



London
CANADA

COUNCIL MINUTES 7TH MEETING

March 26, 2013

The Council meets in Regular Session in the Council Chambers this day at 4:05 p.m.

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

ABSENT: Councillor S.E. White.

ALSO PRESENT: A. Zuidema, J.P. Barber, G. Belch, J. Braam, B. Coxhead, J. Fleming, E. Gamble, T. Grawey, G.T. Hopcroft, G. Kotsifas, L. Livingstone, J. Logan, V. McAlea Major, D. Menard, K. Owen, J. Page, M. Ribera, L. Rowe, E. Soldo, B. Warner, B. Westlake-Power and P. White.

At the beginning of the Meeting all Members are present except Councillors N. Branscombe, D. Brown and S.E. White.

Councillor D. Brown enters the meeting at 4:06 PM

I DISCLOSURES OF PECUNIARY INTEREST

Councillor P. Hubert discloses a pecuniary interest in clause 9 of the 6th Report of the Community and Protective Services Committee having to do with the Social Assistance Review Commission 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 Hubert P. Hubert further discloses a pecuniary interest in clause C-2 of the Confidential Appendix to the 9th Report of the Corporate Services Committee having to do with a matter pertaining to personal matters regarding the employment of an identifiable individual, employee negotiations, including communications necessary for that purpose and advice or recommendations of officers and employees of the Corporation 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 also discloses a pecuniary interest in clause C-3 of the Confidential Appendix to the 8th Report of the Corporate Services Committee having to do with a matter pertaining to 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 a potential arbitration concerning the apportionment of costs for social housing, Ontario Works, Child Care and Land Ambulance between Middlesex County and the City of London, by indicating that he is the Executive Director of a social services agency with a Purchase of Service Agreement with Ontario Works. Councillor P. Hubert lastly discloses a pecuniary interest in the enquiry by Councillor H.L. Usher regarding clean up in the Downtown by indicating that he is the President of the company that did the cleaning in the Downtown core during the World Figure Skating Championships.

Councillor J.P. Bryant discloses a pecuniary interest in clause 7 of the 8th Report of the Corporate Services Committee having to do with corporate training initiatives by indicating that her spouse is on the faculty of the Ivey School of Business.

Councillor D. Brown discloses a pecuniary interest in clause 10 of the 6th Report of the Community and Protective Services Committee, having to do with taxi licensing, by indicating that her employer owns a taxi company.

Councillor P. Van Meerbergen discloses a pecuniary interest in clause C-3 of the Confidential Appendix to the 8th Report of the Corporate Services Committee having to do with a matter pertaining to 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 a potential arbitration concerning the apportionment of costs for social housing, Ontario Works, Child Care and Land Ambulance between Middlesex County and the City of London, by indicating that his spouse

operates a day care.

Councillor Armstrong discloses a pecuniary interest in clause C-6 of the Confidential Appendix to the 8th Report of the Corporate Services Committee having to do with a matter pertaining to personal information about identifiable individuals including municipal employees, with respect to employment related matters; matters pertaining to litigation or potential litigation; advice that is subject to solicitor-client privilege, including communications necessary for that purpose and advice of officers and employees of the Corporation, including communications necessary for that purpose.

II REVIEW OF CONFIDENTIAL MATTERS TO BE CONSIDERED IN PUBLIC

None.

III ADDED REPORTS

1. 9th Report of the Corporate Services Committee

IV COMMITTEE OF THE WHOLE, IN CAMERA

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

- a) A matter pertaining to litigation currently in the Ontario Court of Justice for the Province of Ontario effecting the municipality; and advice that is subject to solicitor-client privilege, including communications necessary for that purpose. (CSC)
- b) 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)
- c) A matter pertaining to 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 a potential arbitration concerning the apportionment of costs for social housing, Ontario Works, Child Care and Land Ambulance between Middlesex County and the City of London. (CSC)
- d) 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 and for the purpose of providing instructions and directions to officers and employees of the Corporation. (CSC)
- e) A matter pertaining to personal matters, including information regarding an identifiable individual, including a municipal employee, with respect to employment related matters, advice or recommendations of officers and employees of the Corporation including communications necessary for that purpose and for the purpose of providing instructions and directions to officers and employees of the Corporation. (CSC)
- g) A matter pertaining to instructions and directions to officers and employees of the Corporation pertaining to a proposed disposition of land; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; reports or advice or recommendations of officers and employees of the Corporation pertaining to a proposed disposition of land; commercial and financial information supplied in confidence pertaining to the proposed disposition the disclosure of which could reasonably be expected to, prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of the Corporation, result in similar information no longer being supplied to the Corporation where it is in the

public interest that similar information continue to be so supplied, and result in undue loss or gain to any person, group, committee or financial institution or agency; commercial, information relating to the proposed acquisition that belongs to the Corporation that has monetary value or potential monetary value; information concerning the proposed disposition whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or its competitive position; information concerning the proposed 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 disposition.

- h) A matter pertaining to personal matters regarding the employment of an identifiable individual, employee negotiations, including communications necessary for that purpose and advice or recommendations of officers and employees of the Corporation.

Councillor N. Branscombe enters the meeting at 4:11 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, H.L. Usher, J.P. Bryant (13)

NAYS: D. Brown (1)

The Council rises and goes in camera at 4:11 PM with Mayor J.F. Fontana in the Chair and all Members present except Councillor S.E. White.

The Committee of the Whole rises and Council resumes in regular session at 5:00 PM with Mayor J.F. Fontana in the Chair and all Members present except Councillors J.P. Bryant and S.E. White.

V RECOGNITIONS

Councillor J.P. Bryant enters the meeting at 5:05 PM.

1. His Worship the Mayor presents a certificate for "London's Featured Community Organization" to the Ilderton Skating Club.
2. His Worship the Mayor, accepts the 2012 Heritage Award, presented by the Architectural Conservancy of Ontario and the Heritage London Foundation, to the City of London, in recognition of its efforts, through the Facilities Services Division, to conserve and restore historic masonry and woodwork at Grosvenor Lodge.
3. His Worship the Mayor, receives a Heritage Designation Recognition, for the City of London heritage designation of the Meadowlily Bridge under Section 29 of the *Ontario Heritage Act*.

VI CONFIRMATION AND SIGNING OF THE MINUTES OF THE FIFTH AND SIXTH MEETINGS HELD ON FEBRUARY 28, 2013 AND MARCH 5, 2013, RESPECTIVELY

Motion made by Councillor B. Polhill and seconded by Councillor D. Brown to Approve the Minutes of the Fifth Meeting held on February 28, 2013 and the Minutes of the Sixth Meeting held on March 5, 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 (14)

VII COMMUNICATIONS AND PETITIONS

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

1. Councillor S. White - Correspondence (Refer to the Council Minutes Stage for Consideration with the Council Minutes from the March 5, 2013 Meeting.)
2. Mayor J. Fontana - Broadcasting Notice of Consultation CRTC 2013-106: Application No. 2013-0244-7 (Refer to the Corporate Services Committee Stage for Consideration with Clause 25 of the 8th Report of the Corporate Services Committee.)
3. (ADDED) M. Temme, 66 Palmer Street - Statement of Remuneration and Expenses - Elected and Appointed Officials (Refer to the Corporate Services Committee Stage for Consideration with Clause 5 of the 8th Report of the Corporate Services Committee.)
4. (ADDED) M. Hall, 9-50 Ridout Street South - Blackfriars Bridge Detailed Structural Inspection (Refer to the Civic Works Committee Stage for Consideration with Clause 6 of the 7th Report of the Civic Works Committee.)

Motion Passed

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

VIII MOTIONS OF WHICH NOTICE IS GIVEN

None.

IX REPORTS

6th Report of the Community and Protective Services Committee
Councillor D. Brown presents.

Motion made by Councillor D. Brown to approve clauses 1 to 12, excluding clauses 9 and 10.

1. Disclosures of Pecuniary Interest

That it BE NOTED that Councillor D. Brown disclosed a pecuniary interest in clause 10 of this Report, having to do with London Taxicab Owners' and Drivers' Group Inc. application to the Ontario Superior Court of Justice, by indicating that her employer operates a taxi dispatch service.

2. 3rd Report of the London Housing Advisory Committee

That the 3rd Report of the London Housing Advisory Committee, from its meeting held on February 13, 2013, BE RECEIVED.

3. 2nd Report of the London Diversity and Race Relations Advisory Committee

That the following actions be taken with respect to the 2nd Report of the London Diversity and Race Relations Advisory Committee (LDRRAC), from its meeting held on February 21, 2013:

- a) clauses 1 through 8, inclusive, BE RECEIVED; and,
- b) the Civic Administration, in consultation with the LDRRAC, BE DIRECTED to report back to the Community and Protective Services Committee with respect to the reinstatement and rejuvenation of the City of London Race Relations Recognition Award program.

4. 2nd Report of the Community Safety and Crime Prevention Advisory Committee

That the 2nd Report of the Community Safety and Crime Prevention Advisory Committee, from its meeting held on February 28, 2013, BE RECEIVED and the London Police Services BE INVITED to make a similar presentation to the Community and Protective Services Committee, in order to allow further information to be shared directly with the Council Members.

5. 2nd Report of the Accessibility Advisory Committee

That the 2nd Report of the Accessibility Advisory Committee, from its meeting held on February 28, 2013, BE RECEIVED.

6. City of London and London District Catholic School Board Liaison Committee

That, on the recommendation of the City Clerk, the ~~attached~~ proposed Terms of Reference to establish a City of London and London District Catholic School Board Liaison Committee BE APPROVED. (2013-S13)

7. Automatic Aid Agreement with Central Elgin

That, on the recommendation of the Fire Chief, with the concurrence of the Managing Director of Neighbourhood, Children and Fire Services, the ~~attached~~ proposed by-law (Appendix A) BE INTRODUCED at the Municipal Council meeting on March 26, 2013 to:

- a) approve an Agreement (Schedule A), with the Corporation of the Municipality of Central Elgin for the provision of automatic aid to the response area outlined in the Agreement; and
- b) authorize the Mayor and the City Clerk to execute the Agreement approved in a), above. (2013-C01)

8. Policy Regarding the use of Inflatable Amusement Devices During Rentals of City Parks or Other Facilities

That, on the recommendation of the Managing Director of Neighbourhood, Children and Fire Services and the Managing Director of Parks and Recreation, the proposed by-law, included in the staff report dated March 18, 2013, BE INTRODUCED at the Municipal Council meeting on March 26th, 2013 to adopt a policy regarding the use of inflatable amusement devices during rentals of city parks or other facilities. (2013-C01)

11. 4th Report of the Animal Welfare Advisory Committee

That the following actions be taken with respect to the 4th Report of the Animal Welfare Advisory Committee, from its meeting held on March 7, 2013:

- a) clause 1 BE REFERRED to the Civic Administration for consideration, with a report back to the Community and Protective Services Committee (CPSC) on the feasibility of the recommendation; it being noted that the CPSC received a verbal presentation from S. Rans and A. Papmehl of the AWAC with respect to this matter;

clause 1, as referred, reads as follows:

“That the Civic Administration BE REQUESTED to adopt practices for pest, rodent and wildlife control that are consistent with the Municipal Council’s June 26, 2012 resolution “to support and implement a progressive and humane response program related to human-wildlife conflicts in the municipality”; it being noted that the Animal Welfare Advisory Committee (AWAC) reviewed and received the ~~attached~~ communication dated March 7, 2013, from A. Papmehl, with respect to this matter.”

- b) clauses 2 to 13, BE RECEIVED.

12. 2013-2016 Service Accountability Agreement between the Corporation of the City of London (Dearness Home) and the South West Local Health Integration Network (LHIN)

That, on the recommendation of Tim Dobbie – Tim L. Dobbie Consulting Ltd., with the concurrence of the City Manager, the ~~attached~~ proposed by-law (Appendix A) BE INTRODUCED at the Municipal Council Meeting of March 26, 2013 to:

- (a) approve the Long-Term Care Home Service Accountability Agreement for the period April 1, 2013 to March 31, 2016 with the South West Local Health Integration Network (LHIN);
- (b) authorize the Mayor and the City Clerk to execute the Agreement approved in a), above; and
- (c) delegate to the City Manager, or written designate, the authority to approve and execute documents required by the LHIN under this Agreement and to make declarations of compliance with the terms of the Agreements with the LHIN. (2013-L04A)

Pursuant to section 12.3 of the Council Procedure By-law, Councillor N. Branscombe calls for a separate vote on clause 8.

The motion to adopt clause 8 is put.

Motion Passed

YEAS: J.F. Fontana, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, M. Brown, D.G. Henderson, D. Brown, H.L. Usher, J.P. Bryant (10)

NAYS: B. Polhill, N. Branscombe, P. Hubert, P. Van Meerbergen (4)

Motion made by Councillor J.P. Bryant and seconded by Councillor J.L. Baechler to Amend part b) of clause 3 to remove the word "DIRECTED" and to replace it with the word "REQUESTED".

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 (14)

Motion made by Councillor D. Brown and seconded by Councillor P. Hubert to Approve clause 3, as amended.

Motion Passed

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

Clause 3, as amended, reads as follows:

That the following actions be taken with respect to the 2nd Report of the London Diversity and Race Relations Advisory Committee (LDRRAC), from its meeting held on February 21, 2013:

- a) clauses 1 through 8, inclusive, BE RECEIVED; and,
- b) the Civic Administration, in consultation with the LDRRAC, BE REQUESTED to report back to the Community and Protective Services Committee with respect to the reinstatement and rejuvenation of the City of London Race Relations Recognition Award program.

The motion to adopt clauses 1, 2, 4, 5, 6, 7, 11 and 12 is put.

Motion Passed

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

Motion made by Councillor D. Brown to Approve clause 9.

9. Social Assistance Review Commission Report "Brighter Prospects: Transforming Social Assistance in Ontario"

That, on the recommendation of the Acting Ontario Works Administrator, the staff report dated March 18, 2013, related to the Social Assistance Review Commission report, BE RECEIVED. (2013-S04)

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 (13)

RECUSED: P. Hubert (1)

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

10. London Taxicab Owners' and Drivers' Group Inc. Application to the Ontario Superior Court of Justice

That, on the recommendation of the City Solicitor, the Decision of the Ontario Superior Court of Justice dismissing the application of London Taxicab Owners' and Drivers' Group Inc. concerning By-law L.-129-51, the Taxi and Limousine Licensing By-law, BE RECEIVED. (2013-C01)

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 (13)

RECUSED: D. Brown (1)

8th Report of the Corporate Services Committee
Councillor J.P. Bryant presents.

Motion made by Councillor J.P. Bryant to Approve clauses 1 to 26, except clause 7.

1. Disclosures of Pecuniary Interest

That it BE NOTED that Councillor J.P. Bryant disclosed a pecuniary interest in clause 7 of this Report having to do with corporate training initiatives by indicating that her spouse is on the faculty of the Ivey School of Business.

2. Year 2013 Tax Policy

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

- a) a by-law be enacted in accordance with Sub-sections 308(4) and 308.1(4) of the Municipal Act, 2001 to set tax ratios in the multi-residential, pipeline and farm property classes as indicated on Schedule F and such ~~attached~~ proposed by-law (Appendix A) BE INTRODUCED at the Council meeting of March 26, 2013;
- b) a by-law be enacted in accordance with Sub-section 308(4) of the Municipal Act, 2001 to set tax ratios in the commercial and industrial property class as indicated in Schedule F of this report; so that tax ratios for these classes are maintained at Provincial thresholds/averages and such ~~attached~~ proposed by-law (Appendix A) BE INTRODUCED at the Council meeting of March 26, 2013;
- c) a by-law be enacted to fully utilize options available in 2013 to exclude properties in capped property classes which have reached current value assessment tax levels or

higher in 2012 from being capped again in 2013 and future years and such ~~attached~~ proposed by-law (Appendix B) BE INTRODUCED at the Council meeting of March 26, 2013;

- d) a by-law be enacted in accordance with Section 330 of the Municipal Act, 2001 to claw back a portion of tax decreases in each of the commercial, industrial, and multi-residential classes sufficient to fully finance the capping of increases as required under Section 329 of the Municipal Act, 2001 and such ~~attached~~ proposed by-law (Appendix C) BE INTRODUCED at the Council meeting on March 26, 2013;
- e) a by-law be enacted in accordance with Section 329.1 of the Municipal Act, 2001 for 2012 to adopt the same capping formulae for the commercial, industrial and multi-residential property classes as was applicable in 2012 and such ~~attached~~ proposed by-law (Appendix D) BE INTRODUCED at the Council meeting on March 26, 2013;
- f) a phase-in program for tax changes resulting from the reassessment of properties in the residential, farmland, and managed forests property classes in accordance with Section 318 of the *Municipal Act, 2001* not be adopted;
- g) the matter of tax policy BE REFERRED to a future meeting of the Strategic Priorities and Policy Committee, as part of a larger discussion with respect to the City of London's economic strategy and its competitive position, so that tax policy and other matters can be considered in a holistic manner; and
- h) an information session BE HELD at the June 10, 2013 meeting of the Strategic Priorities and Policy Committee for the purpose of informing Council Members about tax policy, in order to assist in future decisions pertaining to tax policy.

3. Year 2013 Education Tax Rates

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the ~~attached~~ proposed by-law to levy education tax rates for 2013 (Appendix A) BE INTRODUCED at the Council meeting of March 26, 2013.

4. Procurement of Goods and Services Policy Revision

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the ~~attached~~ proposed by-law, being a by-Law to amend By-law No. A.-6151-17, BE INTRODUCED at the Municipal Council meeting on March 26, 2013, to revise Schedule "C" to By-Law No. A.-6151-17, being the Procurement of Goods and Services Policy, to:

- a) delete of the wording "(only when the Mayor declares an emergency under the Emergency Management and Civil Protection Act)" from section 14.2;
- b) add a definition for EMERGENCY;
- c) add an exemption in Schedule B item 11.

5. Statement of Remuneration and Expenses - Elected and Appointed Officials

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the following actions be taken with respect to the Statement of Remuneration and Expenses for Elected and Appointed Officials:

- a) in accordance with Section 284 of the Municipal Act, 2001, the Statement of Remuneration and Expenses for Elected and Appointed Officials for 2012 BE RECEIVED for information;
- b) London Hydro Inc. BE REQUESTED to provide additional information pertaining to the training expenditures for its Board Members;
- c) a review BE UNDERTAKEN as to whether or not it is necessary to place a limit on any other specific categories of expenditures for elected officials, beyond the limit which has already been placed on gifts and souvenirs for protocol and City of London promotional purposes; and

- d) in accordance with the City Council Travel and Expenses Policy, the Statement of Travel Expenses for Senior Administration Staff for 2012 BE RECEIVED for information.

6. Public Sector Salary Disclosure Act - Report for Calendar Year 2012

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the report dated March 19, 2013 regarding 2012 salaries, as required by the Public Sector Salary Disclosure Act, BE RECEIVED for information.

8. Employee Absenteeism Update

That, on the recommendation of the Managing Director, Corporate Services and Chief Human Resources Officer, the report dated March 19, 2013 regarding employee absenteeism BE RECEIVED for information.

9. Accessibility for Ontarians with Disabilities Act Update

That, on the recommendation of the Managing Director, Parks and Recreation, the following actions be taken:

- a) the ~~attached~~ proposed City of London Integrated Accessibility Standards Policy required for the implementation of the Accessibility for Ontarians with Disabilities Act, 2005 (AODA) BE ADOPTED; and
- b) the ~~attached~~ City of London Multi-Year Accessibility Plan 2013-2017 required under the AODA Integrated Accessibility Standards BE APPROVED.

10. Visiting Delegation from London's Sister City, Nanjing China - March 2013

That, on the recommendation of the Director of Intergovernmental and Community Liaison, the report dated March 19, 2013 on the visiting delegation from London's Sister City, Nanjing, China, March 2013, BE RECEIVED.

11. Canada Caribbean Local Economic Development Program

That, on the recommendation of the Director of Intergovernmental and Community Liaison, the report dated March 19, 2013 on the Canada Caribbean Local Economic Development Program BE RECEIVED.

12. Canada Ukraine Local Economic Development Program

That, on the recommendation of the Director of Intergovernmental and Community Liaison, the report dated March 19, 2013 on the Canada Ukraine Local Economic Development Program BE RECEIVED.

13. Expropriation of Lands - Hyde Park Road Widening - Phase 1 - TS1477-1

That, on the recommendation of the Manager, Realty Services and the Director, Roads and Transportation, with the concurrence of the Managing Director, Environmental and Engineering Services and City Engineer, approval BE GIVEN to the expropriation of lands as may be required for a project known as Hyde Park Road Widening and Improvements - Phase I - between Oxford Street and South Carriage Road, and that the following actions be taken in connection therewith:

- a) application BE MADE by The Corporation of the City of London as Expropriating Authority to the Council of The Corporation of the City of London as approving authority for the approval to expropriate the lands required for Hyde Park Road Widening and Improvements - Phase I - between Oxford Street and South Carriage Road;
- b) notice of the above application BE SERVED AND PUBLISHED by The Corporation of the City of London in accordance with the terms of the *Expropriations Act*;
- c) any requests for a hearing that may be received BE FORWARDED to the Chief Inquiry Officer and BE REPORTED to the Council of The Corporation of the City of London for its information; and

- d) a by-law BE INTRODUCED at the appropriate time to authorize the foregoing and direct the Civic Administration to carry out all necessary administrative actions.

14. Declare Surplus and Transfer City Owned Lands - 83 Elliott Street

That, on the recommendation of the Manager, Realty Services Operations, with the concurrence of the Manager of Realty Services, with respect to a portion of the City-owned property located at 83 Elliott Street, legally described as Part of Lot 3, Registered Plan 251, measuring approximately 12' x 110', containing an area of approximately 1,320 square feet, shown as Parcel 2 on Schedule "A" ~~attached~~, the following actions be taken:

- a) a portion of the subject property BE DECLARED surplus;
- b) the offer submitted by Brian Broere, the owner of the adjacent property at 81 Elliott Street, to purchase the subject surplus property from the City, for a consideration of \$2.00 BE ACCEPTED; and
- c) the ~~attached~~ proposed by-law (Appendix "A") BE INTRODUCED at the Municipal Council meeting to be held on March 26, 2013 to approve the sale and disposition, and to authorize the Mayor and the City Clerk to execute the Agreements of Purchase and Sale.

15. Response to Emergency Medical Services and Middlesex-London Board of Health

That the communication dated March 5, 2013 from D. Matthews, Minister, Ministry of Health and Long-Term Care regarding the response to Emergency Medical Services and Middlesex-London Board of Health BE RECEIVED.

16. Apportionment of Taxes

That, on the recommendation of the Deputy City Treasurer, the taxes on the blocks of land described in the ~~attached~~ Schedules BE APPORTIONED as indicated on the Schedules pursuant to Section 356 of the Municipal Act, 2001; it being noted that there were no members of the public in attendance at the public hearing associated with this matter, to speak before the Corporate Services Committee.

17. Request for Designation of the Forest City Beer Fest as a Municipally Significant Event

That the Forest City Beer Fest to be held Saturday, August 3, 2013, at Museum London, BE DESIGNATED as a municipally-significant event

18. Resignation from the Advisory Committee on the Environment and from the Environmental and Ecological Planning Advisory Committee

That the communication dated February 19, 2013 from Ali Youssef, resigning his appointments to the Advisory Committee on the Environment and the Environmental and Ecological Planning Advisory Committee, BE ACCEPTED and Mr. Yousseff BE THANKED for participating on the Committees.

19. Appointment to the Accessibility Advisory Committee

That the following BE APPOINTED to the Accessibility Advisory Committee for the term ending February 28, 2015:

Voting:

- Cindy Bailey (Person with a Disability)
- Antoinette Dona (Parent of a Child with a Disability)

20. Appointment to the Advisory Committee on the Environment

That the following individual BE APPOINTED to the Advisory Committee on the Environment for the term ending February 28, 2015:

Voting:

- Trevor Kolybaba (Member-at-Large)

21. Appointment to the Environmental and Ecological Planning Advisory Committee

That the following BE APPOINTED to the Environmental and Ecological Planning Advisory Committee for the term ending February 28, 2015:

Voting:

- Fernando Cirino (Member-at-Large)
- Dr. Maurice Hirst (Member-at-Large)
- Iain MacKenzie (Member-at-Large)
- Chris Smart (Member-at-Large)
- Brennan Vogel (Member-at-Large)

22. Appointment to the Trees and Forests Advisory Committee

That the following BE APPOINTED to the Trees and Forests Advisory Committee for the term ending February 28, 2015:

Voting:

- Michael Janzen (Member-at-Large)
- Paul Williamson (Member-at-Large)

23. Appointment to the Transportation Advisory Committee

That the following BE APPOINTED to the Transportation Advisory Committee for the term ending February 28, 2015:

Voting:

- Henk Ketelaars (Member-at-Large)
- Michael Clark (Old East Village BIA)

24. Appointment to the Community Safety and Crime Prevention Advisory Committee

That the following individual BE APPOINTED to the Community Safety and Crime Prevention Advisory Committee for the term ending February 28, 2015:

Voting:

- Bill Hall (London District Catholic School Board Representative)

25. Request for Support re Bell Media and Astral Media Inc.

That the Director of Intergovernmental and Community Liaison BE REQUESTED to submit a draft letter of support regarding the acquisition of Astra Media Inc. by Bell, to the Municipal Council for consideration at its meeting on March 26, 2013, with such letter to include emphasis on the need for protection of local talent, production, content and artists in order to preserve the unique interests of local communities.

26. Special Meeting – March 26, 2013

That the Committee Secretary BE DIRECTED to make arrangements for a Special Meeting of the Corporate Services Committee at 2:30 PM on Tuesday, March 26, 2013, for the purpose of dealing with two in camera matters.

Motion made by Councillor J.P. Bryant and seconded by Councillor B. Polhill to Amend clause 3 in line 3 by inserting the word “revised” before the word “proposed” and by appending the ~~attached~~ revised by-law which has been amended in section one by deleting the year “2012” and by inserting the year “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 (14)

The motion to adopt clause 3, as amended, is put.

Motion Passed

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

Clause 3, as amended, reads as follows:

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the ~~attached~~ revised proposed by-law to levy education tax rates for 2013 (Appendix A) BE INTRODUCED at the Council meeting of March 26, 2013.

Motion made by Councillor J.P. Bryant and seconded by Councillor S. Orser to Amend clause 19 by deleting the line “• Cindy Bailey (Person with a Disability)”.

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 (14)

Motion made by Councillor J.P. Bryant and seconded by Councillor S. Orser to Approve clause 19, as amended.

Motion Passed

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

Clause 19, as amended, reads as follows:

That the following BE APPOINTED to the Accessibility Advisory Committee for the term ending February 28, 2015:

Voting:

- Antoinette Dona (Parent of a Child with a Disability)

Motion made by Councillor J.P. Bryant and seconded by Councillor D. Brown to Approve that having considered Communication No. 2 in conjunction with clause 25, clause 25 read as follows:

“That the ~~attached~~ letter of support regarding the acquisition of Astra Media Inc. by Bell BE SENT to the Secretary General of the Canadian Radio-television and Telecommunications Commission and the Chief Legal and Regulatory Officer and Executive Vice President, BCE Inc.”

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 (14)

Pursuant to section 12.3 of the Council Procedure By-law, Councillor D. Henderson calls for a separate vote on clause 5.

The motion to adopt clauses 1, 2, 4, 6, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 20, 21, 22, 23, 24 and 26 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 (14)

Pursuant to section 12.3 of the Council Procedure By-law, Councillor J.L. Baechler calls for a separate vote on part c) of clause 5.

The motion to Approve clause 5c) is put.

Motion Passed

YEAS: J.F. Fontana, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher (9)

NAYS: B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.P. Bryant (5)

The motion to Approve the balance of clause 5 is put.

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 (14)

Motion made by Councillor N. Branscombe to Approve clause 7.

7. Corporate Human Rights Program, Code of Conduct Program and Corporate Training Initiatives as of December 31, 2012

That, on the recommendation of the Managing Director, Corporate Services and Chief Human Resources Officer the staff report dated March 19, 2013 regarding the Corporate Human Rights Program, Code of Conduct Program and Corporate Training Initiatives as at December 31, 2012 BE RECEIVED for information.

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 (13)

RECUSED: J.P. Bryant (1)

- 7th Report of the Civic Works Committee
Councillor P. Van Meerbergen presents.

Motion made by Councillor P. Van Meerbergen to Approve clauses 1 to 16, except clauses 6, 14 and 15.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. City of London 2012 Drinking Water Annual Report and Summary Report

That, on the recommendation of the Director, Water & Wastewater, the 2012 Drinking Water Annual Report and Summary Report for the City of London Distribution System BE RECEIVED. (2013-E13)

3. Closing Part of the Original Road Allowance Lying West of Staffordshire Place

That, on the recommendation of the Director of Roads and Transportation, the attached proposed by-law (Appendix 'A') BE INTRODUCED at the Municipal Council meeting to be held on March 26, 2013, for the purpose of closing a portion of the original road allowance lying west of Staffordshire Place as public highway. (2013-T09)

4. Closing of Logans Way

That, on the recommendation of the Director of Roads and Transportation, the ~~attached~~ proposed by-law (Appendix 'A') BE INTRODUCED at the Municipal Council meeting to be held on March 26, 2013, for the purpose of closing the untraveled north-south portion of Logans Way as public highway. (2013-T09)

5. Appointment of Consulting Engineer Gordon Sanitary Trunk Sewer Rehabilitation Project No. ES2473

That, on the recommendation of the Director, Wastewater and Treatment, Environmental and Engineering Services, the following actions be taken with respect to the appointment of a consultant for the Gordon Sanitary Trunk Sewer Rehabilitation (ES 2473):

- a) Dillon Consulting Ltd., 130 Dufferin Ave., London, ON, N6A 5R2, BE APPOINTED Consulting Engineers for the Gordon Sanitary Trunk Sewer Rehabilitation Project in accordance with the estimate, on file, at an upset amount of \$18,150, 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 March 18, 2013;
- c) the approvals given herein BE CONDITIONAL upon the Corporation entering into a formal contract with the consultant for the work;
- d) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with these projects; 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)

7. 2013 Growth Management Implementation Strategy (GMIS) Oxford Street West Widening and Hyde Park Trunk Sanitary Sewer (Phase 1A) (Tender No. T12-106)

That, on the recommendation of the Director, Roads and Transportation, the following actions be taken with respect to awarding the Oxford Street West Widening and Hyde Park Trunk Sanitary Sewer (Phase 1A) Contract from Sanatorium Road To Hyde Park Road (TS1493, ES2493, EW3685):

- a) the bid submitted by J-AAR Excavating Limited, 200 King Street, Ilderton, N0M 2A0, at its submitted tendered price of \$7,932,359.34 (excluding H.S.T.) for the 2013 Oxford Street West Widening Contract BE ACCEPTED; it being noted that the bid submitted by J-AAR Excavating Limited was the lowest of six (6) bids received and meets the City's specifications and requirements in all areas;
- b) Delcan Corporation, 1069 Wellington Road South, Suite 214, London, Ontario, N6E 1H6 BE APPOINTED Consulting Engineers for the contract administration and resident supervision of the said project in the amount of \$673,651.00, excluding HST, in accordance with Section 15.2 (g) of the Procurement of Goods and Services Policy and based upon the fee Guideline for Professional Engineering Services, recommended by the Ontario Society of Professional Engineers;
- c) future additional annual operating costs of \$13,600.00 BE APPROVED as a first priority commitment from available assessment growth in 2014 subject to final budget approval;
- d) the financing for this project BE APPROVED as set out in the Source of Financing Report appended to the staff report dated March 18, 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 12-106); 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;

it being noted that the Staff Report was amended on page 2, paragraph 3, line 5, by deleting the words "Wonderland Road" and by replacing them with the words "Hyde Park". (2013-L04B)

- 8. 2013 Growth Management Implementation Strategy (GMIS) Royal York Road: Hyde Park Trunk Sanitary Sewer (Phase 1B) and Road Reconstruction Project (Tender No. T13-12)

That, on the recommendation of the Managing Director, Environmental & Engineering Services & City Engineer, the following actions be taken with respect to the award of contracts for the 2013 Growth Management Implementation Strategy (GMIS), Royal York Road: Hyde Park Trunk Sanitary and Road Reconstruction Project (ES2493, EW3550, TS3037-13, TS3014-13):

- a) the bid submitted by L82 Construction Limited, 2070 Huron Street, Suite A, London, Ontario N5V 5A7 at its tendered price of \$2,550,794.03 (excluding H.S.T.), BE ACCEPTED; it being pointed out that the bid submitted by L82 was the lowest of four bids received and meets the City's specifications and requirements in all areas;
- b) Delcan Corporation, 1069 Wellington Road South, Suite 214, London, ON, N6E 2H6 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 \$230,285.00 (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 \$1,000.00 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 March 18, 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 13-12); 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. 2013 Infrastructure Lifecycle Renewal Program Contract 11: Bond Street, Raywood Avenue, Alexandra Street, and Beverly Street Reconstruction (Tender No. 13-07)

That, on the recommendation of the Managing Director, Environmental & Engineering Services & City Engineer, the following actions be taken with respect to the award of contracts for the 2013 Lifecycle Renewal Program, Contract #11: Bond Street, Raywood Avenue, Alexandra Street, and Beverly Street Reconstruction Project (ES2464-13, EW3656-2, 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 \$1,842,467.40 (excluding H.S.T.), for the 2013 Infrastructure Lifecycle Renewal Program, Contract #11 project, BE ACCEPTED; it being pointed out that the bid submitted by J-AAR was the lowest of eleven bids received and meets the City's specifications and requirements in all areas;
- b) Dillon Consulting Limited (Dillon Consulting), 130 Dufferin Avenue, London ON, N6A 4W7, 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 \$242,891.00 (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 \$1,350.00 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 March 18, 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 13-07); and,
- g) the Mayor and City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2013-L04)

10. Appointment of a Consulting Engineer 2013 Structure Inventory Inspection Program and Bridge Management System Database Update

That, on the recommendation of the Director, Roads & Transportation, the following actions be taken with respect to the appointment of a Consulting Engineer for the 2013 Structure Inspection Program and Bridge Management System Database Update:

- a) AECOM Canada Ltd. BE APPOINTED as the Consulting Engineers for the 2013 Structure Inventory Inspection Program and Bridge Management System Database Update in accordance with the estimate, on file, at an upset amount of \$119,688.25 (excluding H.S.T.), in accordance with Section 15.2 'd' of the Procurement of Goods and Services Policy;
- b) the financing for this project BE APPROVED as set out in the Source of Financing Report appended to the staff report dated March 18, 2013;
- c) the consulting fee for the project identified in (a), above, which is in accordance with the estimate on file, and which is based upon the Fee Guideline for Professional Engineering Services recommended by the Ontario Society of Professional Engineers BE APPROVED; and,
- d) the approvals given herein BE CONDITIONAL upon the Corporation entering into a formal contract with the consultant for the work. (2013-A04)

11. Greenway Wastewater Treatment Plant Clarifier Components (Tender 13-11) (Project ES 5084-12)

That, on the recommendation of the Director, Water and Wastewater and Treatment, the following actions be taken with respect to the development of the Greenway Wastewater Treatment Clarifier Components project:

- a) the bid submitted by WesTech Engineering, Inc., 3365 S. West Temple, Salt Lake City, Utah 84115, at its tendered price of \$262,300.00 (excluding HST), for the supply and commissioning of the Greenway Wastewater Treatment Clarifier Components project BE ACCEPTED; it being noted that the bid submitted by WesTech, was the only bid acceptable; three other bids were rejected and disqualified;
- b) the financing for this work BE APPROVED as set out in the Sources of Financing Report appended to the staff report dated March 18, 2013;
- c) the Civic Administration BE AUTHORIZED to undertake all 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 or issuing a purchase order for the material to be supplied and the work to be done relating to this project (Tender 13-11); 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-F18)

12. Landfill Gas Utilization - Next Steps - Preparing for a Feed-In-Tariff Submission

That, on the recommendation of the Director – Environment, Fleet & Solid Waste, the following actions be taken with respect to landfill gas utilization:

- a) the Civic Administration BE AUTHORIZED to undertake the necessary due diligence on London District Renewable Energy Cooperative (LDREC) to become a joint venture partner with the City of London with respect to the landfill gas electrical generation power plant at the W12A landfill;
- b) subject to the successful completion of a), above, the Civic Administration BE AUTHORIZED to negotiate a joint venture agreement as per the requirements of the Feed-in-Tariff (FIT) Program with LDREC to develop a landfill gas electrical generation power plant at the W12A landfill for submission to a future meeting of the Civic Works Committee for consideration;
- c) the Civic Administration BE AUTHORIZED to prepare and release a Notice of Intent to private sector power developers for the design, construction, operation, and maintenance of a landfill gas power plant, which will contain technical information on the landfill gas collection system and its performance to provide developers an opportunity to consider development options;
- d) the Civic Administration BE AUTHORIZED to prepare and release a Request for Proposals (RFP) for the design, construction, operation and maintenance of a landfill gas power plant, subject to the RFP containing the following:
 - i) assurance that opportunities for private sector financing and operation are presented with or without a FIT contract arrangement;
 - ii) inclusion of the physical space and layout(s) for potential future utilization of other bioenergy feed stocks that could be used as energy sources contingent upon the resolution of the current electrical transmission constraints; and,
 - iii) provision for a thorough description of the role of the joint venture partner and its relationship to the FIT project and the private sector power plant developer; and,
- e) the Civic Administration BE DIRECTED to report back to the Civic Works Committee with the results of the RFP process. (2013-E19)

13. 2013 Annual Warranted Sidewalk Program

That, on the recommendation of the Director, Roads and Transportation, the 2013 Annual Warranted Sidewalk Program BE RECEIVED. (2013-T04)

16. Environmental Bill of Rights Registry Request for Comment - Michigan Recyclables Processing

That the Civic Administration BE REQUESTED to investigate and report back at the April 8 meeting of the Civic Works Committee, to meet the EBR submission deadline of April 20, 2013, on the proposed amendments to the Certificate of Approval for Halton Recycling Ltd. as part of the Environmental Bill of Rights (EBR) comment process; it being noted that the report should address the impact of the amendments and any other related considerations.

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 (14)

Motion made by Councillor P. Van Meerbergen to Approve clause 6.

6. Blackfriars Bridge Detailed Structural Inspection

That, on the recommendation of the Director, Roads and Transportation, the following actions be taken with respect to the Blackfriars Bridge:

- a) the Blackfriars Bridge Risk Assessment Report, November 2012 BE ACCEPTED;
- b) Dillon Consulting Ltd. BE APPOINTED Consulting Engineers to complete a Detailed Structural Inspection, including the underside of the structure, in accordance with the estimate, on file, at an upset amount of \$306,843.00 (excluding H.S.T.), in accordance with Section 15.2 'g' of the Procurement of Goods and Services Policy; it being noted that future approval to proceed with subsequent phases of engineering services for the project will be subject to satisfying all financial, reporting and other conditions contained within this Policy; and, it being further noted that approximately half of this cost is to design and build custom access to all parts of the bridge;
- c) the financing for this project BE APPROVED as set out in the Source of Financing Report appended to the staff report dated March 18, 2013;
- d) the consulting fee for the project identified in (b), above, which is in accordance with the estimate on file, and which is based upon the Fee Guideline for Professional Engineering Services recommended by the Ontario Society of Professional Engineers BE APPROVED; and,
- e) the approvals given herein BE CONDITIONAL upon the Corporation entering into a formal contract with the consultant for the work. (2013-T04)

At 6:14 PM His Worship the Mayor places Councillor P. Hubert in the Chair, and takes a seat at the Council board.

At 6:20 His Worship the Mayor resumes the Chair and Councillor P. Hubert takes his seat at the Council board.

Motion made by Councillor S. Orser and seconded by Councillor B. Polhill to Refer clause 6 back to the Civic Administration for additional information including, but not limited to, other options such as "sistering" the bridges, whether an Environmental Assessment would be necessary with respect to "sistering" the bridges, or any other options that may be considered, as well as more detail with respect to the engineering bids in order to satisfy Council that there is good value.

Motion Failed

YEAS: J.F. Fontana, B. Polhill, S. Orser, D.G. Henderson (4)

NAYS: W.J. Armstrong, J.B. Swan, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant (10)

The motion to Approve clause 6 is put.

Motion Passed

YEAS: B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant (12)

NAYS: J.F. Fontana, D.G. Henderson (2)

Motion made by Councillor P. Van Meerbergen to Approve clause 14.

14. Traffic Calming Policy

That the following actions be taken with respect to the proposed Traffic Calming Policy:

- a) the ~~attached~~ revised Traffic Calming Policy BE APPROVED; it being noted that Section 4.2.2 was modified to identify that the City is responsible for the initiation, distribution and collection of the Traffic Calming Petition to ensure consistency of the process by managing the collection of public input in a manner that incorporates community engagement;

- b) the request for traffic calming in Summerside BE ADVANCED as a pilot for the new Traffic Calming Policy;

it being noted that the Civic Works Committee received a communication and verbal presentation from R. F. D'Andrea, 1818 Dormer Drive, and a communication dated March 12, 2013, from E. McKinlay, 449 Chelton Road, with respect to this matter. (2013-T08)

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 (14)

Motion made by Councillor P. Van Meerbergen to Approve clause 15.

15. Elimination of Issuing Parking Tickets to Commercial Operating/Car Dealerships Displaying Vehicles on Boulevards

That the communications dated March 11, 2013 and March 12, 2013 from Councillor S. Orser and D. Downie, 1111 Oxford Street East respectively, with respect to the elimination of issuing parking tickets to commercial operations/car dealerships displaying vehicles on boulevards BE REFERRED to the Civic Administration to investigate and report back at a future meeting of the Civic Works Committee. (2013-C01)

Councillor H.L. Usher leaves the meeting at 6:50 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, J.P. Bryant (13)

Motion made by Councillor S. Orser and seconded by Councillor J. Swan to recess.

Motion Passed

The Council recesses at 7:35 PM and reconvenes at 7:50 PM with Mayor J.F. Fontana in the Chair and all Members present except Councillors D. Brown, P. Hubert, S. White and P. Van Meerbergen.

7th Report of the Planning and Environment Committee
Councillor B. Polhill presents.

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

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. 1st Report of the Agricultural Advisory Committee

That the 1st Report of the Agricultural Advisory Committee from its meeting held on February 20, 2013 BE RECEIVED.

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

That the 3rd Report of the Environmental and Ecological Planning Advisory Committee from its meeting held on February 21, 2013 BE RECEIVED.

4. 2nd Report of the Trees and Forests Advisory Committee

That the 2nd Report of the Trees and Forests Advisory Committee from its meeting held on February 27, 2013 BE RECEIVED.

5. 3rd Report of the Advisory Committee on Environment

That the 3rd Report of the Advisory Committee on the Environment from its meeting held on

March 6, 2013 BE RECEIVED.

6. North Lambeth Estates Subdivision - Phase 3 (39T-00510-3)

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to entering into a subdivision agreement between The Corporation of the City of London and North Lambeth Inc. for the subdivisions of land over Part of Lot 74, west of the North Branch of Colonel Talbot Road, (Geographic Township of Westminster), City of London, County of Middlesex, situated on the west side of Colonel Talbot Road and the south side of Clayton Walk:

- a) the ~~attached~~ Special Provisions to be contained in a Subdivision Agreement between The Corporation of the City of London and North Lambeth Inc. for the North Lambeth Estates Subdivisions, Phase 3 (39T-00510-3), BE APPROVED;
- b) the Mayor and the City Clerk BE AUTHORIZED to execute the Agreement referred to in part a), above, any amending agreements and all documents required to fulfill its conditions; and,
- c) the financing for this project BE APPROVED in accordance with the "Related Costs and Revenues" provided as Schedule "B" to the associated staff report, dated March 19, 2013. (2013-D12)

7. Properties located at 613 to 629 First Street and 1461 to 1465 Oxford Street East (H-8127)

That, on the recommendation of the Senior Planner, Development Services, based on the application by Adamas Group Inc., relating to the properties located at 613 to 629 First Street and 1461 to 1465 Oxford Street East, the ~~attached~~ proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on March 26, 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 R10 (h-88*R10-1*H40) Zone TO a Residential R10 (R10-1*H40) Zone, to remove the holding provision. (2013-D14A)

8. Review of Holding Provision Requirements in Zoning By-law Z.-1

That, the following actions be taken with respect to the Civic Administration's review of site specific requirements for Holding Provisions in Zoning By-law No. Z.-1:

- a) the Civic Administration BE DIRECTED to prepare an amendment to Zoning By-law No. Z.-1 to implement requirements for the "h" holding provision under the "General Provisions" Section of Zoning By-law Z.- 1; and,
- b) the Civic Administration BE DIRECTED to make the necessary arrangements to hold a public participation meeting at a future meeting of the Planning and Environment Committee with respect to the amendment noted in part a), above. (2013-C01)

9. Building Division Monthly Report for January 2013

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

10. Zoning By-law No. Z.-1 Text Amendments (Z-7992)

That, on the recommendation of the Senior Planner, Development Planning, based on the application by the City of London, relating to technical amendments to the Z.-1 Zoning By-law text, the ~~attached~~ proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on March 26, 2013 to amend Zoning By-law No. Z-1 by REPLACING the existing Schedule A and Schedule B Indexes and the 221 "Key Maps" with new Schedule A and Schedule B Indexes and 21 "Key Maps"; it being noted that this would bring the Z-1 Zoning By-law text into alignment with the City's current digital mapping system; it being pointed out that there were no oral submissions made at the public participation meeting associated with this matter. (2013-C01)

12. Property located at 9345 Elviage Drive

That the following actions be taken with respect to the property located at 9345 Elviage Drive:

- a) the report of the Managing Director, Planning and City Planner, dated March 19, 2013

in response to a delegation by M. Doornbosch on behalf of Kaizen Homes regarding lands at 9345 Elviage Road, BE RECEIVED; and,

- b) Kaizen Homes BE ADVISED that if they wish to proceed with this matter related to the property located at 9345 Elviage Road, that they should submit the appropriate application for processing and consideration in accordance with the regulations contained in the Planning Act, R.S.O. 1990, c.P.13;

it being noted that the Planning and Environment Committee received a delegation from M. Doornbosch, Zelinka Priamo Ltd. regarding this matter. (2013-D14A)

13. Properties located at 1311, 1363 and 1451 Wharncliffe Road South (OZ-8087)

That, the application of Sifton Properties Limited, relating to the properties located at 1311, 1363 and 1451 Wharncliffe Road South, BE REFERRED back to the Manager of Development Services and Planning Liaison and the City Solicitor for further consideration and to report back at a future meeting of the Planning and Environment Committee;

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

- a communication, dated March 14, 2013, from J.W. Harbell, Stikeman Elliott;
- a communication, dated March 15, 2013, from A. Soufan, President, York Developments;
- a Municipal Council resolution adopted at its meeting held on October 30, 2012;
- the ~~attached~~ revised by-law pages (replacing pages 152, 153 and 154 of the March 19, 2013 Planning and Environment Committee Agenda) from the Manager, Development Services & Planning Liaison; and,
- the ~~attached~~ communication, dated March 18, 2013, from S.A. Zakem, Aird Berlis;

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

- M. Zunti, Sifton Properties Limited – expressing support for the Civic Administration's recommendations in the March 19, 2013 Planning and Environment Committee Agenda; and advising that Sifton Properties Limited representatives have met with the Civic Administration and understand that this is a separate application from the South West Area Plan.
- S. Zakem, Aird Berlis, on behalf of Sifton Properties Limited - expressing support for the Civic Administration's recommendations in the March 19, 2013 Planning and Environment Committee Agenda; expressing concern with the process; noting that 19 appeals were received for the South West Area Plan; indicating that part a) of the recommendation in the Civic Administration's report, dated March 19, 2013, deals with reconsideration; noting that Councillors do not want to deal with matters that they have previously dealt with in the past; advising that the zoning of the Sifton Properties Limited lands did not change in the South West Area Plan; noting that the Municipal Council confirmed the existing land use; indicating that if the Planning and Environment Committee and the Municipal Council wish to approve the Civic Administration's recommendation, attachment a) to the original Civic Administration's report is the way to go, not the revised pages that were handed out at the meeting; advising that once an application is deemed to be complete, the applicant's planners need to know what their rights are; indicating that the revised pages would have the Municipal Council amending the South West Area Plan which would have the application going to the Ontario Municipal Board; requesting that the Civic Administration amend the Official Plan and ask the Civic Administration to be consistent with the amendment; advising that this application may be appealed; indicating that in part c) of the Civic Administration's recommendation, the Civic Administration requests that the Zoning By-law be passed at the next Council meeting; noting that this is not necessary; requesting that the Zoning By-law be adopted at the same time if the Planning and Environment Committee agrees with him; noting that the Zoning By-law cannot proceed ahead of the Official Plan; advising that the Sifton Properties Limited application was completed in August, 2012; advising that pre-consultation was done in 2010; and, indicating that they are not sneaking in at the last minute.
- D. Wood, Wood Bull, LLP, on behalf of Greenhills SC Ltd. – see ~~attached~~ submission.
- A.R. Patton, Patton Cormier & Associates, on behalf of the Southside Group of Companies – see ~~attached~~ submission.

- Vicki Blackwell, 3255 Morgan Avenue – advising that this has not been a transparent process; noting the amendments to the amendments that were provided at the meeting; advising that the area does not need a Wal-Mart or a Lowe's; indicating that she lived in White Oaks, backing onto a commercial development, and moved for a reason; noting that they purchased this property because they were advised that it would remain residential; indicating that only four or five houses on her street received the notice; and indicating that they received a notice of the public participation meeting on February 25, 2013, prior to the closing of the request for public comments.
- Ali Soufan, President, York Developments – advising that York Developments submitted an application for a property located on the Wonderland Corridor prior to the Sifton Properties Limited application; advising that they have been working with the Civic Administration on this application since 2010; indicating that they are staying within existing policies; advising that hearing that someone does not wish to be in the South West Area Plan process is fancy footwork; advising that all the developers went through a rigorous process to establish the community plan; and, advising that reconsideration will skewer the community plan.
- Natercia Demelo, 3220 Morgan Avenue – indicating that she was advised that this would be a quiet area; advising that she is seeing a busier area; indicating that there are a lot of young families residing on Morgan Avenue; indicating that people will be using Morgan Avenue if a Wal-Mart or Lowe's is built; advising that there are no more than 200 homes in this area; indicating that she has been advised that there will be condominiums built in the area; and advising that this is the smallest area of homes in London, but they need a Wal-Mart and Lowe's; indicating that there will be an increase in the number of accidents; and advising that this is not fair to area residents. (2013-D14A) (13/7/PEC)

14. Enquiry - Property located at Huron Street and Adelaide Street North

That, the Managing Director, Planning and City Planner BE REQUESTED to report back, prior to the commencement of the Ontario Municipal Board hearing, on the latest plan for the application of 2261531 Ontario Limited, relating to the property located at 1103 Adelaide Street North; it being noted that the Planning and Environment Committee (PEC) received an enquiry from Councillor N. Branscombe with respect to this matter.

Councillor P. Hubert enters the meeting at 7:51 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, H.L. Usher, J.P. Bryant (12)

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

11. Property located at 1815 Dundas Street (Z-8135)

That, on the recommendation of the Managing Director, Planning and City Planner, based on the application of Color Company Decorating Centres, relating to the property located at 1815 Dundas Street, the ~~attached~~ proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on March 26, 2013, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM an Associated Shopping Area Commercial (ASA1) Zone, which permits a range of retail, convenience, personal service uses TO an Associated Shopping Area Commercial (ASA1/ASA3) Zone, to add a limited range of office uses on the subject site; it being pointed out that there were no oral submissions made at the public participation meeting associated with this matter. (2013-D14A)

Motion made by Councillor B. Polhill and seconded by to Approve That, on the recommendation of the Managing Director, Planning and City Planner, based on the application of Color Company Decorating Centres, relating to the property located at 1815 Dundas Street, the ~~attached~~ proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on March 26, 2013, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM an Associated Shopping Area Commercial (ASA1) Zone, which permits a range of retail, convenience, personal service uses TO an Associated Shopping Area Commercial (ASA1/ASA3) Zone, to add a limited range of office uses on the subject site; it being pointed out that there were no oral submissions made at the public participation meeting associated with this matter. (2013-D14A)

Motion Passed

YEAS: J.F. Fontana, B. Polhill, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, H.L. Usher, J.P. Bryant (11)

RECUSED: W.J. Armstrong (1)

9th Report of the Corporate Services Committee
Councillor P. Hubert presents.

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

Councillor P. Van Meerbergen enters the meeting at 7:52 PM.

1. Disclosures of Pecuniary Interest

That it BE NOTED no pecuniary interests were disclosed.

2. Code of Conduct Report

That the City Clerk BE REQUESTED to defer bringing forward the report on the Code of Conduct until the Corporate Services Committee meeting on April 23, 2013, so that all Committee Members can be present to discuss the matter.

Motion Passed

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

7th Report of the Committee of the Whole
Councillor J.P. Bryant 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 and C. Saunders (City Clerk).

ABSENT: Councillor S.E. White.

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

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

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the Managing Director of Corporate Services and City Treasurer, Chief Financial Officer, the Director of Water and Wastewater, and the Manager Realty Services, the offer submitted by **SODECIA CANADA INC.** to purchase 60 acres, more or less, on the west side of Veteran's Memorial Parkway, north of Bradley Avenue, being comprised of Block 2, Plan 33M-592 and Part 1, Plan 33R-4340, as outlined on the sketch ~~attached~~ hereto as Schedule "B", at a purchase price of \$2,040,000.00 (reflecting a price of \$34,000.00 per acre), **BE ACCEPTED**, subject to the following conditions:

- a) the City completing and depositing a reference plan of the subject lands prior to closing, at the City's expense;
- b) the Purchaser being allowed sixty (60) days from the acceptance of the Agreement to carry out soil tests and other due diligence investigation as it deems fit, including but not limited to, investigations to ensure that the Property and the Development on the Property are in compliance with the City's Urban Design Guidelines, and all applicable environmental regulations;
- c) the Purchase being allowed sixty (60) days from the date of acceptance of the Agreement to obtain site plan approval for the Property; at the option of the Purchaser, the conditional period for due diligence and site plan approval may be extended for 30 days;
- d) this Agreement is conditional upon the City, Dr. Oetker and the Purchaser entering into

the agreement to amend the restrictive covenant on a portion of the lands within thirty (30) days of acceptance of the Agreement;

- e) approval of a Zoning By-Law minor variance application to permit a 19 metre height allowance for structures;
- f) the City completing additional rough grading of the property within eight (8) months after closing of this transaction, at the City's expense; and

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the Managing Director of Corporate Services and City Treasurer, Chief Financial Officer, the Director of Water and Wastewater, and the Manager Realty Services, with respect to amending existing contracts within Innovation Park Subdivision Phases 2 and 4, in order to meet condition (f), above, the following actions be taken:

- a) the construction contract with VanRooyen Earthmoving Limited, at \$2,220,555.00, exclusive of HST, **BE INCREASED** by \$ 2,199,248.00;
- b) the engineering services contract with AECOM Canada Inc., at \$614,099.50 exclusive of HST, **BE INCREASED** by \$ 331,166.00; and,
- c) the financing for this project **BE APPROVED** as set out in the Source of Financing Report ~~attached~~ hereto as Appendix 'A';

it being noted that these amendments to existing contracts are in the best interests of the City, are in accordance with Section 20.3 of the Procurement of Goods and Service Policy and will allow for the completion of the required additional rough grading of the property within eight (8) months after closing of this transaction, and the rough grading of the remainder of Phase 2 of Innovation Park. Administration is recommending this grading contract be completed regardless of whether this transaction is completed, as a supply of shovel ready land is necessary to position London as competitive in Prosperity initiatives. (C-1/9/CSC)

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 (13)

Motion made by Councillor J.P. Bryant to Approve that, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the Managing Director of Corporate Services and City Treasurer, Chief Financial Officer, the Director of Water and Wastewater, and the Manager Realty Services, the offer submitted by **SODECIA CANADA INC.** to purchase 60 acres, more or less, on the west side of Veteran's Memorial Parkway, north of Bradley Avenue, being comprised of Block 2, Plan 33M-592 and Part 1, Plan 33R-4340, as outlined on the sketch ~~attached~~ hereto as Schedule "B", at a purchase price of \$2,040,000.00 (reflecting a price of \$34,000.00 per acre), **BE ACCEPTED**, subject to the following conditions:

- a) the City completing and depositing a reference plan of the subject lands prior to closing, at the City's expense;
- b) the Purchaser being allowed sixty (60) days from the acceptance of the Agreement to carry out soil tests and other due diligence investigation as it deems fit, including but not limited to, investigations to ensure that the Property and the Development on the Property are in compliance with the City's Urban Design Guidelines, and all applicable environmental regulations;
- c) the Purchase being allowed sixty (60) days from the date of acceptance of the Agreement to obtain site plan approval for the Property; at the option of the Purchaser, the conditional period for due diligence and site plan approval may be extended for 30 days;
- d) this Agreement is conditional upon the City, Dr. Oetker and the Purchaser entering into the agreement to amend the restrictive covenant on a portion of the lands within thirty (30) days of acceptance of the Agreement;
- e) approval of a Zoning By-Law minor variance application to permit a 19 metre height allowance for structures;

- f) the City completing additional rough grading of the property within eight (8) months after closing of this transaction, at the City's expense; and

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the Managing Director of Corporate Services and City Treasurer, Chief Financial Officer, the Director of Water and Wastewater, and the Manager Realty Services, with respect to amending existing contracts within Innovation Park Subdivision Phases 2 and 4, in order to meet condition (f), above, the following actions be taken:

- a) the construction contract with VanRooyen Earthmoving Limited, at \$2,220,555.00, exclusive of HST, **BE INCREASED** by \$ 2,199,248.00;
- b) the engineering services contract with AECOM Canada Inc., at \$614,099.50 exclusive of HST, **BE INCREASED** by \$ 331,166.00; and,
- c) the financing for this project **BE APPROVED** as set out in the Source of Financing Report ~~attached~~ hereto as Appendix 'A';

it being noted that these amendments to existing contracts are in the best interests of the City, are in accordance with Section 20.3 of the Procurement of Goods and Service Policy and will allow for the completion of the required additional rough grading of the property within eight (8) months after closing of this transaction, and the rough grading of the remainder of Phase 2 of Innovation Park. Administration is recommending this grading contract be completed regardless of whether this transaction is completed, as a supply of shovel ready land is necessary to position London as competitive in Prosperity initiatives. (C-1/9/CSC)

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 (13)

X DEFERRED MATTERS

None.

XI ENQUIRIES

1. (ADDED) Indemnification of Council Members

Councillor D. Henderson enquired about what insurances can be obtained to protect Council Members as they carry out their responsibilities as a Member of Council, above and beyond what may be provided within existing indemnification provisions. The Chair asked that the City Solicitor provide Councillor Henderson with the previous staff report on this matter.

2. (ADDED) Downtown Maintenance

Councillor H.L. Usher enquired about the feasibility of maintaining the same level of cleanliness in the Downtown core as was the case during the World Figure Skating Championships. The Chair referred the enquiry to the Managing Director, Environmental and Engineering Services and City Engineer, for review and report back to the Civic Works Committee.

3. (ADDED) The Tree of Light Show

Councillor H.L. Usher enquired about the feasibility of continuing to show The Tree of Light, or other productions that may be of public interest, as a means of drawing the public and visitors to the Downtown area, particularly during the summer months. The Chair referred the enquiry to the Managing Director, Parks and Recreation, for review, in liaison with Tourism London, and report back to the Community and Protective Services Committee.

4. (ADDED) Parking Costs in the Downtown Core

Councillor W.J. Armstrong enquired about the possibility of conducting a quick analysis of parking costs in the Downtown core, particularly with a view as to whether or not parking rates have been elevated since the World Figure Skating Championships. The Chair referred the enquiry to the Managing Director, Development and Compliance Services and Chief Building

Official, for report back to the Civic Works Committee.

5. (ADDED) Police Operation of On-Board Automated Electronic Defibrillators

Councillor W.J. Armstrong enquired about the status of the London Police Services Board review of placing Automated Electronic Defibrillators in their Police vehicles. Councillor J.P. Bryant advised that the matter is currently under review and will be reported upon in due course.

XII EMERGENT MOTIONS

None.

XIII BY-LAWS

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

Motion made by Councillor B. Polhill and seconded by Councillor P. Van Meerbergen to Approve the 1st Reading of Bill No.s 135 to 168, excluding Bill No. 167.

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 (13)

Motion made by Councillor P. Van Meerbergen and seconded by Councillor J.P. Bryant to Approve the 2nd Reading of Bill No.s 135 to 168, excluding Bill No. 167.

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 (13)

Motion made by Councillor S. Orser and seconded by Councillor P. Van Meerbergen to Approve the 3rd Reading and enactment of Bill No.s 135 to 168, excluding Bill No. 167.

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 (13)

Motion made by Councillor S. Orser and seconded by Councillor P. Van Meerbergen to Approve the 1st Reading of Bill No. 167.

Motion Passed

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

RECUSED: W.J. Armstrong (1)

Motion made by Councillor B. Polhill and seconded by Councillor H.L. Usher to Approve the 2nd Reading of Bill No. 167.

Motion Passed

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

RECUSED: W.J. Armstrong (1)

Motion made by Councillor B. Polhill and seconded by Councillor H.L. Usher to Approve the 3rd Reading and enactment of Bill No. 167.

Motion Passed

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

RECUSED: W.J. Armstrong (1)

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

- | | |
|--|--|
| Bill No. 135
By-law No. A.-6929-104 | A by-law to confirm the proceedings of the Council Meeting held on the 26 th day of March, 2013. (City Clerk) |
| Bill No. 136
By-law No. A.-6930-105 | A By-law to adopt a policy regarding use of inflatable amusement devices during rentals at City of London parks or other facilities. (8/6/CPSC) |
| Bill No. 137
By-law No. A.-6931-106 | A By-law to declare a portion of 83 Elliot Street surplus, and to authorize the Agreement of Purchase and Sale between The Corporation of the City of London and Brian Broere for the sale of a portion of 83 Elliott Street and to authorize the Mayor and City Clerk to execute the Agreement. (14/6/CSC) |
| Bill No. 138
By-law No. A.-6932-107 | A by-law levying rates for 2013 for school purposes in the City of London. (3/6/CSC) |
| Bill No. 139
By-law No. A.-6151(h)-108 | A By-law to amend By-law A.-6151-17, being a by-law to establish policies for the sale and other disposition of land, hiring of employees, procurement of goods and services, public notice, accountability and transparency, and delegation of powers and duties, as required under section 270(1) of the <i>Municipal Act</i> , 2001. (4/6/CSC) |
| Bill No. 140
By-law No. A.-6933-109 | A by-law setting tax ratios for property classes in 2013. (2/6/CSC) |
| Bill No. 141
By-law No. A.-6934-110 | A by-law to opt to have Section 8.0.2 of Ontario Regulation 73/03 as amended apply within the City of London for the year 2013 to exempt certain properties in the commercial classes, industrial classes and multi-residential property class from the application of Part IX of the <i>Municipal Act</i> , 2001. (2/6/CSC) |
| Bill No. 142
By-law No. A.-6935-111 | A by-law to establish percentages by which tax decreases are limited for 2013 in respect of properties in any property class subject to Part IX of the <i>Municipal Act</i> , 2001, as amended, in order to recover all revenues foregone as a result of the application of section 329 and section 329.1 of the <i>Municipal Act</i> , 2001, as amended, to other properties in the property class. (2/6/CSC) |
| Bill No. 143
By-law No. A.-6936-112 | A by-law to opt to use certain subsections of section 329.1 of the <i>Municipal Act</i> , 2001, as amended, in the calculation of taxes in the commercial, industrial, and multi-residential property classes. (2/6/CSC) |
| Bill No. 144
By-law No. A.-6937-113 | A By-law to approve the Automatic Aid Agreement between The Corporation of the City of London and The Corporation of the Municipality of Central Elgin; and to authorize the Mayor and Clerk to execute the Agreement. (7/6/CPSC) |
| Bill No. 145
By-law No. A.-6938-114 | A By-law to approve the Long-Term Care Home Service Accountability Agreement with the South West LHIN, to authorize the Mayor and Clerk to execute the agreement, and to delegate certain authority to the City Manager, or written designate. (12/6/CPSC) |
| Bill No. 146
By-law No. L.S.P.-3428-115 | A by-law to designate 2950 Glanworth Drive to be of historical and contextual value or interest. (4/1/PEC) |

Bill No. 147 By-law No. S.-5542-116	A by-law to lay out, constitute, establish and assume certain reserves in the City of London as public highway. (as part of Pochard Lane, south of Danielle Lane). (Chief Surveyor)
Bill No. 148 By-law No. S.-5543-117	A by-law to lay out, constitute, establish and assume certain reserves in the City of London as public highway. (as widening to Sandford Street, at Chippewa Drive). (Chief Surveyor)
Bill No. 149 By-law No. S.-5544-118	A by-law to lay out, constitute, establish and assume certain reserves in the City of London as public highway. (as widening to North Wenige Drive and Rollingacres Drive and North Wenige Drive, west of Rollingacres Drive). (Chief Surveyor)
Bill No. 150 By-law No. S.-5545-119	A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Dundas Street, east of Edmonton Street) (Chief Surveyor)
Bill No. 151 By-law No. S.-5546-120	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 and First Street) (Chief Surveyor)
Bill No. 152 By-law No. S.-5547-121	A by-law to lay out, constitute, establish and assume lands in the City of London as public highway.(as widening to Richmond Street, north of Parkdale Avenue) (Chief Surveyor)
Bill No. 153 By-law No. S.-5548-122	A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as part Bow Street, south of Noel Avenue) (Chief Surveyor)
Bill No. 154 By-law No. S.-5549-123	A by-law to lay out, constitute, establish and assume certain reserves in the City of London as public highway. (as part of Barclay Road, west of Cranbrook Road).
Bill No. 155 By-law No. S.-5550-124	A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (for the purposes of a public highway for pedestrian use only, between Fanshawe Park Road East and Howlett Circle) (Chief Surveyor)
Bill No. 156 By-law No. S.-5551-125	A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (for the purposes of a public highway for pedestrian use only, west of Tetherwood Boulevard and east of Tetherwood Boulevard) (Chief Surveyor)
Bill No. 157 By-law No. S.-5552-126	A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (to be known as Horton Street East and as part of Beaconsfield Avenue) (Chief Surveyor)
Bill No. 158 By-law No. S.-5553-127	A by-law to assume certain works and services in the City of London. (West Kains Subdivision – Phase 1; Plan No. 33M-596) (City Engineer)
Bill No. 159 By-law No. S.-5554-128	A by-law to assume certain works and services in the City of London. (Fox Hollow Subdivision – Phase 1; 33M-564) (City Engineer)
Bill No. 160 By-law No. S.-5555-129	A by-law to assume certain works and services in the City of London. (Fox Hollow Subdivision – Phase 2; 33M-622) (City Engineer)
Bill No. 161 By-law No. S.-5556-130	A by-law to stop up and close part of Logans Way. (4/7/CWC)
Bill No. 162 By-law No. S.-5557-131	A by-law to stop up and close part of the original Road Allowance lying west of Staffordshire Place. (3/7/CWC)

Bill No. 163 By-law No. W.-5537-132	A by-law to authorize the 2011 Sewer Replacement Program. (Project No. ES2414-11) (5/8/CWC)
Bill No. 164 By-law No. Z.-1-132171	A by-law to amend By-law No. Z.-1 to remove the holding provision from the zoning for an area of land located at 2062 Denview Avenue. (4/25/BNEC-11)
Bill No. 165 By-law No. Z.-1-132172	A by-law to amend By-law No. Z.-1 to remove the holding provision from the zoning for an area of land located at 613 – 629 First Street & 1461 – 1465 Oxford Street East. (7/6/PEC)
Bill No. 166 By-law No. Z.-1-132173	A by-law to amend certain portions of text within By-law No. Z.-1. (10/6/PEC)
Bill No. 167 By-law No. Z.-1-132174	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 1815 Dundas Street. (11/6/PEC)
Bill No. 168 By-law No. A.-6939-133	A By-law to authorize an Agreement of Purchase and Sale between The Corporation of the City of London and Sodacia Canada Inc. to purchase from the City, 60 acres of industrial land on the west side of Veterans Memorial Parkway , in Innovation Park Phase II, and to authorize the Mayor and the City Clerk to execute the Agreement.

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

- f) A matter pertaining to personal information about identifiable individuals including municipal employees, with respect to employment related matters; matters pertaining to litigation or potential litigation; advice that is subject to solicitor-client privilege, including communications necessary for that purpose and advice of officers and employees of the Corporation, including communications necessary for that purpose. (CSC)

Motion Passed

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

The Council rises and goes in camera at 8:17 PM with Mayor J.F. Fontana in the Chair and all Members present except Councillors W.J. Armstrong, D. Brown and S.E. White.

At 9:50 PM Councillor J.P. Bryant leaves the meeting.

At 9:52 PM Councillor J.P. Bryant enters the meeting.

At 10:25 PM Councillor J.B. Swan leaves the meeting.

At 10:27 PM Councillor J.B. Swan enters the meeting.

The Committee of the Whole rises and Council resumes in regular session at 10:42 PM with Mayor J.F. Fontana in the Chair and all Members present except Councillors W.J. Armstrong, D. Brown and S.E. White.

7th Report of the Committee of the Whole (continued)
Councillor J.P. Bryant presents.

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

That, on the recommendation of the City Manager and the Managing Director, Corporate Services and Chief Human Resources Officer, the contract with Tim. L. Dobbie Consulting Ltd., dated August 13, 2012, **BE FURTHER AMENDED** to increase the amount payable under the contract by up to an additional \$60,000, exclusive of HST, and to amend the term of the contract by deleting reference to the termination date. (C-4/8/CSC)

Motion Passed

Motion made by Councillor J.B. Swan and seconded by Councillor P. Hubert to Approve that, on the recommendation of the City Manager and the Managing Director, Corporate Services and Chief Human Resources Officer, the contract with Tim. L. Dobbie Consulting Ltd., dated August 13, 2012, **BE FURTHER AMENDED** to increase the amount payable under the contract by up to an additional \$60,000, exclusive of HST, and to amend the term of the contract by deleting reference to the termination date. (C-4/8/CSC)

Motion Passed

XIV ADJOURNMENT

Motion made by Councillor P. Hubert and seconded by Councillor H.L. Usher to Adjourn.

Motion Passed

The meeting adjourned at 10:45 PM.

Joe Fontana, Mayor

Catharine Saunders, City Clerk