstood; indicating that he has been actively involved in the search to find an appropriate location to open a clinic; indicating that they have spent more than eight months searching for a location, utilizing the services of CBRE; advising that there has been published evidence that two or three million people suffer from addictions; advising that over 1,400 people in London are suffering from opiate addiction; indicating that it is in the communities best interest to deal with addiction; indicating that most people dealing with addictions want to be helped; advising that when you assist people in need, you are returning their self-respect, allowing them to lead healthy lives and become valuable members of the community; indicating that the reality of the situation is that we are helping ourselves; advising that his clinics are committed to operating excellence; indicating that the planning principles support the application; noting that addiction treatment is under the purview of health care; advising that his company provides a different model; noting that they help people and help reduce any risks to public safety; indicating that addiction does not discriminate; indicating that there is a reduction in the amount of crime in a neighbourhood where there is a methadone clinic; advising that methadone clinics have close connections to health care services to best manage patient success; advising that the clinic has a large reception area which reduces any congregation outside of the clinic; advising that there is on-site security during all clinic hours; advising that they operate a service advisory board for two-way communication; indicating that the proposed site is stand alone with no gathering areas; advising that it is close to a major health care area; advising that this is away from the downtown core; and noting that the building is attractive.
- Richard Zelinka, Zelinka Priamo Ltd., on behalf of the applicant – advising that there is a potential site for a methadone clinic to be located at Wellington Road South and Bradley Avenue; noting that this site is more than 300 metres from White Oaks Public School, the South London Community Pool and the Jalna Library; however, you can see directly from the property to the school, the mall and the library; also noting that the properties are connected through a pathway system; further noting that the location meets the City's methadone criteria; advising that the proposed methadone clinic adequately protects the facilities and users from potential impacts; indicating that people want methadone separation between them and their families; noting that there is a single family dwelling next door; advising that the LCBO, a bank, two restaurants and a beer store are located on the same property; noting that, using a strict interpretation of the City's by-law, this is an ideal site for a methadone clinic; also noting that the area is on a bus route; advising that the proposed site on Wellington Road South is a free standing building; indicating that the building is oriented by Wellington Road; advising that there are no adjacent gathering places; advising that there is a 457 metre walking distance, on public sidewalks, and a one kilometer driving distance, between the proposed clinic and a school; advising that you cannot see the school from the property; noting that unless you live there, you would not even know the school exists; advising that the site is accessible by the circuitous walkway on Waterman Avenue; enquiring as to which site better meets the Councils policies; indicating that separation distance is a useful land planning tool; advising that the public and catholic school boards use walking distances; indicating that some of the public responses in the Civic Administration's report spoke of walking distance "as the crow flies", which is not meaningful when you are talking about people; referencing his letter on the Planning and Environment Committee Agenda; advising that the Civic Administration's reference to 824 potential sites is not more than a theoretical rough-cut; indicating that the Civic Administration never provided a blow up of any particular site; noting that the graphic never intended for what is in and what is out; advising that the letter from CBRE indicates that the 824 sites is not a realistic number; noting that not all of the sites are serviced by public transit; advising that, with the stigma attached to addiction, multi-unit landlords will not rent to addiction treatment clinics; advising that some of the other sites are large, new big box stores, hotels or motels; indicating that there are errors in the original mapping, such as the location of the East London Library; advising that many sites are not on the market for sale or for lease; advising that other sites do not have adequate parking; indicating that most of the suitable sites are located along Wharncliffe Road and Dundas Street; indicating that when the



policies were adopted, people believed that the Municipal Council and the Civic Administration wanted to work for the health of the city; advising that the current by-law is overly constraining; and advising that the proposed site at 527 Wellington Road South is a good site and meets the cities policies.

- Christine Bonatsos, 97 – 35 Waterman Avenue – enquiring as to whether or not the applicant has mothballed any other clinics; expressing concern that they are only mothballing part of the building in order to meet the parking requirements; enquiring as to whether or not the city enforces mothballing and who pays for it; advising that she does not deem the excuse that the potential 824 sites are not viable as a valid excuse; and advising that the applicant should be educating the public to help reduce the stigmatism that addiction has.
- Roman Zasadko, 53 Cheviot Place – expressing concern with the vacant space in the building; enquiring as to whether or not it is really going to be mothballed; indicating that Police and Fire representatives will need to monitor the space; indicating that it is not dead space; advising that it is not mentioned in the report, but enquiring as to whether or not the space will be needed in the future; enquiring that, if the space is needed in the future, will the applicant need to reply for an amendment to the parking requirements; advising that, in simple terms, the standard of measurement that the City uses is a radius; indicating that the 300 metre circle radius is a standard measurement; and requesting that the Councillors follow their rules.
- Joseph Fisher, 54 Ansondale Road – reading the bottom of page 10 of the Planning and Environment Committee Agenda; advising that the Civic Administration is working with an Interim By-law; reading portions of the July, 2012, Ontario Municipal Board decision; indicating that he is not mentioning who is using the service; advising that a misunderstanding of the by-law is prohibiting citizens from getting their money's worth; indicating that the Civic Administration did their homework; and supporting the Civic Administration's recommendation.
- Ryan Chen, 95 - 35 Waterman – advising that he takes issue with the walkway on Waterman Avenue being referred to as "circuitous"; noting that if you look in the Webster's dictionary, "circuitous" means "round", "winding"; indicating that the walkway leads directly to the school; and noting that clients from Chiddington Avenue will not use the walkway.
- Terry Scafe, 27 Compton Crescent – enquiring as to whether or not the property located at 527 Wellington Road was one of the approved sites for a methadone clinic or pharmacy; advising that the applicant made a conscious decision to fight for this site; and enquiring as to whether or not they have to apply for another application if they decide to dispense medication other than methadone.
- Sharon Fry, 100 – 35 Waterman Avenue – enquiring as to the percentage of the profits from the methadone clinic are provided to the community.
- Nelson Campbell, 28 – 35 Waterman Avenue – expressing concern with the site line between the clinic and the school; indicating that Wellington Road South is the front door entrance to London; advising that there are fast food establishments in the area; noting that there is already a pharmacy in the area; indicating that the proximity of schools and high density areas should be considered when determining locations for a methadone clinic; expressing concern for the safety and security of children; advising that it is 50 metres from the proposed clinic to the front door of the Waterman Avenue condominium complex; noting that there are no fences separating the properties; and enquiring as to whether or not this is health care without risks to the residents.
- Rick Wood, Principal, Cartier Public School – reading from the letter provided to him by the Chair of the Thames Valley District School Board; expressing support for the Civic Administration's recommendation; expressing support for the current by-law; advising that there are 304 children and 30 teachers at his school; noting that it is a family atmosphere; advising that students that have graduated from the school come by to say hello; and requesting that this community be kept safe and healthy.
- Josephine Soares, 1 Rockingham Court – advising that if the Municipal Council changes the existing by-law, the Municipal Council is setting a new standard; advising that any new company can come in and ask for a new radius; and advising that the distance between methadone clinics and schools will get smaller and smaller.
- Janet Hunt, Registered Nurse – advising that the neighbourhood is a great family neighbourhood; indicating that families have problems and reach out for help; advising that this site will be right across from a mental health facility so that, if needed, help can be accessed instantly.
- Steve Couture, 45 – 35 Waterman Avenue – advising that his communication is part of the Planning and Environment Committee Added Agenda; advising that this is a policy that the Municipal Council adopted 9 months ago; encouraging the Municipal Council to stick to the policy; indicating that the language in the policy is very clear; indicating that there is no flexibility in the 300 metres; noting that this was the intention of the

Municipal Council; indicating that three criteria use the words “must be”; indicating that this is a pedestrian safety issue, with a bus stop being located on the east side of Wellington Road; advising that there is in excess of 30,000 vehicles a day travelling on Wellington Road; enquiring as to how many people are going to walk up to the lights to cross the road and how many people will take chances crossing the traffic; noting that this will encourage jaywalking; indicating that there must be a requirement for parking; and encouraging the Municipal Council to realize that they adopted the policy.

- Bonnie Weitzel, 6 Chiddington Gate – advising that she is still reviewing the information that she has received; indicating that the parking requirement has not been met; noting that the site currently has 13 parking spaces; advising that no one has mentioned that there would be a requirement for garbage and recycling pick-up and delivery trucks; advising that there are 4,600 vehicles on the road daily between Wellington Road South and Wilkins Avenue; indicating that this will add more vehicles; advising that the Wellington Road South bus is packed; and advising that there are no traffic lights or crosswalks on Waterman Avenue.

At 5:37 PM the Mayor J.F. Fontana places Councillor P. Hubert in the Chair and takes a seat at the Council Board.

Motion made by Councillor S. Orser and seconded by Councillor M. Brown to Approve, that pursuant to section 9.6 of the Council Procedure By-law, Councillor H.L. Usher be permitted to speak longer than 5 minutes with respect to clause 2.

Motion Passed

At 5:48 PM the Mayor J.F. Fontana resumes the Chair and Councillor P. Hubert takes his seat at the Council Board.

The motion to Approve clauses 1 and 2 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)

7th 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, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (15)

3rd Report of the Investment and Economic Prosperity Committee  
Councillor J.B. Swan presents.

Motion made by Councillor J.B. Swan to approve clauses 1, 2, 4 and 5.

1. Disclosures of Pecuniary Interest

That it BE NOTED that Councillor J. Swan disclosed a pecuniary interest in clause 3 of this report, having to do with the Investment and Economic Prosperity proposal assessment process, specifically to the proposal for a Performing Arts Centre, by indicating that his employer, Orchestra London, is involved with the proposal.

2. 2012 Annual Update on Budweiser Gardens

That the information report dated February 19, 2013 from the Deputy City Treasurer, with respect to the 2012 annual update on Budweiser Gardens, BE RECEIVED.

#### 4. 1st Report of the Creative City Committee

That the following actions be taken with respect to the 1st Report of the Creative City Committee from its meeting held on January 30, 2013:

- a) on the recommendation of the Director, Corporate Investments and Partnerships, the following actions be taken with respect to the London Cultural Profile Report and the London Cultural Prosperity Plan:
  - i) the London Cultural Profile Report, dated January 2013, prepared by the project team of Canadian Urban Institute, Sierra Planning and Management, and Novita Interpares Limited, BE RECEIVED;
  - ii) the London Cultural Prosperity Plan, dated 2013, prepared by Dialog Ontario Inc., BE APPROVED IN PRINCIPLE;
  - iii) the City of London Cultural Office BE DIRECTED to develop an implementation plan for the London Cultural Prosperity Plan, which expands upon how the potential actions of this Plan will be accomplished and funded; and,
  - iv) the Creative City Committee Working Group members BE THANKED for their participation and guidance related to the development of the London Cultural Profile Report and the London Cultural Prosperity Plan;

it being noted that the Creative City Committee (CCC) heard the attached presentations from J. Evenson and A. McDonough, Canadian Urban Institute, J. Hack, Sierra Planning and Management and B. Arnott, Novita, and A. Gomez, Dialog Ontario Inc., with respect to the London Cultural Profile, and the London Cultural Prosperity Plan, respectively, and received a communication dated January 21, 2013, from J. Morgan, Board Chair and S. Hubbard Krimmer, CEO and Chief Librarian, London Public Library, with respect to the matter;

- b) that clauses 2 through 3, inclusive, of the 1st Report of the CCC, BE RECEIVED;

it being noted that the Investment and Economic Prosperity Committee (IEPC) heard the attached presentation from Councillor J. Bryant and R. Armistead, Manager, Culture and Municipal Policy, with respect to this matter.

#### 5. Update on Boler Mountain's Current Plans and Activities

That the request for delegation status from J. Kennedy, President of Boler Mountain BE REFERRED to the Civic Administration to confirm the appropriate Standing Committee the matter should be directed 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 M. Brown to Approve clause 3.

#### 3. Investment and Economic Prosperity Proposal Assessment Process Update #2

The following actions be taken with respect to the Investment and Economic Prosperity proposal assessment update #2:

- a) the information report dated February 13, 2013 from the Director of Corporate Investments and Partnerships, with respect to this matter, BE RECEIVED; and,
- b) the Civic Administration BE REQUESTED to report back at the February 28, 2013 Tax Supported Budget meeting, with respect to clarifying options and the implications related to earmarking the \$60 million of funding required to move forward with the Economic Prosperity Plan.

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, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (14)

RECUSED: Councillor J.B. Swan (1)

7th Report of the Strategic Priorities and Policy Committee  
Councillor J.L. Baechler presents.

Motion made by Councillor J.L. Baechler to Approve clauses 1 and 4.

1. Disclosures of Pecuniary Interest

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

- a) Councillor N. Branscombe disclosed a pecuniary interest in clause 3 of this Report, having to do with the appointment to the Greater London International Airport Authority Board of Directors, by indicating that the nominee for the appointment is her spouse; and,
- b) Councillor M. Brown disclosed a pecuniary interest in the following matters:
  - i) clause 2 of this Report, having to do with appointments to the City of London and Thames Valley District School Board Liaison Committee, by indicating that the Thames Valley District School Board is his employer; and,
  - ii) clause 5 of this Report, having to do with communications related to funding and repurposing of the Sherwood Forest Public School, by indicating that Sherwood Forest Public School is part of the Thames Valley District School Board system and that the Thames Valley District School Board is his employer.

4. London Transit Commission

That the following actions be taken with respect to appointments to the London Transit Commission:

- a) the resignation of Councillor S.E. White from the London Transit Commission BE ACCEPTED; and
- b) Councillor J.L. Baechler BE APPOINTED to the London Transit Commission, for the term ending November 30, 2014.

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.L. Bachler to Approve clauses 2 and 5.

2. City of London and Thames Valley District School Board Liaison Committee

That the following individuals BE APPOINTED to the City of London and Thames Valley District School Board Liaison Committee for the term ending November 30, 2014:

- Councillor N. Branscombe
- Councillor D. Henderson
- Councillor B. Polhill;

it being noted that discussions may include matters pertaining to the repurposing of schools subject to closure.

5. Sherwood Forest Public School

That the following actions be taken with respect to the Sherwood Forest Public School:

- a) the ~~attached~~ communication from S. Booth, Board of Directors, Society for Learning in Retirement London, BE REFERRED to the 2014 Budget process for consideration with respect to the Sherwood Forest Public School repurposing for a seniors' centre; and
- b) the ~~attached~~ communication from J.B. Morton, BE REFERRED to the 2014 Budget process for consideration with respect to the Sherwood Forest Public School repurposing for a seniors' centre;

it being noted that the Civic Administration will assist with the preparation and submission of the business case for the above-noted project to the Investment and Economic Prosperity Committee for consideration.

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.L. Baechler to Approve clause 3.

- 3. Re-appointment of Ken Kalopsis to the London International Airport Board of Directors

That Ken Kalopsis BE APPOINTED to the Greater London International Airport Authority Board of Directors as the City's representative for a third and final term commencing August 1, 2013 and expiring July 31, 2016; it being noted that the Strategic Priorities and Policy Committee received a communication dated January 12, 2013 from Jeff Brown, Chair, Nominating Committee, Greater London International Airport Authority, with respect to this matter.

Motion Passed

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

NAYS: D.G. Henderson

RECUSED: N. Branscombe

At 6:20 PM, Councillor J.L. Baechler leaves the meeting.

6th Report of the Committee of the Whole  
Councillor N. Branscombe 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, S. Axford, J.P. Barber, J. Braam, B. Coxhead, K. Dawtrey, J. Fleming, E. Gamble, G. Kotsifas, V. McAlea Major, J. Page, M. Turner, B. Warner and B. Westlake-Power.

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

- a) A matter being considered pertaining to litigation or potential litigation with respect to the appeal of Middlesex Vacant Land Condominium Corporation No. 677 to the Ontario Municipal Board, including matters before administrative tribunals, affecting the municipality or local board from an approval of a minor variance by the Committee of Adjustment for development of 181 Skyline Road; advice that is subject to solicitor-client privilege, including communications necessary for that purpose, in connection the appeal of Middlesex Vacant Land Condominium Corporation No. 677, including matters before administrative tribunals, affecting the municipality or local board from an approval of a minor variance by the Committee of Adjustment for development of 181 Skyline Road; and giving instructions and directions to the solicitors of the municipality in connection with the appeal of Middlesex Vacant Land

Condominium Corporation No. 677 to the Ontario Municipal Board, including matters before administrative tribunals, affecting the municipality or local board from an approval of a minor variance by the Committee of Adjustment for development of 181 Skyline Road. (PEC)

- b) A matter pertaining to litigation or potential litigation and advice that is subject to solicitor-client privilege, including communications necessary for that purpose and for the purpose of providing instructions and directions to officers and employees of the Corporation with respect to the property located at 23 Winship Close. (CSC)
- c) A matter pertaining to litigation currently before the Superior Court of Justice, Court file No. 8922/12 affecting the municipality; and advice that is subject to solicitor-client privilege, including communications necessary for that purpose. (CSC)
- d) A matter pertaining to litigation currently before the Superior Court of Justice, Court file No. 38191/01 affecting the municipality; and advice that is subject to solicitor-client privilege, including communications necessary for that purpose. (CSC)
- e) A matter pertaining to personal matters about identifiable individuals, including a former municipal employee, outstanding litigation affecting the municipality and advice that is subject to solicitor-client privilege, including communications necessary for that purpose. (CSC)
- f) A matter pertaining to labour relations and employee negotiations, litigation or potential litigation, including matters before administrative tribunals, affecting the municipality, and advice that is subject to solicitor-client privilege, including communications necessary for that purpose, concerning Group Grievance 508-06 and Policy Grievance 902-07 between the London Civic Employees' Local Union No. 107 and The Corporation of the City of London in relation to the Equipment Operator 2 job evaluation. (CSC)
- g) A matter pertaining to labour relations and employee negotiations in regard to one of the Corporation's associations or unions and litigation or potential litigation, including matters before administrative tribunals, affecting the municipality and for the purpose of providing instructions and directions to officers and employees of the Corporation. (CSC)
- i) A matter being considered pertaining to advice that is subject to solicitor-client privilege, including communications necessary for that purpose; 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, in connection with the application by Fincore Group, relating

to the properties located at 56-82 Wellington Street, 283-323 South Street and 69-77 Waterloo Street.

Motion made by Councillor M. Brown and seconded by Councillor S.E. White to Approve 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, on the recommendation of the Manager of Realty Services, with respect to the property at 5801 White Oak Road, the following actions be taken:
  - a) the offer submitted by Victoria Miller and Manuel A. S. Camara to sell to the City of London land municipally known as 5801 White Oak Road, located on the west side of White Oak Road north of Manning Drive, described as South Part of Lot 21, Concession 6 (Part 2, Reference Plan 33R-9546), containing an area of approximately 25.74 acres, for the purpose of buffering the City's W12A landfill site, for the sum of \$249,900.00 BE ACCEPTED, subject to the following conditions being met:
    - i) the City of London agreeing to pay the Vendors' reasonable legal fees, including fees, disbursements and applicable taxes, to complete this transaction, subject to assessment;
    - ii) the City of London to conduct soil and environmental tests as may be required; and,
    - iii) the Tenant farmer being permitted to remove the crop currently planted on the property prior to September 30, 2013.
  - b) the financing for this acquisition BE APPROVED as set out in the Source of Financing Report, ~~attached~~ hereto as Appendix "A".
2. That, on the recommendation of the Manager of Realty Services, with respect to the residential property at 4200 Scotland Drive, the following actions be taken:
  - a) the offer submitted by Darrell DeCoste and Laurie DeCoste to sell to the City the property municipally known as 4200 Scotland Drive, located on the north side of Scotland Drive, described as Part of Lot 22, Concession 5, designated as Part 4, Reference Plan 33R-2972, containing an area of approximately 2.69 acres, for the purpose of buffering the City of London's W12A landfill site, for the sum of \$380,000.00 BE ACCEPTED, subject to the following conditions being met:
    - i) the City of London agreeing to pay the Vendors' reasonable legal fees, including fees, disbursements and applicable taxes, to complete this transaction, subject to assessment;
    - ii) the City of London agreeing that the Vendors be permitted to enter into a residential lease agreement for a term of one (1) year at a monthly rental fee of \$900.00 plus all utilities;
  - b) the financing for this acquisition BE APPROVED as set out in the Source of Financing Report ~~attached~~ hereto as Appendix "A".
3. Notwithstanding the provisions set out in section 15 of the Procurement of Goods & Service Policy with respect to the appointments of professional consulting services, the City Clerk BE DIRECTED to bring forward the necessary documentation to Municipal Council at its meeting to be held on March 5, 2013 to authorize the City Manager and Managing Director, Corporate Services & Chief Human Resources Officer to approve and execute professional consulting agreements related to matters arising out of the approved arbitration process.
4. That, the following actions be taken with respect to the contract with Tim L. Dobbie Consulting Ltd., dated August 13, 2012:
  - a) the amount payable under the above-noted contract BE INCREASED up to an additional \$25,000.00, exclusive of HST; and,
  - b) the City Manager and Managing Director, Corporate Services and Chief Human Resources Officer BE DIRECTED to submit to the Corporate

Services Committee, an amended contract with Tim L. Dobbie Consulting Ltd. to increase the amount payable under the contract by up to an additional \$60,000, exclusive of HST, and amend the term of the contract to delete reference to the termination date.

Motion Passed

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

Motion made by Councillor N. Branscombe to Approve that the above recommendations for the 6th Report of the Committee of the Whole be adopted.

Motion Passed

**X DEFERRED MATTERS**

None.

**XI ENQUIRIES**

None.

**XII EMERGENT MOTIONS**

None.

**XIII BY-LAWS**

Motion made by Councillor B. Polhill and seconded by Councillor P. Van Meerbergen to Approve 1st reading of Bill No.s 105 to 110, inclusive, and Bill No.s 112 to 134, inclusive.

Motion Passed

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

Motion made by Councillor B. Polhill and seconded by Councillor P. Van Meerbergen to Approve 2nd reading of of Bill No.s 105 to 110, inclusive, and Bill No.s 112 to 134, inclusive.

Motion Passed

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

Motion made by Councillor B. Polhill and seconded by Councillor H.L Usher to Approve 3rd reading and enactment of Bill No.s 105 to 110, inclusive, and Bill No.s 112 to 134, inclusive.

Motion Passed

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

Motion made by Councillor H.L Usher and seconded by Councillor P. Van Meerbergen to Approve 1st reading of Bill No. 111.

Motion Passed

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

RECUSED: P. Hubert (1)



Motion made by Councillor B. Polhill and seconded by Councillor H.L. Usher to Approve 2nd reading of Bill No. 111.

Motion Passed

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

RECUSED: P. Hubert (1)

Motion made by Councillor B. Polhill and seconded by Councillor P. Van Meerbergen to Approve 3rd reading and enactment of Bill No. 111.

Motion Passed

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

RECUSED: P. Hubert (1)

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

Bill No. 105  
By-law No. A.- 6919-80 A by-law to confirm the proceedings of the Council Meeting held on the 5th day of March, 2013. (City Clerk)

Bill No. 106  
By-law No. A.-6920-81 A By-law to approve the Ontario Funding Agreement for the enhancement of the London and Middlesex Immigration Portal with Her Majesty the Queen in Right of Ontario as represented by the Minister of Citizenship and Immigration; and to authorize the Mayor and the City Clerk to execute the Agreement. (4/6/CSC)

Bill No.107  
By-law No. A.-6921-82 A By-law to approve the Ontario Funding Agreement for the enhancement of the London and Middlesex Immigration Portal with Her Majesty the Queen in Right of Ontario as represented by the Minister of Citizenship and Immigration; and to authorize the Mayor and the City Clerk to execute the Agreement. (5/6/CSC)

Bill No. 108  
By-law No. A.-6922-83 A By-law to approve the City of London's 2013 Special Events Policies and Procedures Manual. (9/5/CPSC)

Bill No. 109  
By-law No. A.-6923-84 A By-law to authorize and approve a Mutual Aid and Assistance Agreement for an Ontario Water / Wastewater Agency Response Network, and to authorize the Mayor and Clerk to execute the agreement. (14/6/CWC)

Bill No. 110  
By-law No. A.-6924-85 A By-law to Prohibit Smoking within 9 metres of Recreation Amenities in Municipal Parks, and Entrances to Municipally-owned Buildings. (4/5/CPSC)

Bill No. 111  
By-law No. A.-6925-86 A By-law to approve Agreements for Ontario Works Employment Assistance Services with 13 corporations. (10/5/CPSC)

Bill No. 112  
By-law No. C.P.-1284(ta)-87 A by-law to amend the Official Plan for the City of London, 1989 relating to 2825 Tokala Trail. (11/5/PEC)

Bill No. 113  
By-law No. C.P.-1486-88 A by-law to exempt from Part Lot Control, lands located on the north side of Callaway Road, legally described as part of Block 98 in Registered Plan 33M-633, more particularly described as Parts 4-7 and 10-17 in Plan 33R18514 in the City of London and County of Middlesex. (4/25/PEC)

Bill No. 114  
By-law No. PS-111-13118 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." (7/5/CWC)

Bill No. 115  
By-law No. S.-5534-89 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 Wateroak Drive) (Chief Surveyor)

Bill No. 116 By-law No. S.-5535-90	A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Oxford Street East, west of Durham Street) (Chief Surveyor)
Bill No. 117 By-law No. S.-5536-91	A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Oxford Street West, east of Royal York Road; as widening to Oxford Street West, between Royal York Road and Old Hunt Road; as widening to Oxford Street West, west of Old Hunt Road; as widening to Oxford Street West, between Sanatorium Road and Headley Gate; and as widening to Oxford Street West, east of Headley Gate) (Chief Surveyor)
Bill No. 118 By-law No. S.-5537-92	A by-law to permit Labatt Brewing Company Inc. to maintain and use encroachments upon the road allowances for Richmond Street, Horton Street and Grey Street, City of London. (City Solicitor)
Bill No. 119 By-law No. S.-5538-93	A by-law to repeal By-law No. S.-5528-71 entitled, "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. 120 By-law No. S.-5539-94	A by-law to lay out, constitute, establish and assume lands in the City of London as public highway.(as widening to Sunningdale Road West, west of Meadowlands Way) (Chief Surveyor)
Bill No. 121 By-law No. S.-5540-95	A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Wharnccliffe Road South, north of Baseline Road West and as widening to Base Line Road West, west of Wharnccliffe Road South) (Chief Surveyor)
Bill No. 122 By-law No. S.-5541-96	A by-law to rename the south portion of Logans Way, west of Logans Run, in the City of London, to Logans Trail and to repeal By-law No.S.-5529-72. (Chief Surveyor)
Bill No. 123 By-law No. W.-5534-97	A by-law to authorize the VMP Interchange and South Extension (Project No. TS1325) (5/5/CWC)
Bill No. 124 By-law No. W.-5535-98	A by-law to authorize the Highway 401 Interchange Projects (Project No. TS1308) (5/5/CWC)
Bill No. 125 By-law No. W.-5536-99	A by-law to authorize the 2012 New Major Open Spaces Projects (PD2043-12). (13/2/PEC)
Bill No. 126 By-law No. W.M.-12-100	A By-law to impose special charges on certain lots for the construction of a water main along a portion of Fanshawe Park Road East from Highbury Avenue to 375 metres east of Fanshawe Park Road East pursuant to section 30 of Ontario Regulation 586/06 made under the Municipal Act, 2001, S.O. 2001, c.25; (11/1/BNEC-2010)
Bill No. 127 By-law No. Z.-1-132166	A by-law to amend By-law No. Z.-1 to remove the holding provisions from the zoning for an area of land located at 1010 & 1068 Fanshawe Park Road East. (3/5/PEC)
Bill No. 128 By-law No. Z.-1-132167	A by-law to amend By-law No. Z.-1 to remove the holding provisions from the zoning for an area of land located at 1235-1253 Richmond Street. (4/5/PEC)
Bill No. 129 By-law No. Z.-1-132168	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 2115, 2119 and 2121 Aldersbrook Road. (6/5/PEC)
Bill No. 130 By-law No. Z.-1-132169	A by-law to amend Section 10 of By-law No. Z.-1. (10/5/PEC)
Bill No. 131 By-law No. Z.-1-132170	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 2825 Tokala Trail. (11/5/PEC)
Bill No. 132 By-law No. A.-6926-101	A By-law to authorize an Agreement of Purchase and Sale between The Corporation of the City of London and Darrell DeCoste and Laurie DeCoste, for the acquisition of property located at 4200 Scotland Drive, for the City's W12A landfill site, and to authorize the Mayor and the City Clerk to execute the Agreement (C2/6/CSC)
Bill No. 133	A By-law to authorize an Agreement of Purchase and Sale between The

By-law No. A.-6927-102 Corporation of the City of London and Victoria Miller and Manuel A.S. Camara, for the acquisition of property located at 5801 White Oak Road, for the City's W12A landfill site, and to authorize the Mayor and the City Clerk to execute the Agreement. (C1/6/CSC)

Bill No. 134  
By-law No. A.-6928-103 A By-law to authorize the City Manager and Managing Director, Corporate Services & Chief Human Resources Officer to approve and execute professional consulting agreements relating to matters arising out of the approved arbitration process. (C7/6/CSC)

**XIV ADJOURNMENT**

Motion made by Councillor S. Orser and seconded by Councillor H.L. Usher to Adjourn.

Motion Passed

The meeting adjourned at 6:30 PM.

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Joe Fontana, Mayor

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Catharine Saunders, City Clerk