



London
C A N A D A

COUNCIL MINUTES 9TH MEETING

April 30, 2013

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

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

ALSO PRESENT: A. Zuidema, J.P. Barber, J. Braam, B. Coxhead, T.L. Dobbie (Consultant), J.M. Fleming, E. Gamble, T. Grawey, M. Hayward, G.T. Hopcroft, G. Kotsifas, L. Livingstone, D. MacRae, V. McAlea Major, D. O'Brien, L.M. Rowe, R. Sharpe, J. Smout, E. Soldo, B. Warner, R. Welker and B. Westlake-Power.

At the beginning of the Meeting all Members are present except Councillors J.B. Swan and D. Brown.

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

I DISCLOSURES OF PECUNIARY INTEREST

Councillor D. Brown discloses a pecuniary interest in clauses 6 and 13 of the 9th Report of the Planning and Environment Committee, having to do with the properties located at 275, 277 and 281 Thames Street, by indicating that her employer owns the three properties referenced in the clauses.

Councillor P. Hubert discloses a pecuniary interest in clause C-3 of the Confidential Appendix to the 11th Report of the Corporate Services Committee, having to do with a matter pertaining to personal matters, employee negotiations and labour relations, advice or recommendations of officers and employees of the Corporation, including communications necessary for the purpose of providing instructions and directions to 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 further discloses a pecuniary interest in clause 2 of the 11th Report of the Corporate Services Committee and the related Bill No. 194, having to do with the appointment of the Ontario Works Administrator, by indicating that he is the Executive Director of a social services agency that has a purchase of service agreement with Ontario Works.

Councillor M. Brown discloses a pecuniary interest in clause 12 of the 9th Report of the Planning and Environment Committee and the related Bill No. 208, having to do with the property located at 655 Tennent Avenue, by indicating that the property is owned by the Thames Valley District School Board (TVDSB) and the TVDSB is his employer. Councillor M. Brown further discloses a pecuniary interest in clause 2 of the 10th Report of the Planning and Environment Committee and the related Bill No. 210, having to do with the property located at 77 Tecumseh Avenue West, by indicating that the property is owned by the TVDSB)and the TVDSB is his employer.

Councillor J.B. Swan discloses a pecuniary interest in the recognition of Orchestra London as "London's Featured Community Organization", by indicating that Orchestra London is his employer.

Councillor P. Van Meerbergen discloses a pecuniary interest in clause 5 of the 8th Report of the Community and Protective Services Committee and the related Bill No. 195, having to do with the Early Childhood Educators (ECE) Labour Market Partnership (LMP) Research Project, by indicating that his wife operates a day care centre in the City of London.

II REVIEW OF CONFIDENTIAL MATTERS TO BE CONSIDERED IN PUBLIC

None.

III ADDED REPORTS

1. 12th Report of the Corporate Services Committee
2. 10th Report of the Planning and Environment Committee

IV COMMITTEE OF THE WHOLE, IN CAMERA

MOTION FOR IN CAMERA SESSION

Motion made by Councillor P. Hubert and seconded by Councillor H.L. Usher 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 advice that is subject to solicitor-client privilege including communications necessary for the purpose and relates to litigation or potential litigation, including matters before administrative tribunals, affecting the Municipality. (C-1/9/CWC)
- b) A matter pertaining to instructions and directions to officers and employees of the Corporation pertaining to a proposed acquisition of land; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; reports or advice or recommendations of officers and employees of the Corporation pertaining to a proposed acquisition of land; commercial and financial information supplied in confidence pertaining to the proposed acquisition the disclosure of which could reasonably be expected to, prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of the Corporation, result in similar information no longer being supplied to the Corporation where it is in the public interest that similar information continue to be so supplied, and result in undue loss or gain to any person, group, committee or financial institution or agency; commercial, information relating to the proposed acquisition that belongs to the Corporation that has monetary value or potential monetary value; information concerning the proposed acquisition whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or its competitive position; information concerning the proposed acquisition whose disclosure could reasonably be expected to be injurious to the financial interests of the Corporation; and instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the Corporation concerning the proposed acquisition. (C-1/11/CSC)
- c) A matter to be considered for the purpose of instructions and directions to officers and employees of the Corporation pertaining to a proposed acquisition of land; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; reports or advice or recommendations of officers and employees of the Corporation pertaining to a proposed acquisition of land; commercial and financial information supplied in confidence pertaining to the proposed acquisition the disclosure of which could reasonably be expected to, prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of the Corporation, result in similar information no longer being supplied to the Corporation where it is in the public interest that similar information continue to be so supplied, and result in undue loss or gain to any person, group, committee or financial institution or agency; commercial, information relating to the proposed acquisition that belongs to the Corporation that has monetary value or potential monetary value; information concerning the proposed acquisition whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or its competitive position; information concerning the proposed acquisition whose disclosure could reasonably be expected to be injurious to the financial interests of the Corporation; and instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the Corporation concerning the proposed acquisition. (C-2/11/CSC)

- d) A matter pertaining to personal matters, employee negotiations and labour relations, advice or recommendations of officers and employees of the Corporation including communications necessary for that purpose of providing instructions and directions to officers and employees of the Corporation. (C-3/11/CSC)
- e) A matter pertaining to advice subject to solicitor-client privilege, including communications necessary for that purpose, and advice with respect to litigation with respect to various personal injury and property damage claims against the City. (C-4/11/CSC)
- f) A matter pertaining to advice and recommendations of officers and employees of the Corporation concerning labour relations matters. (C-5/11/CSC)
- g) A matter pertaining to labour relations and employee negotiations in regard to one of the Corporation's associations, litigation or potential litigation, including matters before administrative tribunals, affecting the municipality, and advice or recommendations of officers and employees of the Corporation, including communications necessary for that purpose. (C-6/11/CSC)
- h) 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. (C-1/12/CSC)

Motion Passed

The Council rises and goes in camera at 4:10 PM with Mayor J.F. Fontana in the Chair and all Members present except Councillor J.B. Swan.

The Committee of the Whole rises and Council resumes in regular session at 4:35 PM with Mayor J. F. Fontana in the Chair and all Members present, except Councillor J.B. Swan.

At 4:42 PM Councillor J.B. Swan enters the meeting.

VI CONFIRMATION AND SIGNING OF THE MINUTES OF THE EIGHTH MEETING HELD ON APRIL 16, 2013

Motion made by Councillor B. Polhill and seconded by Councillor H.L. Usher to Approve minutes of the 8th Meeting held on April 16, 2013.

Motion Passed

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

VII COMMUNICATIONS AND PETITIONS

None.

VIII MOTIONS OF WHICH NOTICE IS GIVEN

None.

Motion made by Councillor B. Polhill and seconded by Councillor P. Hubert to Approve that pursuant to section 7.4 of the Council Procedure By-law, the order of business be changed to permit consideration of the 8th Report of the Community and Protective Services Committee at this time.

Motion Passed

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

Motion made by Councillor B. Polhill and seconded by Councillor H.L. Usher to Approve that pursuant to section 7.4 of the Council Procedure By-law, the order of business be changed to permit consideration of the clause 15 of the 9th Report of the Planning and Environment Committee, having to do with Blackfriars community infill projects, to be heard at 5:30 PM; and to permit consideration of clause 13 of the 9th Report of the Planning and Environment Committee, having to do with the properties located at 275, 277 and 281 Thames Street, to be heard as the next item of business after the 5:30 PM item, noted in a) above.

Motion Passed

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

IX REPORTS

8th Report of the Community and Protective Services Committee
Councillor W.J. Armstrong presents.

Pursuant to section 17.2 of the Council Procedure By-law, Councillor M. Brown calls for a separate vote on clause 16.

Pursuant to section 17.2 of the Council Procedure By-law, Councillor H.L. Usher calls for a separate vote on clause 17.

Motion made by Councillor W.J. Armstrong clauses 1 to 15, excluding clause 5.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. 3rd Report of the Community Safety and Crime Prevention Advisory Committee

That the 3rd Report of the Community Safety and Crime Prevention Advisory Committee, from its meeting held on March 28, 2013, BE RECEIVED.

3. Fence By-law Amendments

That consideration of proposed Fence By-law amendments BE REFERRED to the next Community and Protective Services Committee meeting, in order to receive additional clarification from staff regarding sight lines and plantings. (2013-C01)

4. Tender 13-46 Supply and Installation of Playgrounds, Pathways, parking Lots and Site Amenities in City Parks

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to Tender 13-46, Supply & Installation of Playgrounds, Pathways, Parking Lots and Site Amenities in City Parks:

- a) the tender submitted by N. Piccoli Construction Ltd., 1033 Gore Road, Unit #2, London, Ontario N5W 6B9 at their contract price of \$879,295.50, (HST extra) BE ACCEPTED; it being noted that N. Piccoli Construction meets the City's terms and conditions;
- b) the funding for this project BE APPROVED as set out in the Source of Financing Report, appended to the staff report dated April 22, 2013;
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this purchase;
- d) the approval hereby given BE CONDITIONAL upon the Corporation entering into a

formal contract or having a purchase order, or contract record relating to the subject matter of this approval; and,

- e) the future additional annual operating costs of \$65,000.00 BE APPROVED as a first priority commitment from available assessment growth in 2014, subject to final budget approval. (2013-F18)

6. Homeless Prevention System for London Three-Year Implementation Plan

That, on the recommendation of the Managing Director of Neighbourhood, Children & Fire Services, the following actions be taken with respect to the Homeless Prevention System for London - Three-Year Implementation Plan:

- a) the above-noted Plan BE ENDORSED;
- b) the Civic Administration BE AUTHORIZED to proceed with the implementation of the three-year Plan subject to annual budget approvals;
- c) the proposed by-law, appended to the staff report dated April 22, 2013, BE INTRODUCED at the Municipal Council meeting to be held on April 30, 2013 to:
 - i) approve a standard Purchase of Service Agreement (Appendix B to the by-law) between The Corporation of the City of London and various service providers;
 - ii) authorize the Managing Director, Neighbourhood, Children & Fire Services, or written designate, to execute Purchase of Service Agreements with Service Providers; and
 - iii) repeal By-law No. A-6900-26; and,
- d) the administration of the Housing Stability Fund by The Salvation Army Centre of Hope Housing Support Services BE APPROVED as per section 14.5 of the Procurement of Goods and Services Policy at a cost to be negotiated to the satisfaction of the Managing Director, Neighbourhood, Children and Fire Services until the formal procurement process is completed;

it being noted that the Community and Protective Services Committee received the attached information with respect to this matter. (2013-S14)

7. Public Monument for Individuals Experience Homelessness

That, on the recommendation of the Managing Director of Neighbourhood, Children & Fire Services, the following actions be taken with respect to the Homelessness Memorial Project:

- a) the proposed site location of Campbell Park BE ACCEPTED for the installation of the public monument; and,
- b) the proposed language for the plaque to read "Honouring and Remembering Lives Lost through Homelessness in London" BE APPROVED; it being noted that the staff report should reference the City's "Public Art Policy", not Monument Policy. (2013-M10)

8. Rzone: Respect and Responsibility in the City of London Recreation Program Locations, Facilities and Properties

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, as appended to the staff report dated April 22, 2013, BE INTRODUCED at the Municipal Council of April 30, 2013, to:

- a) approve the RZone Policy; and
- b) delegate to the Managing Director of Neighbourhood, Children and Fire Services and the Managing Director of Parks and Recreation the authority to execute documents related to the use of the Rzone marks and intellectual property, with the Town of Oakville. (2013-C01)

9. Fire Safety Plan Boxes

That, on the recommendation of the Fire Chief, with the concurrence of the Managing Director of Neighbourhood, Children and Fire Services, the proposed by-law, appended to the staff report dated April 22, 2013, BE INTRODUCED at the Municipal Council meeting of April 30, 2013 to require owners, whose buildings are legislated to have a Fire Safety Plan under the Ontario Fire Code, to install and maintain Fire Safety Plan Boxes in an approved location. (2013-C01)

10. Housing Collaborative Initiative Service Manager Consortium Agreement: Expression of Interest for the Development of an Information System for Social Housing Administration

That, on the recommendation of the Director of Municipal Housing, the following actions be taken with respect to participation by the City of London in the Housing Collaborative Initiative (HCI):

- a) a financial contribution of up to \$200,000 towards the continuation of the initiative BE APPROVED, in principle;
- b) the Source of Financing, as appended to the staff report dated April 22, 2013, for this project initiative (development of an information system for social housing administration) BE APPROVED; and,
- c) the Civic Administration BE REQUIRED to bring back a proposed Consortium Agreement between the relevant parties for approval of Municipal Council and, if necessary, the delegation of signing authority for the Consortium Agreement by way of a proposed by-law. (2013-L04)

11. Request for Capital Funding from the Social Housing Major Repairs and Upgrades Stabilization Reserve Fund for Columbus Non-Profit Housing of Strathroy Inc., 305 Oak Street Strathroy

That, on the recommendation of the Director of Municipal Housing, the request of Columbus Non-Profit Housing of Strathroy Inc. BE APPROVED for an allocation of up to \$166,788.00 (incl. HST) for capital repairs at 305 Oak Street in Strathroy, as set out in the Sources of Financing Report, as attached to the staff report dated April 22, 2013. (2013-F11)

12. S. McCutcheon, Access to Care Lead - Engagement of Council

That the attached presentation from S. McCutcheon, Lead, Access to Care, M. Barrett, CEO, South West Local Health Integration Network, Dr. G. Kernaghan, CEO, St. Joseph's Health Centre and M. Glendining, CEO South West Community Care Access Centre, with respect to Access to Care, BE RECEIVED.

13. 5th Report of the Animal Welfare Advisory Committee

That the following actions be taken with respect to the 5th Report of the Animal Welfare Advisory Committee:

- a) the Civic Administration BE REQUESTED to consider the rezoning of 168 Meadowlily Road to the same OS5 (Open Space) zoning designation as the Meadowlily Environmentally Sensitive Area (ESA), for the following reasons:
 - i) the larger area supports dozens of wildlife species, some of whom are endangered ("a wildlife species that is facing imminent extirpation or extinction", as defined by the federal Species at Risk Act, such as the Round Pigtoe mussel) or threatened ("a species that is likely to become an endangered species if nothing is done to reverse the factors leading to its extirpation or extinction", such as the Chimney Swift) and rely on the integrity of the area to survive and thrive;
 - ii) the Animal Welfare Advisory Committee (AWAC) does not support any of the options currently being considered by the Civic Administration, as they will be detrimental to the ESA, as noted in the communication appended to the 5th Report of the AWAC; and,
- b) clauses 2 to 8, inclusive, of the Report BE RECEIVED.

14. 2nd Report of the Council Housing Leadership Committee

That, on the recommendation of the Council Housing Leadership Committee (CHLC), the following actions be taken with respect to the 2nd Report of the CHLC:

- a) the following actions be taken with respect to the 2012 allocation to Habitat for Humanity, under the Housing Partnership Policy:
 - i) Habitat for Humanity London Inc. BE ALLOCATED a grant for their 2012 builds as follows:
 - A) \$24,000.00 for the housing unit at 361 Edmonton Street; and,
 - B) \$1,282.78 for the housing unit at 23 Redan Street;
 - ii) the above-noted allocation in the total amount of \$25,282.78 BE APPROVED in accordance with the Sources of Financing Report, as appended to the Community and Protective Services Committee (CPSC) agenda;
- b) the following actions be taken with respect to the Convert-to-Rent/Rehabilitation Program:
 - i) Homes Unlimited (London) Inc. BE ALLOCATED \$40,542.00 for one (1) unit at 390 Burwell Street, in accordance with the Sources of Financing Report appended to the CPSC agenda;
 - ii) the proposed by-law, as appended to the 2nd Report of the CHLC, BE INTRODUCED at the Municipal Council meeting to be held on April 30, 2013 to:
 - A) approve the amendment to the grant agreement for the above-noted proposal; and,
 - B) authorize the Mayor and the City Clerk to execute the Agreement;
- c) the "Ambassador Housing Leadership Program" presentation from Councillors J. Swan and S. White BE REFERRED to the City Solicitor and the Civic Administration for review, with a report back at a future meeting of the CHLC; it being noted that the CHLC also received a presentation from the Director of Municipal Housing, with respect to the Housing Supplement Program; and,
- d) clauses 4 to 6 of the Report BE RECEIVED.

15. 1st Report of the Town and Gown Committee

That, on the recommendation of the Town and Gown Committee (TGC), the following actions be taken with respect to the 1st Report of the TGC, from its meeting held on March 27, 2013:

- a) the following actions be taken with respect to the Municipal Council resolution of October 30, 2012, related to the 1st and 2nd Reports of the Town and Gown Committee:
 - i) the Mayor BE REQUESTED to write a letter to the London Transit Commission, requesting delegation status for student and neighbourhood representatives and interested stakeholders to attend a future London Transit Commission Board meeting to discuss transit concerns, including but not limited to, the overcrowding on buses and garbage left at bus stops and to establish ongoing communication between students, residents and the London Transit Commission;
 - ii) a Working Group of the Town and Gown Committee BE ESTABLISHED to discuss bus service requirements for students;
 - iii) the verbal presentation of J. Ford, Director, Transportation and Planning, London Transit Commission, with respect to parking modifications on Waterloo Street and Epworth Avenue BE RECEIVED; and,

- iv) a Municipal Council resolution, adopted at its meeting held on October 30, 2012, with respect to the 1st and 2nd Reports of the TGC, from its meetings held on June 27 and August 27, 2012, BE RECEIVED;
- b) the terms of reference for the TGC BE AMENDED to permit regular bi-monthly meetings of the TGC; it being noted that the current terms of reference provide for regular meetings of the TGC on a quarterly basis;
- c) based on a presentation by the Manager, Licensing and Municipal Law Enforcement, the following actions be taken with respect to by-law enforcement matters:
 - i) the London Police Services Board BE REQUESTED to provide the Town and Gown Committee with the Nuisance By-law statistics by area, age group and the number of students that have been ticketed;
 - ii) the Municipal Council BE ADVISED that the TGC expressed its support for the administration and enforcement of the Residential Rental Units Licensing By-law, with a focus on addressing substandard housing conditions proactively, protecting amenities, character and stability of residential areas and ensuring compliance with the *Fire Protection and Promotion Act*;
 - iii) subject to the approval of c) ii), above, the London Housing Advisory Committee BE REQUESTED to consider a similar recommendation;
 - iv) the Municipal Council BE ADVISED that the TGC supports a review of overnight parking similar to the initiatives that the City of Toronto has implemented; it being noted that City of Toronto residents may obtain a temporary on-street parking permit for their guests for either 24 hours or 48 hours;
 - v) the Civic Administration BE ADVISED that the TGC does not support allowing boulevard parking, between the road and the sidewalk; and
 - vi) Western University and Fanshawe College students BE ASKED to expand the Off-Campus Advisor Program, a program to provide assistance, information and support to students who are living off-campus;
- d) the TGC Agenda BE AMENDED to include "Working Groups" and "New Business" sections; and
- e) clauses 5 to 9 of the Report BE RECEIVED.

Motion Passed

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

Motion made by Councillor J.P. Bryant to Approve clause 5.

5. Early Childhood Educators (ECE) Labour Market Partnership (LMP) Research Project

That, on the recommendation of the Managing Director of Neighbourhood, Children & Fire Services, the following actions be taken with respect to the Early Childhood Educators (ECE) Labour Market Partnership (LMP) Research Project:

- a) the proposed by-law, as appended to the staff report dated April 22, 2013, BE INTRODUCED at the Municipal Council meeting to be held on April 30, 2013 to:
 - i) authorize and approve a Research Project Agreement, substantially in the form attached as Schedule 1 to the by-law, for the ECE LMP Research Project, between The Corporation of the City of London and Her Majesty the Queen in Right of Ontario as represented by the Ministry of Training, Colleges and Universities; and
 - ii) authorize the Mayor and the City Clerk to execute the above-noted Agreement;

- b) the Civic Administration BE AUTHORIZED to enter into negotiations with MillierDickinsonBlais for the Project, in accordance with the "Procurement of Goods and Services Policy" Section 8.5 Approval Authority, clause b;
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this purchase; and
- d) the approval hereby given BE CONDITIONAL upon the Corporation entering into a formal contract or having a purchase order, or contract record with MillierDickinsonBlais. (2013-S12/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, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (14)

RECUSED: P. Van Meerbergen (1)

Motion made by Councillor W.J. Armstrong to Approve clause 16.

16. Abandoned Shopping Cart By-law

That the request of Councillor S. Orser, with respect to the consideration of an Abandoned Shopping Cart By-law, BE REFERRED to the Civic Administration for report back at a future meeting of the Community and Protective Services Committee (CPSC) with respect to the feasibility of this proposal, including details regarding fees and practices currently utilized within the City and best practices of other municipalities; it being noted that the CPSC received a communication from M. Sloan, 11 Genevive Crescent, with respect to this matter. (2013-C01)

Motion made by Councillor B. Polhill and seconded by Councillor S. Orser to Amend clause 16 in line four, by inserting after the words "including details regarding fees", the words ",potential revisions to the existing by-law to address the retrieval and collection of carts, fines, reporting options on the City website".

Motion Passed

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

NAYS: J.L. Baechler, N. Branscombe, M. Brown (3)

Motion made by Councillor S. Orser and seconded by Councillor B. Polhill to Approve clause 16, as amended.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, D.G. Henderson, P. Van Meerbergen, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (11)

NAYS: J.L. Baechler, N. Branscombe, M. Brown, P. Hubert (4)

Clause 16, as amended, reads as follows:

That the request of Councillor S. Orser, with respect to the consideration of an Abandoned Shopping Cart By-law, BE REFERRED to the Civic Administration for report back at a future meeting of the Community and Protective Services Committee (CPSC) with respect to the feasibility of this proposal, including details regarding fees, potential revisions to the existing by-law to address the retrieval and collection of carts, fines, reporting options on the City website and practices currently utilized within the City and best practices of other municipalities; it being noted that the CPSC received a communication from M. Sloan, 11 Genevive Crescent, with respect to this matter. (2013-C01)

Motion made by Councillor W.J. Armstrong to Approve clause 17

17. Youth Create Healthy Communities, Middlesex-London Health Unit - Request for Delegation Status

That the request of "Youth Create Healthy Communities" for delegation status before the Community and Protective Services Committee (CPSC) BE REFERRED to the next CPSC meeting for consideration; it being noted that the Chair was unable to be in attendance and was thought to have additional information related to the matter. (2013-T03)

Motion Passed

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

V RECOGNITIONS

1. His Worship the Mayor will present a certificate for "London's Featured Community Organization" to Orchestra London.

9th Report of the Planning and Environment Committee
Councillor B. Polhill presents.

Motion made by Councillor B. Polhill to Approve clause 15.

15. Blackfriars Community Infill Projects

That, the following actions be taken with respect to the verbal presentation from the Managing Director, Planning and City Planner and the Manager, Development Services & Planning Liaison and the communication, from K. and D. Bice, 2 Leslie Street, relating to Blackfriars community infill projects:

- a) the Civic Administration BE DIRECTED to report back at a future meeting of the Planning and Environment Committee with respect to the implementation of an Interim Control By-law for the area;
- b) the Civic Administration BE DIRECTED to report back at a future meeting of the Planning and Environment Committee with respect to the initiation of a City lead rezoning of the subject area from an R2 Zone to an R1 Zone;
- c) the request for a Heritage Conservation District BE PRIORITIZED on the list of Heritage Conservation Districts that will incorporate heritage character design guidelines;
- d) a public site plan meeting BE HELD;
- e) a by-law BE INTRODUCED at a future Municipal Council meeting, to amend By-law No. C.P.-1455-541, a by-law to designate a site plan control area and to delegate Council's power under section 41 of the *Planning Act*, R.S.O. 1990, c.P.13 with respect to an application for site plan approval submitted by Andrew Hines for the property located at 108 Wilson Avenue;
- f) the Civic Administration BE DIRECTED to consult with representatives from the Upper Thames River Conservation Authority and the Ministry of Natural Resources; and,
- g) K. Bice, on behalf of area residents, BE GRANTED delegation status when the Civic Administration reports back to the Planning and Environment Committee on this matter. (2013-D04)

Motion made by Councillor B. Polhill and seconded by Councillor N. Branscombe to Amend clause 15 as follows:

- a) in the first line of part a) to delete the words "a future" and replace them with the words "the May 7, 2013 meeting";
- b) by deleting part d) in its entirety and replacing it with the following new part d):

- “d) a public site plan meeting regarding the site plan application for 108 Wilson Avenue BE HELD;”
- c) in the first line of part e) by deleting the words "a future" and replacing them with the words "the May 14, 2013";
- d) by inserting a new part h) as follows:
 - “h) the Civic Administration BE DIRECTED to report back to the Planning and Environment Committee with respect to establishing a requirement for a public site plan process for any application where the proposed infill development proposes a change in use and/or structure that is different from what currently exists on the site, regardless of whether or not the use is permitted under the current zoning.”;

Motion Passed

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

Motion made by Councillor B. Polhill and seconded by Councillor J.L. Baechler to further Amend clause 15 by adding a new part i) as follows:

- “i) that the Civic Administration BE DIRECTED to include in the report noted in a), above, information related to recent court decisions regarding “Lodging House” uses.”

Motion Passed

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

Motion made by Councillor B. Polhill and seconded by Councillor S. Orser to Approve clause 15, as amended.

Motion Passed

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

Clause 15, as amended, reads as follows:

That, the following actions be taken with respect to the verbal presentation from the Managing Director, Planning and City Planner and the Manager, Development Services & Planning Liaison and the communication, from K. and D. Bice, 2 Leslie Street, relating to Blackfriars community infill projects:

- a) the Civic Administration BE DIRECTED to report back at the May 7, 2013 meeting of the Planning and Environment Committee with respect to the implementation of an Interim Control By-law for the area;
- b) the Civic Administration BE DIRECTED to report back at a future meeting of the Planning and Environment Committee with respect to the initiation of a City lead rezoning of the subject area from an R2 Zone to an R1 Zone;
- c) the request for a Heritage Conservation District BE PRIORITIZED on the list of Heritage Conservation Districts that will incorporate heritage character design guidelines;
- d) a public site plan meeting regarding the site plan application for 108 Wilson Avenue BE HELD;
- e) a by-law BE INTRODUCED at the May 14, 2013 Municipal Council meeting, to amend By-law No. C.P.-1455-541, a by-law to designate a site plan control area and to delegate Council’s power under section 41 of the *Planning Act*, R.S.O. 1990, c.P.13 with respect to an application for site plan approval submitted by Andrew Hines for the property located at 108 Wilson Avenue;

- f) the Civic Administration BE DIRECTED to consult with representatives from the Upper Thames River Conservation Authority and the Ministry of Natural Resources;
- g) K. Bice, on behalf of area residents, BE GRANTED delegation status when the Civic Administration reports back to the Planning and Environment Committee on this matter;
- h) the Civic Administration BE DIRECTED to report back to the Planning and Environment Committee with respect to establishing a requirement for a public site plan process for any application where the proposed infill development proposes a change in use and/or structure that is different from what currently exists on the site, regardless of whether or not the use is permitted under the current zoning; and,
- i) the Civic Administration BE DIRECTED to include in the report noted in a), above, information related to recent court decisions regarding "Lodging House" uses. (2013-D04)

9th Report of the Civic Works Committee
Councillor P. Van Meerbergen presents.

Motion made by Councillor P. Van Meerbergen to Approve clauses 1 to 12, excluding clause 9.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Dundas Street and Hale Street Intersection Modifications

That, on the recommendation of the Director, Roads and Transportation, the staff report dated April 22, 2013 with respect to the Dundas Street and Hale Street intersection modifications BE RECEIVED for information.

3. 2013 Infrastructure Lifecycle Renewal Program Contract 6: Clemens, Raab and Landor Street Reconstruction (Tender No. 13-37)

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 #6: Clemens Street, Rabb Street and Landor Street Reconstruction Project (ES2414-11, ES2414-13, EW3765-13, TS3014-13):

- a) the bid submitted by 1123491 Ontario Incorporated (United Contracting Inc.) 2940 Dingman Drive London ON N6N 1G4, at its tendered price of \$1,980,628.40 (excluding H.S.T.), for the 2013 Infrastructure Lifecycle Renewal Program, Contract #6 project, BE ACCEPTED; it being pointed out that the bid submitted by United Contracting Inc. was the lowest of six bids received and meets the City's specifications and requirements in all areas;
- b) Development Engineering (London) Limited (DELL), 41 Adelaide Street North London ON N6B 3P4, 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 \$188,760.00 (excluding H.S.T.); it being noted 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) the financing for this project BE APPROVED as set out in the Sources of Financing Report appended to the staff report dated April 22, 2013;
- d) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project;
- e) 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 13-37); and,

- f) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2013-L04)

4. West Brough's Bridge Rehabilitation (Tender No. 13-17)

That, on the recommendation of the Managing Director, Environmental & Engineering Services and City Engineer, the following actions be taken with respect to the award of a contract for the West Brough's Bridge Rehabilitation Project (TS1763 - 13):

- a) the bid submitted by McLean Taylor Construction Limited, 25 Water Street, St. Marys, ON N4X 1B1, at its submitted tendered price of \$2,285,243.63 (excluding H.S.T.), for the West Brough's Bridge Rehabilitation project BE ACCEPTED; it being noted that the bid submitted by McLean Taylor Construction Limited was the lowest of six (6) bids received and meets the City's specifications and requirements in all areas;
- b) AECOM Canada Ltd, 250 York Street, Suite 410, London, Ontario, N6A 6K2 BE AUTHORIZED to carry out the resident inspection and contract administration of the said project in the amount of \$167,442.00 (excluding H.S.T.), in accordance with Section 15.2(g) of the Procurement of Goods and Services Policy;
- c) 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;
- d) the financing for this project BE APPROVED as set out in the Sources of Financing Report appended to the staff report dated April 22, 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 for the material to be supplied and the work to be done relating to this project (Tender 13-17); 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)

5. 2013 Infrastructure Lifecycle Renewal Program Contract 9: Burbrook Place Reconstruction (Tender No. 13-20)

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 #9: Burbrook Place Reconstruction Project (ES2414-13, EW3765-13, TS3014-13):

- a) the bid submitted by Bre-Ex Ltd. (Bre-Ex), 247 Exeter Road, London, ON, N6L 1A5, at its tendered price of \$1,539,635.15 (excluding H.S.T.), for the 2013 Infrastructure Lifecycle Renewal Program, Contract #9 project, BE ACCEPTED; it being pointed out that the bid submitted by Bre-Ex was the lowest of nine bids received and meets the City's specifications and requirements in all areas;
- b) Dillon Consulting Limited (Dillon), 130 Dufferin Avenue Box 426, 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 \$197,477.50 (excluding H.S.T.); it being noted 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 \$300.00 BE RECOGNIZED as a result of this project; it being noted 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 April 22, 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 13-20); 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)

6. W12A Landfill Site - Cell 7 Landfill Base and Leachate Collection System Construction (Tender No. 13-48)

That, on the recommendation of the Director, Environment, Fleet & Solid Waste, the following actions be taken with respect to the award of contracts for the W12A Landfill Site - Cell 7 Landfill Base and Leachate Collection System Construction (SW6021):

- a) the bid submitted by Ron Murphy Contracting Co. Limited, 4412 Manning Drive, London ON, N6L 1K5, at its submitted tendered price of \$3,454,692.20 (excluding H.S.T.), for the W12A Landfill Site - Cell 7 Landfill Base and Leachate Collection System Construction, BE ACCEPTED; it being pointed out that the bid submitted by Ron Murphy Contracting Co. Limited was the lowest of eight compliant bids received and meets the City's specifications and requirements in all areas;
- b) Dillon Consulting Limited BE AUTHORIZED to carry out resident inspection and contract administration for the said project in accordance with the estimate, on file, at an upset amount of \$101,197.00 (excluding H.S.T.); it being noted 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, Clause 15.2(g) of the City of London's Procurement of Goods and Services Policy;
- c) the financing for this project BE APPROVED as set out in the Sources of Financing Report appended to the staff report dated April 22, 2013;
- d) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project;
- e) 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 13-48); and,
- f) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2013-L04)

7. Hyde Park No. 4 Stormwater Management Facility and Stanton Drain Remediation Contract

That, on the recommendation of the Managing Director, Environmental & Engineering Services & City Engineer, the following actions be taken with respect to the Hyde Park No. 4 Stormwater Management Facility and Stanton Drain Remediation contract:

- a) the replacement of the culvert on Shaw lands originally scheduled within Phase 2 Stanton Drain Remediation Works BE INCLUDED as part of the Hyde Park No. 4 Stormwater Management Facility and Stanton Drain Remediation works by increasing the upset limit by \$230,000 for contract No. 12-60 to \$5,949,479.55 (including contingency, excluding H.S.T.);
- b) the replacement of the storm sewer on Doman Developments Corporate Campus BE INCLUDED as part of the Hyde Park No. 4 Stormwater Management Facility and Stanton Drain Remediation project; it being noted that the developer will construct the storm sewer as part of the servicing for the subdivision;
- c) the financing for this project BE APPROVED as set out in the Sources of Financing Report appended to the staff report dated April 22, 2013;
- d) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this work;

- e) the approval given herein BE CONDITIONAL upon the Corporation entering into a formal contract or issuing a purchase order relating to the material to be supplied and the work to be done relating to this project (Tender 12-60); and,
- f) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2013-L04)

8. Municipal Class EA Schedule 'B' Study for the Dayus Creek Drainage Area Storm/Drainage and Stormwater Management Remediation/Service Works

That, on the recommendation of the Director, Roads and Transportation, the following actions be taken with respect to the Municipal Class Environmental Assessment (EA) Schedule "B" Study for the Dayus Creek Drainage Area Storm/Drainage and Stormwater Management (SWM) Remediation/Service Works:

- a) the Municipal Class EA Schedule "B" Study Report for the Dayus Creek Drainage Area Storm/Drainage and SWM Remediation/Service Works BE ACCEPTED;
- b) a Notice of Completion BE FILED with the Municipal Clerk; and,
- c) the Municipal Class EA Schedule "B" Study Report for the Dayus Creek Drainage Area Storm/Drainage and SWM Remediation/Service Works BE PLACED on public record for a 30-day review period. (2013-E20)

10. Sarnia Road to Sleightholme Avenue Environmental Study Report

That, on the recommendation of the Director, Roads and Transportation, the following actions be taken with respect to the Sarnia Road Environmental Assessment (TS1484):

- a) the Sarnia Road Environmental Study Report BE ACCEPTED;
- b) a Notice of Completion BE FILED with the Municipal Clerk; and,
- c) the Environmental Study Report BE PLACED on public record for a 30-day review period;

it being further noted that the CWC received the following submissions with respect to this matter;

- a communication dated April 14, 2013, from J. and D. Treveithick, University of Western Ontario;
- a communication dated April 8, 2013, from J. A. S. Castle, 6 Brentwood Place; and,
- a communication dated April 8, 2013, from T. Savescu;

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

- J. Treveithick, 557 Leyton Crescent - providing comments as outlined in the attached communication. (2013-E20)

11. Hamilton Road Old Victoria Road to Veterans Memorial Parkway Environmental Study Report

That, on the recommendation of the Director, Roads and Transportation, the following actions be taken with respect to the Hamilton Road Environmental Assessment (TS2171 & TS2172):

- a) the Hamilton Road Environmental Study Report BE ACCEPTED;
- b) a Notice of Completion BE FILED with the Municipal Clerk; and,
- c) the Environmental Study Report BE PLACED on public record for a 30-day review period; it being pointed out that at the public participation meeting associated with this matter, the following individuals made oral submissions in connection therewith:

- D. Cousins, representing L. Patience, 1851 Hamilton Road – asking how solid the proposed new property line is for future plans.
- W. Buck, 1814 Hamilton Road – stating that he shares a laneway with the Forest City Baptist Church; asking how the proposed roundabout will affect the laneway; asking how the proposed widening will affect the north side and 1814 Hamilton Road. (2013-E20/T04B)

12. 3rd Report of the Transportation Advisory Committee

That, the following actions be taken with respect to the 3rd Report of the Transportation Advisory Committee from its meeting held on April 2, 2013:

- a) notwithstanding part 11(e)(iii) of clause 5(16) of the Policy Manual, which indicates that financial grants/contributions or awards to third party individuals, organizations or groups shall be directed to the appropriate Civic Department to be addressed through the approval and reporting processes already established by the Municipal Council for those situations, the amount of \$1,500.00 to support the 2013 Thames Region Ecological Association Bicycle Festival BE APPROVED from the Transportation Advisory Committee's (TAC) 2013 Budget; it being noted that the TAC has funded the TREA Bicycle Festival for a number of years in an effort to educate the public on different modes for transportation; it being further noted that the TAC reviewed and received a communication, dated March 22, 2013, and heard a verbal delegation from D. Szoller, Thames Region Ecological Association, with respect to this matter; and,
- b) clauses 2 to 5 BE RECEIVED.

Motion Passed

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

Motion made by Councillor P. Van Meerbergen to Approve clause 9.

9. Veterans Memorial Parkway Noise Study

That, on the recommendation of the Director, Roads and Transportation, the following actions be taken with respect to the Veterans Memorial Parkway noise improvements:

- a) the Civic Administration **BE DIRECTED** to introduce a 2014 Budget item for the Veterans Memorial Parkway Noise Berm Improvements in the amount of \$300,000;
- b) the Civic Administration **BE DIRECTED** to conduct a noise study upon completion of the Veterans Memorial Parkway Noise Berm Improvements; and,
- c) the report dated April 22, 2013, presentation and communications with respect to the Veterans Memorial Parkway Noise Study **BE RECEIVED**.

it being noted that the Civic Works Committee (CWC) received the attached presentation from the Director, Roads and Transportation with respect to this matter;

it being further noted that the CWC received the following submissions with respect to this matter;

- a communication dated April 14, 2013, from L. Johnston, Unit 35 – 217 Martinet Avenue;
- a communication from K. Tyndall, 39 – 217 Martinet Avenue; and,
- a communication dated April 15, 2013, from M. Wilkinson, 49 Moreau Crescent;

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

- N. Sauter, Argyle Community Association, 204 Tremont Road – advising that he would be speaking on behalf of C. Dodds, 248 Simpson Crescent as she was ill; advising that the noise barrier is a priority for the Association; indicating that 2,000 residents along the Veterans Memorial Parkway are exposed to excessive traffic noise; advising that the noise attenuation study only sampled four locations; indicating that an additional 1/2 metre of dirt at a cost of \$300,000.00 will not solve the problem and that a local contractor has said they

complete a wall for \$800,000.00 less than the City's estimate; requesting that Council carefully use logic to find an acceptable solution and not throw away \$300,000 on a bandaid solution.

- M. Facey, 151 Martinet Avenue – stating she has been an area resident for 13 years and the issue is not every day traffic but truck traffic which has increased dramatically; enquiring how testing in one location at the far end of a residential complex can possibly indicate results for all 17 properties; inviting Council to visit the location; indicating that the traffic can be seen from the second floor of the residence so there is a need to break the line of sight between the second floor and the traffic; stating that the berm does not take care of the first floor of the residence, let alone the second floor; stating that heavy trucks travelling at 80 km feel like small earthquakes and questioning the effects on the structural integrity of the homes in the area; noting that the berm will not stop the vibrations; recommending that a more pleasing option than a weedy berm be erected to honour our veterans; indicating that the noise level will continue to increase as area businesses grow, the issue is not going away and the costs to rectify will only increase as well; and stating that the residents live with this every day and deserve a better solution than a bandaid berm.
- J. Thibodeau, 112 Selkirk Street – stating she regularly visits Simpson Crescent and is often required to halt backyard conversations due to the noise level; indicating that the traffic is only 50 feet away from the residence's back fence; stating that road speeds, brakes and motorcycle traffic create significant noise; indicating the community was promised a noise barrier and it has not been delivered; questioning why areas like Cheapside, with traffic travelling at lower speeds and volumes, have noise wall barriers; indicating that this is a unique situation; and requesting that Council do the right thing and install a noise wall barrier and not a bandaid solution berm, which is currently ineffective.
- D. Garner, 15-511 Admiral Drive – stating she is a concerned citizen who has remained silent to date; suggesting that Council is hearing but not listening; stating that the berm is not effective; indicating that new business will increase traffic and noise; asking if Council is meeting their responsibilities and questioning why they would not want to improve the quality of life for their citizens; indicating that noise walls have been built in other neighbourhoods with less traffic and noise; indicating that a promise of a noise wall was made 10 years ago; stating that the noise makes it impossible to use the backyard and open the windows; stating that a berm and trees have been installed but is not working; requesting that Council keep their promise and build the wall.
- C. Dodds, 248 Simpson Crescent – stating she would be reading a letter on behalf of K. Schnittker, 252 Simpson Crescent; indicating that the quality of life is affected and doors and windows have to remain shut; noting that there is extremely heavy traffic and the continuous hum of heavy trucks and airbrake noise doesn't allow sleep with open windows, therefore, increasing air conditioning costs and decreasing the housing value; suggesting that an increased dirt pile and trees will not work; and indicating that she doesn't want to think East-end residents are treated differently, because the East-end residents are as important too.
- K. Tyndall, 217 Martinett – providing comments as outlined in the attached communication; advising that she was representing all residents of 217 Martinett; suggesting that their concerns have been disregarded; indicating that increasing the berm is nothing more than a cheap band aid solution and does not solve the issue; stating that they are not prepared to put up with the noise and requesting the City acknowledge and treat the 4-lane highway with truck traffic the same as other areas of London with 2 lane residential traffic where noise walls have been installed; advising that prior to the road widening they were assured they would receive a noise wall, and are now being told there is no record of this; stating that windows and doors can not be opened and air conditioners need to be used due to the noise; stating that prospective buyers like the houses but not the noise; stating that it is proven that noise is detrimental to human health; and requesting that Council approve an effective noise wall.
- M. Wilkinson, 49 Moreau Crescent – providing comments as outlined in the attached communication; and indicating the tests do not reflect peak hours, but the average, which doesn't make sense; and expressing frustration that some neighbourhoods need and get noise walls while his neighbourhood does not.
- G. Sunstrum, 151 Martinet Avenue – suggesting that Council has a responsibility to provide a quality of life; indicating they have a tough decision to make, and that \$650,000 was spent on a light show, shown 10 minutes twice a night for a week and \$150,000 on planter pots for visitors for 1 week and yet Council is not willing to invest in a noise wall for lifetime residents; requesting Council to make the appropriate decision to support taxpayers.
- R. Banks, Design Concrete Systems, 3278 Colonel Talbot Road, Lambeth – stating he was asked by the residents to speak; indicating he had done some research on the installation of walls and that the estimates don't jive; that in the past a competitor had a monopoly on

the business; indicating that his company could complete the job more reasonably with a savings for the installation of the wall option of between \$800,000.00 and \$943,000.00.

- E. Matichuk, 37-217 Martinet Avenue – playing an audio soundtrack of the traffic noise taken from her second floor bedroom window, located above the berm, at 11:30 pm; pointing out the difference between car and truck traffic noise; stating that the vibrations from the large truck traffic shake her glassware; suggesting that the proposed increase to the berm will not solve these issues; and indicating support for area residents.

it being noted that L. Munds, 28-511 Admiral Avenue, was not in attendance to speak to this matter. (2013-T04A)

Motion made by Councillor B. Polhill and seconded by Councillor S. Orser to Refer clause 9 back to the Civic Administration to consider what might be the optimal mix of noise attenuation measures along the Veterans Memorial Parkway, based upon the additional information that has been provided, which measures could include a mix of berms, fences and walls.

At 6:19 PM, His Worship the Mayor places Councillor P. Hubert in the Chair, and takes a seat at the Council Board.

At 6:28 PM, His Worship the Mayor resumes the Chair, and Councillor P. Hubert takes his seat at the Council Board.

The motion to Refer clause 9 is put.

Motion Passed

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

NAYS: P. Hubert, P. Van Meerbergen, H.L. Usher (3)

9th Report of the Planning and Environment Committee (Continued)
Councillor B. Polhill presents.

The Chair directs that clause 6 be considered in conjunction with clause 13.

Motion made by Councillor B. Polhill to Approve clauses 6 and 13.

6. 5th Report of the London Advisory Committee on Heritage

That the following actions be taken with respect to the 5th Report of the London Advisory Committee on Heritage from its meeting held on April 10, 2013:

- a) the following actions be taken with respect to the Heritage Alteration Application for 534 English Street:
 - i) on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the Heritage Alteration Permit Application of M. McCullough, requesting permission for a solar panel installation on the designated heritage property located at 534 English Street, BE APPROVED; it being noted that the Heritage Planner has reviewed the proposed installation and has advised that the impact of such alteration on the heritage features of the property identified in the reasons for designation is necessary for the purpose intended and is reversible in the future; and,
 - ii) subject to the approval of i), above, the London Advisory Committee on Heritage (LACH) recommends that a black background solar panel BE REQUIRED;

it being noted that the LACH heard a verbal delegation from A. Hall-Holland, on behalf of the owner, M. McCullough, with respect to this matter;

- b) on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the Heritage Alteration Permit Application of J. Tedesco, requesting permission for an sign alteration to the designated heritage property located at 762 Dundas Street, BE APPROVED; it being noted that the Heritage Planner has reviewed the proposed alteration and has advised that the impact of such alteration on the heritage features of the property identified in the reasons for

designation is reversible; it being further noted that the London Advisory Committee on Heritage (LACH) heard a verbal delegation from M. Hussein, with respect to this matter;

- c) the following actions be taken with respect to the property located at 275 Thames Street (Fugitive Slave Chapel):
- i) a notice of the Municipal Council's intention to designate the property located at 275 Thames Street to be of cultural heritage value or interest **BE GIVEN**, for the attached reasons, under the provisions of subsection 29(3) of the *Ontario Heritage Act, R.S.O. 1990, c. O.18*;
 - ii) the City of London **BE REQUESTED** to establish a source of financing for an Archaeological Assessment of the properties located at 275 Thames Street (Fugitive Slave Chapel) and the two adjacent properties located at 277 and 281 Thames Street;
 - iii) the garage and the most westerly addition of 275 Thames Street (Fugitive Slave Chapel) **BE REMOVED**; it being noted that the London Advisory Committee on Heritage (LACH) was advised by G. Goodlet with respect to a communication from the Architectural Conservancy of Ontario stating that a professional opinion had been received recommending the removal of these structures; it being further noted that the removal of the structures should be delayed until such time as an Archaeological Assessment has been carried out;

it being also noted that the LACH reviewed and received the following with respect to this matter:

- a communication dated November 9, 2011, from J. Rees, Beamish, the Living Museum of the North, with respect to moving buildings;
 - a communication dated April 5, 2013, from H. Martelle, Heritage Consultants Inc.;
 - a verbal delegation from D. Erksine, Aboutown Transportation;
 - a verbal delegation from G. Hodder, Architectural Conservancy of Ontario; and,
 - a verbal delegation from S. Baidoobonso and D. McNeish, Fugitive Slave Chapel Preservation Project, and E. Corrigan, and was provided with written material on the history of the Fugitive Slave Chapel, 275 Thames Street;
- d) the following actions be taken with respect to the Heritage Alteration Application for 792 Lorne Avenue:
- i) on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the Heritage Alteration Permit Application of J. Eastabrook, requesting permission for alterations to the designated heritage property located at 792 Lorne Avenue, **BE APPROVED**; it being noted that the Heritage Planner has reviewed the proposed changes and has advised that the impact of such alteration on the heritage features of the property identified in the reasons for designation is negligible; and,
 - ii) subject to the approval noted in a), above, the London Advisory Committee on Heritage (LACH) recommends that wood **BE USED** in place of the proposed composite wood Trex for the frames and porch deck;
- e) that clauses 5 through 9, inclusive, of the 5th Report of the LACH, **BE RECEIVED**;

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

Motion made by Councillor B. Polhill and seconded by Councillor S.E. White to Amend clause 6 by deleting part c)i) in its entirety and renumbering part c) accordingly.

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, S.E. White (13)

NAYS: P. Van Meerbergen (1)

RECUSED: D. Brown (1)

Motion made by Councillor H.L. Usher and seconded by Councillor S.E. White to Approve clause 6, 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, H.L. Usher, J.P. Bryant, S.E. White (14)

RECUSED: D. Brown (1)

Clause 6, as amended, reads as follows:

That the following actions be taken with respect to the 5th Report of the London Advisory Committee on Heritage from its meeting held on April 10, 2013:

a) the following actions be taken with respect to the Heritage Alteration Application for 534 English Street:

i) on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the Heritage Alteration Permit Application of M. McCullough, requesting permission for a solar panel installation on the designated heritage property located at 534 English Street, BE APPROVED; it being noted that the Heritage Planner has reviewed the proposed installation and has advised that the impact of such alteration on the heritage features of the property identified in the reasons for designation is necessary for the purpose intended and is reversible in the future; and,

ii) subject to the approval of i), above, the London Advisory Committee on Heritage (LACH) recommends that a black background solar panel BE REQUIRED;

it being noted that the LACH heard a verbal delegation from A. Hall-Holland, on behalf of the owner, M. McCullough, with respect to this matter;

b) on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the Heritage Alteration Permit Application of J. Tedesco, requesting permission for an sign alteration to the designated heritage property located at 762 Dundas Street, BE APPROVED; it being noted that the Heritage Planner has reviewed the proposed alteration and has advised that the impact of such alteration on the heritage features of the property identified in the reasons for designation is reversible; it being further noted that the London Advisory Committee on Heritage (LACH) heard a verbal delegation from M. Hussein, with respect to this matter;

c) the following actions be taken with respect to the property located at 275 Thames Street (Fugitive Slave Chapel):

i) the City of London BE REQUESTED to establish a source of financing for an Archaeological Assessment of the properties located at 275 Thames Street (Fugitive Slave Chapel) and the two adjacent properties located at 277 and 281 Thames Street;

ii) the garage and the most westerly addition of 275 Thames Street (Fugitive Slave Chapel) BE REMOVED; it being noted that the London Advisory Committee on Heritage (LACH) was advised by G. Goodlet with respect to a communication from the Architectural Conservancy of Ontario stating that a professional opinion had been received recommending the removal of these structures; it being further noted that the removal of the structures should be delayed until such time as an Archaeological Assessment has been carried out;

it being also noted that the LACH reviewed and received the following with respect to this matter:

- a communication dated November 9, 2011, from J. Rees, Beamish, the Living Museum of the North, with respect to moving buildings;
- a communication dated April 5, 2013, from H. Martelle, Heritage Consultants Inc.;
- a verbal delegation from D. Erksine, Aboutown Transportation;
- a verbal delegation from G. Hodder, Architectural Conservancy of Ontario; and,

- a verbal delegation from S. Baidoobonso and D. McNeish, Fugitive Slave Chapel Preservation Project, and E. Corrigan, and was provided with written material on the history of the Fugitive Slave Chapel, 275 Thames Street;
- d) the following actions be taken with respect to the Heritage Alteration Application for 792 Lorne Avenue:
- i) on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the Heritage Alteration Permit Application of J. Eastabrook, requesting permission for alterations to the designated heritage property located at 792 Lorne Avenue, BE APPROVED; it being noted that the Heritage Planner has reviewed the proposed changes and has advised that the impact of such alteration on the heritage features of the property identified in the reasons for designation is negligible; and,
 - ii) subject to the approval noted in a), above, the London Advisory Committee on Heritage (LACH) recommends that wood BE USED in place of the proposed composite wood Trex for the frames and porch deck;
- e) that clauses 5 through 9, inclusive, of the 5th Report of the LACH, BE RECEIVED;

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

Motion made by Councillor B. Polhill to Approve clause 13.

13. Properties located at 275, 277 and 281 Thames Street

That, on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the following actions be taken regarding the listed properties located at 275, 277 and 281 Thames Street:

- a) the Chief Building Official BE ADVISED that, subject to archaeological matters being addressed, the Municipal Council does not intend to designate the properties located at 277 and 281 Thames Street under Section 29 of the *Ontario Heritage Act*; it being noted that the London Advisory Committee on Heritage (LACH) has been consulted on this matter;
- b) if the applicant concurs with a deferral of the demolition request for the property located at 275 Thames Street, Notice of Intent to designate the property located at 275 Thames Street, pursuant to Section 29 of the *Ontario Heritage Act*, BE DEFERRED pending the possible relocation of the main building to another site;
- c) if the relocation of the main building to a new site is not possible, the Municipal Council BE REQUESTED to issue a Notice of Intent to designate the property located at 275 Thames Street for the reasons identified in the Statement of Cultural Heritage Value or Interest, as appended to the staff report dated April 23, 2013; it being noted that if the main building can be successfully located to another site, a revised Statement of Cultural Heritage Value or Interest to refer to its new location shall be required;
- d) if the relocation of the building at 275 Thames Street requires a zoning amendment, the Civic Administration BE DIRECTED to initiate a City initiated zoning amendment to expedite this process;
- e) the Civic Administration BE DIRECTED to assist with the historical interpretation of the Thames Street neighbourhood, through interpretive signage or a commemorative monument, in a place that is easily accessible to the public; it being noted that consultation among the Historic Sites Committee, the London Advisory Committee on Heritage and the Fugitive Slave Chapel Preservation Project is encouraged; and, it being noted that the archaeological/heritage community hopes to initiate a community driven archaeological assessment of the site and that the Civic Administration will advise the Municipal Council should there be a request for additional support for such an assessment; and,

it being further noted that the Civic Administration will report back on the progress prior to the 60 day deferral;

- f) the Civic Administration BE DIRECTED to establish a source of financing to support an

archaeological assessment on all three properties (275, 277 and 281 Thames Street);

it being noted that the Planning and Environment Committee reviewed and received the following communications:

- a communication, dated April 12, 2013, from G. Hodder, President, Architectural Conservancy of Ontario London Region;
- a communication, dated March 20, 2013, from S. Baidoobonso, Chair, London Black History Coordinating Committee;
- a communication, dated April 14, 2013, S. McRae, President, London and Middlesex Historical Society;
- a communication, dated April 14, 2013, from M. Mlotha, Board of Directors, African Canadian Federation of London & Area;
- a communication, dated April 12, 2013, from J. Odanga Edubagwa (PhD), President, Kenyan-Canadians in London Ontario;
- a communication, dated March 16, 2013, from I. Seddon, 138 Chalet Crescent;
- a communication from R. Cory, 193 Duchess Avenue; and,
- a communication, dated April 14, 2013, from S. Liggett, Chair, Hidden History of Hamilton Road Committee;

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

- Mark Snowsell, Upper Thames River Conservation Authority – advising that the focus is where it should be, on the cultural aspect of the property; indicating that the properties are located in the floodplain and may also be in the floodway; advising that this may cause issues and constraints and may trigger a planning application.
- Gary Brown, 35A – 59 Ridout Street – advising that this is a larger context than the City of London; asking people to imagine the outrage if someone wanted to tear down Shakespeare's home; advising that he first heard about the Chapel in the early 1980's from his grandparents who were visiting from England; indicating that the Church welcomes needy people; advising that the owner is proposing to remove the building to install a parking lot; noting that four buildings are being removed at Western Fair and buildings are being removed at Thames Park to install parking lots; recommending that the building be designated; and advising that not dealing with the matter tonight just delays it and the same conclusion will be reached.
- Joe O'Neil, Jr, 350 William Street – advising that this is part of the Underground Railroad; advising that there is a plaque in Victoria Park delineating the first Black School in London; advising that Garland H. White, War Secretary for Abraham Lincoln, was the first person to suggest having coloured troops; advising that they are pushing for historical designation of the Chapel; advising that this matter is being watched by other Black groups across Ontario; indicating that co-operation from the owner is paramount; recommending that history and property rights be balanced; expressing support for the archaeological digs; indicating that the potential for burials behind the Chapel is low as the area was all swamps; and advising that there is a lot of support for the preservation of the Chapel.
- Tanya Park, 300 South Street, President, SoHo Community Association – expressing support for the retention of the Chapel; advising that the historical significance of the Chapel is the equivalent to Banting House and Fanshawe Pioneer Village; indicating that it could be a tourist attraction; indicating that it reconnects Beth Emmanuel Church with its roots; and advising that Beth Emmanuel Church feeds 200 people a week in a room that fits 40 people.
- Reverend Delta McNeish, Beth Emmanuel Church – expressing appreciation to everyone who has attended the Planning and Environment Committee meeting; advising that the building is extremely important to them and will benefit the community; and advising that she would like the building moved to the Church property.
- Oliver Hobson, 45 Evergreen Avenue – indicating that he is a representative on the London Advisory Committee on Heritage; advising that the building and backyards are rich in potential for artifacts; and, requesting that the City tread carefully as he has seen pushback when the City designates a building against the owners' wishes.
- Roberta Cory, 485 Duchess Avenue – advising that the fact that the Chapel exists and is in London is a big deal; advising that it represents the dreams, hopes and aspirations of so many people; noting that not everyone made it to the Chapel; advising that she was recently in Maryland, USA, and they are very interested in information on the Chapel; and advising that it connects both entrances of the Railway, from Niagara to Detroit.
- Roxanne Lutz, 8 Argyle Street – advising that there is lots of talk about budget and

- funding; and enquiring whether or not there could be funding for a project like this.
- James Donnelly, President, Abouttown Transportation – see attached communication.
- Derek McBurney, 4 – 466 South Street – advising that the Chapel was a wonderful place to visit as a child; indicating that you could still talk to grandparents and great grandparents who went through the Chapel; and advising that the City needs to rediscover its history. (2013-P10D/R01)

Motion made by Councillor H.L. Usher and seconded by Councillor S. Orser to Amend clause 13, by replacing the first paragraph of part e) with the following new paragraph:

- “e) the Civic Administration BE DIRECTED to assist with the historical interpretation of the Thames Street Neighbourhood through interpretive signage and a commemorative monument at 275 Thames Street, together with markers at the four corners of the existing building, in a place that is easily accessible to the public; it being noted that consultation among the Historical Site Committee, the London Advisory Committee on Heritage and the Fugitive Slave Chapel Preservation project is encourage; and”.

Motion Passed

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

RECUSED: D. Brown (1)

Motion made by Councillor B. Polhill and seconded by Councillor S.E. White to Approve clause 13, 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, H.L. Usher, J.P. Bryant, S.E. White (14)

RECUSED: D. Brown (1)

Clause 13, as amended, reads as follows:

That, on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the following actions be taken regarding the listed properties located at 275, 277 and 281 Thames Street:

- a) the Chief Building Official BE ADVISED that, subject to archaeological matters being addressed, the Municipal Council does not intend to designate the properties located at 277 and 281 Thames Street under Section 29 of the *Ontario Heritage Act*, it being noted that the London Advisory Committee on Heritage (LACH) has been consulted on this matter;
- b) if the applicant concurs with a deferral of the demolition request for the property located at 275 Thames Street, Notice of Intent to designate the property located at 275 Thames Street, pursuant to Section 29 of the *Ontario Heritage Act*, BE DEFERRED pending the possible relocation of the main building to another site;
- c) if the relocation of the main building to a new site is not possible, the Municipal Council BE REQUESTED to issue a Notice of Intent to designate the property located at 275 Thames Street for the reasons identified in the Statement of Cultural Heritage Value or Interest, as appended to the staff report dated April 23, 2013; it being noted that if the main building can be successfully located to another site, a revised Statement of Cultural Heritage Value or Interest to refer to its new location shall be required;
- d) if the relocation of the building at 275 Thames Street requires a zoning amendment, the Civic Administration BE DIRECTED to initiate a City initiated zoning amendment to expedite this process;
- e) the Civic Administration BE DIRECTED to assist with the historical interpretation of the Thames Street Neighbourhood through interpretive signage and a commemorative monument at 275 Thames Street, together with markers at the four corners of the existing building, in a place that is easily accessible to the public; it being noted that

consultation among the Historic Sites Committee, the London Advisory Committee on Heritage and the Fugitive Slave Chapel Preservation Project is encouraged; and,

it being noted that the archaeological/heritage community hopes to initiate a community driven archaeological assessment of the site and that the Civic Administration will advise the Municipal Council should there be a request for additional support for such an assessment; and,

it being further noted that the Civic Administration will report back on the progress prior to the 60 day deferral;

- f) the Civic Administration BE DIRECTED to establish a source of financing to support an archaeological assessment on all three properties (275, 277 and 281 Thames Street);

it being noted that the Planning and Environment Committee reviewed and received the following communications:

- a communication, dated April 12, 2013, from G. Hodder, President, Architectural Conservancy of Ontario London Region;
- a communication, dated March 20, 2013, from S. Baidoobonso, Chair, London Black History Coordinating Committee;
- a communication, dated April 14, 2013, S. McRae, President, London and Middlesex Historical Society;
- a communication, dated April 14, 2013, from M. Mlotha, Board of Directors, African Canadian Federation of London & Area;
- a communication, dated April 12, 2013, from J. Odanga Edubagwa (PhD), President, Kenyan-Canadians in London Ontario;
- a communication, dated March 16, 2013, from I. Seddon, 138 Chalet Crescent;
- a communication from R. Cory, 193 Duchess Avenue; and,
- a communication, dated April 14, 2013, from S. Liggett, Chair, Hidden History of Hamilton Road Committee;

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

- Mark Snowsell, Upper Thames River Conservation Authority – advising that the focus is where it should be, on the cultural aspect of the property; indicating that the properties are located in the floodplain and may also be in the floodway; advising that this may cause issues and constraints and may trigger a planning application.
- Gary Brown, 35A – 59 Ridout Street – advising that this is a larger context than the City of London; asking people to imagine the outrage if someone wanted to tear down Shakespeare's home; advising that he first heard about the Chapel in the early 1980's from his grandparents who were visiting from England; indicating that the Church welcomes needy people; advising that the owner is proposing to remove the building to install a parking lot; noting that four buildings are being removed at Western Fair and buildings are being removed at Thames Park to install parking lots; recommending that the building be designated; and advising that not dealing with the matter tonight just delays it and the same conclusion will be reached.
- Joe O'Neil, Jr, 350 William Street – advising that this is part of the Underground Railroad; advising that there is a plaque in Victoria Park delineating the first Black School in London; advising that Garland H. White, War Secretary for Abraham Lincoln, was the first person to suggest having coloured troops; advising that they are pushing for historical designation of the Chapel; advising that this matter is being watched by other Black groups across Ontario; indicating that co-operation from the owner is paramount; recommending that history and property rights be balanced; expressing support for the archaeological digs; indicating that the potential for burials behind the Chapel is low as the area was all swamps; and advising that there is a lot of support for the preservation of the Chapel.
- Tanya Park, 300 South Street, President, SoHo Community Association – expressing support for the retention of the Chapel; advising that the historical significance of the Chapel is the equivalent to Banting House and Fanshawe Pioneer Village; indicating that it could be a tourist attraction; indicating that it reconnects Beth Emmanuel Church with its roots; and advising that Beth Emmanuel Church feeds 200 people a week in a room that fits 40 people.
- Reverend Delta McNeish, Beth Emmanuel Church – expressing appreciation to everyone who has attended the Planning and Environment Committee meeting; advising

that the building is extremely important to them and will benefit the community; and advising that she would like the building moved to the Church property.

- Oliver Hobson, 45 Evergreen Avenue – indicating that he is a representative on the London Advisory Committee on Heritage; advising that the building and backyards are rich in potential for artifacts; and, requesting that the City tread carefully as he has seen pushback when the City designates a building against the owners' wishes.
- Roberta Cory, 485 Duchess Avenue – advising that the fact that the Chapel exists and is in London is a big deal; advising that it represents the dreams, hopes and aspirations of so many people; noting that not everyone made it to the Chapel; advising that she was recently in Maryland, USA, and they are very interested in information on the Chapel; and advising that it connects both entrances of the Railway, from Niagara to Detroit.
- Roxanne Lutz, 8 Argyle Street – advising that there is lots of talk about budget and funding; and enquiring whether or not there could be funding for a project like this.
- James Donnelly, President, Aboutown Transportation – see attached communication.
- Derek McBurney, 4 – 466 South Street – advising that the Chapel was a wonderful place to visit as a child; indicating that you could still talk to grandparents and great grandparents who went through the Chapel; and advising that the City needs to rediscover its history. (2013-P10D/R01)

Motion made by Councillor P. Hubert and seconded by Councillor J.B. Swan to Recess.

Motion Passed

Council recesses at 7:16 PM and reconvenes at 8:00 PM with Mayor J.F. Fontana in the Chair and all Members present.

9th Report of the Planning and Environment Committee (Continued)
Councillor B. Polhill presents

Motion made by Councillor B. Polhill to Approve clauses 1 to 14, excluding clauses 4, 6, 12 and 13.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. 3rd Report of the Trees and Forests Advisory Committee

That the 3rd Report of the Trees and Forests Advisory Committee from its meeting held on March 27, 2013 BE RECEIVED.

3. 4th Report of the Advisory Committee on the Environment

That the 4th Report of the Advisory Committee on the Environment from its meeting held on April 3, 2013 BE RECEIVED.

5. Building Division Monthly Report for February 2013

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

7. Various Streets Listed in Section 4.21 of the Z.-1 Zoning By-law (Z-8142)

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of the City of London, relating to various streets listed in Section 4.21 of Zoning By-law No. Z.-1:

- a) the proposed by-law, as appended to the staff report dated April 23, 2013, BE INTRODUCED at the Municipal Council meeting to be held on April 30, 2013 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to add, amend and delete various streets listed in Section 4.21 "Road Allowance Requirements – Specific Roads" of Zoning By-law No. Z.-1; and,
- b) pursuant to Section 34(17) of the Planning Act, as determined by the Municipal Council, no further notice BE GIVEN in respect of the proposed by-law;

it being pointed out that there were no oral submissions made at the public participation

meeting associated with this matter. (2013-D14A)

8. City Wide Stacked Parking (Z-8150)

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of the City of London, relating to a City Wide amendment to Zoning By-law No. Z.-1 pertaining to stacked parking:

- a) the proposed by-law, as appended to the staff report dated April 23, 2013 BE INTRODUCED at the Municipal Council meeting to be held on April 30, 2013, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to:
 - i) add to Section 2 Definitions, between "SPECIES, VULNERABLE OR SPECIES AT RISK" and "STACKING LANE", the definition "STACKED PARKING" means a parking space that is positioned above or below another parking space and is accessed by means of an elevating device;
 - ii) change Section 4.19 2) to add, at the end of the sentence, the words "but does not apply to stacked parking";
 - iii) to change Section 4.19 6) (b) to add, at the end of the sentence, the words "but does not apply to stacked parking"; and,
 - iv) to change Section 4.19 6) (c) by deleting the word "or" after "dwelling" and before "townhouse", and adding the words "or stacked parking" after "dwelling" and before "provided" and adding the words after "unit" "and when using stacked parking, to provide required parking, that the following shall be required:
 - A) stacked parking be located wholly within a structure; and,
 - B) a development agreement be entered into which includes:
 - I) implementation of all mitigation measures recommended in a Traffic Impact Analysis which includes a functional parking study to the satisfaction of the City;
 - II) implementation of all mitigation measures recommended in a noise and vibration study to the satisfaction of the City; and,
 - III) a qualified operator, certified by TSSA, in the operation of a stacked parking device be provided at all times.";
- b) the proposed by-law, as appended to the staff report dated April 23, 2013, BE INTRODUCED at the Municipal Council meeting to be held on April 30, 2013, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change Section 4.19 6) (d) by adding the words "stacked parking" between the words "barrier" and "or" and to add the words "but does not include the use of any fee to remove these temporary barriers to any driveway or entrance required to access a required parking space excluding institutional uses and legally established commercial parking structures or lots" after the word "vehicle";

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

9. Properties located at 325, 345, 365 and 385 Sugar Creek Trail (Formerly: 570, 572, 576 and 580 Beaverbrook Avenue)

That, on the recommendation of the Manager, Development Services and Planning Liaison, the following actions be taken with respect to the Site Plan approval application of Old Oak Properties, relating to the properties located at 325, 345, 365 & 385 Sugar Creek Trail:

- a) the Approval Authority BE ADVISED that there were no issues raised at the public participation meeting of the Planning and Environment Committee with respect to the application for site plan approval;
- b) the Approval Authority BE ADVISED that Municipal Council supports the granting of approval of the site plan application, as appended to the staff report dated April 23, 2013, for four apartment buildings at 325, 345, 365 & 386 Sugar Creek Trail; and,

- c) the financing for the project BE APPROVED in accordance with the "Estimated Claims and Revenues Report" provided as Appendix "A" to the associated staff report, dated April 23, 2013;

it being pointed out that there were no oral submissions made at the public participation meeting associated with this matter. (2013-D11)

10. Property located at 160 Sunningdale Road West (Z-8151)

That, on the recommendation of the Manager, Development Planning, based on the application of Cobblestone Gate Land Corp., relating to the property located at 160 Sunningdale Road West, the proposed by-law, as appended to the staff report dated April 23, 2013, BE INTRODUCED at the Municipal Council meeting to be held on April 30, 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 R1 (h. h-100 R1-6) Zone, which permits single detached dwellings with an interior sideyard setback of 1.2 metres for a one storey dwelling plus 0.6 metres for each storey above one storey TO a Holding Residential R1 Special Provisions (h. h-100 R1-6(4)) Zone, which permits single detached dwellings with a 1.2 metre interior sideyard setback regardless of the number of storeys;

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

11. Property located at 736 Talbot Street (Z-8149)

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of Robert Edward and Cindy Lynn Sedge, relating to the property located at 736 Talbot Street:

- a) the proposed by-law, as appended to the staff report dated April 23, 2013, BE INTRODUCED at the Municipal Council meeting to be held on April 30, 2013 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM a Holding Residential R10 (h-1*R10-3*H-36) Zone, which permits apartment buildings to a maximum height of 36 metres and a maximum density of 250 units per hectare, TO a Holding Business District Commercial Special Provision (h-1*BDC()) Zone, which permits a 4 storey mixed use apartment building with offices and studios on the ground floor and 9 residential dwelling units located in the rear portion of the ground floor or above the ground floor with a maximum height of 12 metres and maximum density of 250 units per hectare, a maximum lot coverage of 78% and a minimum of 6 parking spaces with a holding provision to ensure noise and vibration measures are incorporated into the building design;
- b) the Site Plan Approval Authority BE REQUESTED to address the following design matters:
- ensure that the roof style is consistent with the neighbourhood character. A flat roof style should be considered as a design alternative to the Mansard roof to respond to the neighbourhood character and building type;
 - create an urban courtyard environment at the north-west corner of the site to improve the visibility of the commercial entrance. Reconfigure landscaping to achieve this, including removing or relocating the proposed landscaping along Piccadilly Street;
 - provide a more prominent principal entrance at Piccadilly and Talbot Streets to improve the visibility of the commercial unit. This can be achieved through the building massing by creating an angled entrance (within the visibility triangle) as well as providing a more prominent canopy feature;
 - emphasize the residential entrance on Piccadilly Street through architectural elements, such as a small overhang/canopy feature, and align the windows above with this entrance;
 - ensure that any signage proposed for the commercial unit is integrated within the façade;
 - explore opportunities to break up the visual bulk of the south elevation through recesses in the façade; and,
 - provide additional French balconies, where possible, to break up the visual bulk of the façades; and,

- c) the Civic Administration BE REQUESTED to report back to the Planning and Environment Committee, upon completion of the design matters outlined in part b), above;

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

14. Industrial Lands Review (O-8014)

That, on the recommendation of the Managing Director, Planning and City Planner, the staff report, dated April 23, 2013, BE RECEIVED for information in association with the April 23, 2013 public participation meeting regarding the Urban Growth Boundary expansion for future industrial development, it being noted that a proposed Official Plan Amendment to expand the Urban Growth Boundary for future industrial development will be considered at a future public participation meeting;

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

- Sean Ford, 15875 Robins Hill Road – expressing appreciation for the opportunity to speak; expressing appreciation to the Civic Administration for the efforts on this matter; expressing support for the 500 hectares of new Urban Reserve Industrial Growth Lands; expressing an interest in the Wilton Grove and Highbury Avenue area; expressing support for the Highway 401 and Highway 402 strategy; indicating that the 500 hectares may be on the light side; advising that there have been four large sites that have been completed; expressing support for the Evaluation Criteria; requesting that the Civic Administration be flexible; and indicating that some locations will sell faster than others.
- Joseph Plutino, Mainline – see attached communication.
- Brad McLellan, 4759 Wellington Road South – indicating that the Exeter Road/Highway 401 entrance to London is not utilized; advising that this is a great opportunity to expand infill; advising that infill should be undertaken near White Oak Road; advising that, near Orgaworld, there should be more Light Industrial development; advising that you can travel straight across Westminster Road and the only bottleneck is the Westminster Bridge; indicating that the Shaver subdivision has a public and a high school and you should consider building Light Industrial in that area; indicating that the area around Highway 401 should be Commercial; advising that on Wellington Road South, you have hydro, water, sewers and trunk lines for both Rogers and Bell; advising that the area on Wellington Road South has high visibility; recommending that Dingman Drive be surrounded with Light Industrial; suggesting that you need more than 500 hectares of land; and indicating that large companies are looking for a lot of land.
- Jack, 3226 Westminster Drive and representing his neighbors at 3356 Westminster Drive and 3045 Dingman Drive – expressing support for the Industrial Land Strategy; requesting that the City does what it can now rather than waiting for 10 years; requesting that what you say you will do, is what is done; requesting that the Civic Administration work with the private landowners to supplement growth; indicating that Highway 401 is a tremendous asset; indicating that he has approximately 150 acres in the Urban Growth Boundary and 90 acres outside of the Urban Growth Boundary; requesting that his entire property be put in the Urban Growth Boundary; indicating that he has services in the area and the property is ready to be developed; and advising that he believes in the city, invests in the city and lives in the city.
- Rod Morley, 1291 Rideau Gate – advising that he has issues with the ideas and concepts; noting that it is the same things that have been done in the past, and hoping for different results; indicating that the city is cheapening what is already there; and, advising that many Industrial lands could be redeveloped and could be infilled, with everything already serviced.
- Gary Brown, 35A – 59 Ridout Street – advising that there has been a lot of talk about intensification at the meeting tonight; indicating that he sees a lot of empty space on Clarke Road; indicating that we should use the lands we have more efficiently; indicating that 2.8 million acres of farmland has been lost in Ontario; indicating that food security is a serious issue; and, advising that only .½% of the land is classified as farmland and most of that is in Southwestern Ontario.
- Jay McGuffin, Monteith Brown, on behalf of Farhi Holdings Corporation – advising that Mr. Farhi has in excess of 500 acres; advising that his clients' lands are appropriately situated with significant frontage on Highway 402, Colonel Talbot Road, Longwoods Road, Murray Road and approximate to the convergence of Highways 402 and 401; and indicating that the lands considered for employment and community growth

purposes.

- Stan Topilko, 4653 White Oak Road – see attached communication.
- Peter White, London Economic Development Corporation – advising that due to the lateness of the matter being dealt with, several people had to leave; requesting an extension for communications to be received and placed on the Council Agenda; expressing support for the Civic Administration's efforts; advising that he has met with a number of interested landowners; noting that he is receiving good feedback from the Industry; advising that the most recent largest transactions of land have been for 29 and 21 acres; and advising that he is pleased that the process is moving forward.
- Jamie Crook, 1766 Wilton Grove Road, on behalf of his neighbours at 1874 and 1811 Wilton Grove Road – advising that most of their properties front onto Highway 401; advising that he is trying to determine what the future development in this area will be; and requesting that the lands be included in the Urban Growth Boundary. (2013-D08)

Motion Passed

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

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

4. Property located at 1103 Adelaide Street North (OZ-7972)

That, on the recommendation of the Managing Director, Planning and City Planner, the Ontario Municipal Board BE ADVISED that Municipal Council has reviewed a 4th and 5th concept plan, as submitted by the applicant, and see no reason to change the Municipal Council resolution adopted at its meeting held on March 21, 2011; it being noted that the Planning and Environment Committee heard a verbal presentation from W. Pol, on behalf of the area residents, C. McDonnell, 525 Huron Street, S. Allen, MHBC Planning, on behalf of York Developments and A. Soufan, President, York Developments, with respect to this matter. (2013-D14A)

Motion made by Councillor P. Hubert and seconded by Councillor N. Branscombe to Amend clause 4 in line five, by deleting the date "March 21, 2011" and by replacing it with the dates "April 10 and 11, 2012".

Motion Passed

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

Motion made by Councillor B. Polhill and seconded by Councillor P. Hubert to Approve clause 4, as amended.

Motion Passed

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

NAYS: N. Branscombe (1)

Clause 4, as amended, reads as follows:

That, on the recommendation of the Managing Director, Planning and City Planner, the Ontario Municipal Board BE ADVISED that Municipal Council has reviewed a 4th and 5th concept plan, as submitted by the applicant, and see no reason to change the Municipal Council resolution adopted at its meeting held on April 10 and 11, 2012; it being noted that the Planning and Environment Committee heard a verbal presentation from W. Pol, on behalf of the area residents, C. McDonnell, 525 Huron Street, S. Allen, MHBC Planning, on behalf of York Developments and A. Soufan, President, York Developments, with respect to this matter. (2013-D14A)

Motion made by Councillor B. Polhill to Approve clause 12.

12. Property located at 655 Tennent Avenue (39T-13501/Z-8139)

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the application of Wastell Developments Inc., relating to the property located at 655 Tennent Avenue:

- a) the Approval Authority BE ADVISED that at the public meeting of the Planning and Environment Committee held with respect to this matter, issues were raised by area residents with respect to increased traffic in the area and requesting a park;
- b) the Approval Authority BE ADVISED that the Municipal Council supports issuing draft approval of the proposed plan of residential subdivision, as submitted by Wastell Developments Inc., (File No. 39T-13501, prepared by Ricor Engineering Limited, certified by Robert Stirling, OLS, FKS Land Surveyors, as redline revised which shows 44 single detached lots and 1 walkway block served by 1 new local street, SUBJECT TO the conditions contained in the attached, revised, Appendix "C";
- c) the proposed by-law, as appended to the staff report dated April 23, 2013, BE INTRODUCED at the Municipal Council meeting to be held on April 30, 2013, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM a Neighbourhood Facility (NF) Zone, which permits uses such as schools TO a Residential R1 (R1-4) Zone, to permit single detached dwellings on lots with a minimum frontage of 12.0 metres and a minimum lot area of 360 square metres, a Residential R1 (R1-5) Zone, to permit single detached dwellings on lots with a minimum frontage of 12.0 metres and a minimum lot area of 450 square metres, and a Residential R1 Special Provision (R1-5()) Zone, to permit single detached dwellings with a special provision for a minimum lot frontage of 11.0 metres and a minimum lot area of 450 square metres; and,
- d) the Civic Administration BE DIRECTED to liaise with the Thames Valley District School Board to determine if a larger section of the soccer field can be acquired for a park;

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

- Rick Dykstra, Ricor Engineering, applicant – expressing appreciation to the Civic Administration and the residents for their input; indicating that the redline mark-up is not ideal; indicating that there is a division between residents that would like to have a walkway and those that prefer not to have a walkway; indicating that Canada Post can charge the Developer for the installation of community mailboxes; and advising that they do not anticipate any impact to the school during construction.
- Sigmar Martin, 630 Tennent Avenue, on behalf of area residents – see attached presentation.
- John Kiteley, 1119 Glenora Drive – indicating that he is not opposed to the installation of a walkway as long as it is connected to green space; advising that the walkway is sometimes used at night as a gathering place; and advising that the Police have been called in the past.
- Dave Pinheiro, 649 Tennent Avenue – indicating that things in the area are changing quickly; advising that they are asking for a park, which is a small ask; advising that community parks keep families and neighbourhoods together; indicating that he realizes that there are issues with walkways; advising that, in the past the Thames Valley District School Board has assisted with walkway concerns; enquiring as to what is happening with the existing fence as it will impact his driveway; and enquiring as to whether or not there will be one main entrance for construction vehicles.
- Rod Morley, 1291 Rideau Gate – requesting that areas in the city be intensified so that we do not have to expand into the Urban Growth Boundary; advising that there will be increased traffic on Fanshawe Park Road and Adelaide Street North; indicating that Glenora Drive and Glengarry Street have both undergone traffic calming measures; enquiring as to what is happening with the pedestrian light at Fanshawe Park Road and Tennent Avenue; recommending less homes and more park space; and recommending that the developer work with the neighbourhood.
- Anna Parker, 1272 Glenora Drive – advising that the traffic on Glenora Drive is terrible; indicating that she cannot imagine adding 44 more homes to the area; indicating that there are no sidewalks; advising that safety is a concern; and advising that, with the increased traffic, there may be an accident involving kids. (2013-D14A/D12)

Motion made by Councillor B. Polhill and seconded by Councillor P. Hubert to Amend clause 12 by deleting part c) in its entirety and by replacing it with the following new part c):

- c) the ~~attached~~, revised, proposed by-law, BE INTRODUCED at the Municipal Council meeting to be held on April 30, 2013, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM a Neighbourhood Facility (NF) Zone, which permits uses such as schools TO a Residential R1 (R1-4) Zone, to permit single detached dwellings on lots with a minimum frontage of 12.0 metres and a minimum lot area of 360 square metres, a Residential R1 (R1-5) Zone, to permit single detached dwellings on lots with a minimum frontage of 12.0 metres and a minimum lot area of 415 square metres, and a Residential R1 Special Provision (R1-5()) Zone, to permit single detached dwellings with a special provision for a minimum lot frontage of 11.0 metres and a minimum lot area of 415 square metres; and,

Motion Passed

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

RECUSED: M. Brown (1)

Motion made by Councillor J.L. Baechler and seconded by Councillor B. Polhill to further Amend clause 12 as follows:

- a) in part d) of clause 12 by deleting the word "liaise" and by replacing it with the words "explore joint opportunities" and by adding the following words "or if there are other joint use or ownership opportunities", as the end of part d);
- b) by inserting a new part e) as follows:
- "e) that Civic Administration BE DIRECTED to review the traffic safety concerns, and related issues in the A.B. Lucas Secondary School/Adelaide Street/Tennant Avenue area; and,"
- c) by inserting a new part f) as follows:
- "f) pursuant to section 34(17) of the Planning Act, as determined by the Municipal Council, no further notice BE GIVEN in respect of the proposed by-law as the proposed amendment is minor in nature;".

Motion Passed

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

RECUSED: M. Brown (1)

Motion made by Councillor B. Polhill and seconded by Councillor P. Hubert to Approve clause 12, as amended.

Motion Passed

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

RECUSED: M. Brown (1)

Clause 12, as amended, reads as follows:

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the application of Wastell Developments Inc., relating to the property located at 655 Tennent Avenue:

- a) the Approval Authority BE ADVISED that at the public meeting of the Planning and Environment Committee held with respect to this matter, issues were raised by area residents with respect to increased traffic in the area and requesting a park;
- b) the Approval Authority BE ADVISED that the Municipal Council supports issuing draft approval of the proposed plan of residential subdivision, as submitted by Wastell Developments Inc., (File No. 39T-13501, prepared by Ricor Engineering Limited, certified by Robert Stirling, OLS, FKS Land Surveyors, as redline revised which shows 44 single detached lots and 1 walkway block served by 1 new local street, SUBJECT TO the conditions contained in the attached, revised, Appendix "C";
- c) the attached, revised, proposed by-law, BE INTRODUCED at the Municipal Council meeting to be held on April 30, 2013, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM a Neighbourhood Facility (NF) Zone, which permits uses such as schools TO a Residential R1 (R1-4) Zone, to permit single detached dwellings on lots with a minimum frontage of 12.0 metres and a minimum lot area of 360 square metres, a Residential R1 (R1-5) Zone, to permit single detached dwellings on lots with a minimum frontage of 12.0 metres and a minimum lot area of 415 square metres, and a Residential R1 Special Provision (R1-5()) Zone, to permit single detached dwellings with a special provision for a minimum lot frontage of 11.0 metres and a minimum lot area of 415 square metres;
- d) the Civic Administration BE DIRECTED to explore joint opportunities with the Thames Valley District School Board to determine if a larger section of the soccer field can be acquired for a park or if there are other joint use or ownership opportunities;
- e) the Civic Administration BE DIRECTED to review the traffic safety concerns, and related issues in the A.B. Lucas Secondary School/Adelaide Street/Tennent Avenue area; and,
- f) pursuant to section 34(17) of the Planning Act, as determined by the Municipal Council, no further notice BE GIVEN in respect of the proposed by-law as the proposed amendment is minor in nature;

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

- Rick Dykstra, Ricor Engineering, applicant – expressing appreciation to the Civic Administration and the residents for their input; indicating that the redline mark-up is not ideal; indicating that there is a division between residents that would like to have a walkway and those that prefer not to have a walkway; indicating that Canada Post can charge the Developer for the installation of community mailboxes; and advising that they do not anticipate any impact to the school during construction.
- Sigmar Martin, 630 Tennent Avenue, on behalf of area residents – see attached presentation.
- John Kiteley, 1119 Glenora Drive – indicating that he is not opposed to the installation of a walkway as long as it is connected to green space; advising that the walkway is sometimes used at night as a gathering place; and advising that the Police have been called in the past.
- Dave Pinheiro, 649 Tennent Avenue – indicating that things in the area are changing quickly; advising that they are asking for a park, which is a small ask; advising that community parks keep families and neighbourhoods together; indicating that he realizes that there are issues with walkways; advising that, in the past the Thames Valley District School Board has assisted with walkway concerns; enquiring as to what is happening with the existing fence as it will impact his driveway; and enquiring as to whether or not there will be one main entrance for construction vehicles.
- Rod Morley, 1291 Rideau Gate – requesting that areas in the city be intensified so that we do not have to expand into the Urban Growth Boundary; advising that there will be increased traffic on Fanshawe Park Road and Adelaide Street North; indicating that Glenora Drive and Glengarry Street have both undergone traffic calming measures; enquiring as to what is happening with the pedestrian light at Fanshawe Park Road and Tennent Avenue; recommending less homes and more park space; and recommending that the developer work with the neighbourhood.

- Anna Parker, 1272 Glenora Drive – advising that the traffic on Glenora Drive is terrible; indicating that she cannot imagine adding 44 more homes to the area; indicating that there are no sidewalks; advising that safety is a concern; and advising that, with the increased traffic, there may be an accident involving kids. (2013-D14A/D12)

10th Report of the Planning and Environment Committee
Councillor B. Polhill presents.

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

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Property located at 77 Tecumseh Avenue West (Z-8136)

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of Malcolm Ross, relating to the property located at 77 Tecumseh Avenue West:

- a) the proposed by-law, as appended to the staff report dated April 30, 2013, BE INTRODUCED at the Municipal Council meeting to be held on April 30, 2013, to repeal By-law No. Z.-1-132178 and to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM a Neighbourhood Facility (NF) Zone which permits elementary school uses TO a Residential R1 Special Provision (R1-3 (4)) Zone to allow for 12 single detached dwelling lots with a minimum lot frontage of 10m, minimum front and exterior setback to a main dwelling of 3.0m from a local street and with a 1.2m minimum interior side yard setback and a Holding Residential R8 Special Provision (h-5*h-(_)R8-4 (_)) Zone to permit an apartment building in a converted institutional building (Manor Highland Park Public School) as it exists at the time of the passing of this by-law with a density of 49units/ha (22 units), subject to a holding provision to ensure sanitary and stormwater servicing reports have been prepared and confirmation that sanitary and stormwater management systems are implemented to the satisfaction of the City Engineer and a public site plan meeting be held;
- b) the Site Plan Approval Authority BE REQUESTED to consider the following site specific design issues through the site plan process:
 - A) that the site plan application drawings remain consistent with the drawings submitted through the zoning by-law amendment process, particularly with regard to the following:
 - I) incorporate architectural features on the exterior of the existing elementary school building such as large windows and the dual entrances marked by canopies (one on the north elevation at the location of the existing principal entrance facing Murray Park and one on the south elevation leading to the corner parking area) to improve the residential character of the building by reducing the prevalence of large blank walls characteristic of the elementary school use;
 - II) maximize the use of landscaping along Tecumseh Avenue West and Wilson Avenue to provide uninterrupted screening of the parking lot street frontage and provide enhanced landscaping at the street corner and driveway entrance; and,
 - III) provide safe, convenient and direct pedestrian connections between the existing public sidewalks along Forbes Street and Tecumseh Avenue to the proposed main entrances of the building; and,
- c) pursuant to Section 34(17) of the *Planning Act*, as determined by the Municipal Council, no further notice BE GIVEN in respect of the proposed by-law as the public participation meeting was held on April 9, 2013 and the proposed by-law implements minor site plan changes.

Motion made by Councillor D. Brown and seconded by Councillor J.B. Swan to Amend clause 2 by inserting a new part d) as follows:

- “d) the Approval Authority BE REQUESTED to hold a public site plan meeting with respect to the development of the entire site;”.

Motion Passed

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

RECUSED: M. Brown (1)

Motion made by Councillor B. Polhill and seconded by Councillor D. Brown to Approve clause 1 and clause 2, as amended.

Motion Passed

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

RECUSED: M. Brown (1)

Clause 2, as amended, reads as follows:

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of Malcolm Ross, relating to the property located at 77 Tecumseh Avenue West:

- a) the proposed by-law, as appended to the staff report dated April 30, 2013, BE INTRODUCED at the Municipal Council meeting to be held on April 30, 2013, to repeal By-law No. Z.-1-132178 and to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM a Neighbourhood Facility (NF) Zone which permits elementary school uses TO a Residential R1 Special Provision (R1-3 (4)) Zone to allow for 12 single detached dwelling lots with a minimum lot frontage of 10m, minimum front and exterior setback to a main dwelling of 3.0m from a local street and with a 1.2m minimum interior side yard setback and a Holding Residential R8 Special Provision (h-5*h-()*R8-4 ()) Zone to permit an apartment building in a converted institutional building (Manor Highland Park Public School) as it exists at the time of the passing of this by-law with a density of 49units/ha (22 units), subject to a holding provision to ensure sanitary and stormwater servicing reports have been prepared and confirmation that sanitary and stormwater management systems are implemented to the satisfaction of the City Engineer and a public site plan meeting be held;
- b) the Site Plan Approval Authority BE REQUESTED to consider the following site specific design issues through the site plan process:
 - A) that the site plan application drawings remain consistent with the drawings submitted through the zoning by-law amendment process, particularly with regard to the following:
 - I) incorporate architectural features on the exterior of the existing elementary school building such as large windows and the dual entrances marked by canopies (one on the north elevation at the location of the existing principal entrance facing Murray Park and one on the south elevation leading to the corner parking area) to improve the residential character of the building by reducing the prevalence of large blank walls characteristic of the elementary school use;
 - II) maximize the use of landscaping along Tecumseh Avenue West and Wilson Avenue to provide uninterrupted screening of the parking lot street frontage and provide enhanced landscaping at the street corner and driveway entrance; and,
 - III) provide safe, convenient and direct pedestrian connections between the existing public sidewalks along Forbes Street and Tecumseh Avenue to the proposed main entrances of the building;
- c) pursuant to Section 34(17) of the *Planning Act*, as determined by the Municipal Council, no further notice BE GIVEN in respect of the proposed by-law as the public participation meeting was held on April 9, 2013 and the proposed by-law implements minor site plan changes; and,

- d) the Approval Authority BE REQUESTED to hold a public site plan meeting with respect to the development of the entire site.

11th Report of the Corporate Services Committee
Councillor J.P. Bryant presents.

Motion made by Councillor J.P. Bryant to Approve clauses 1 to 18, excluding clauses 2, 5 and 10.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

3. 2012 Compliance Report in Accordance with the Procurement of Goods and Services Policy

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

- a) the administrative contract awards, as per Section 8.11 (b) of the Procurement of Goods and Services Policy, which are greater than \$10,000 and less than \$50,000 without a purchase order, decentralized from Purchasing and Supply, that have been reported to the Manager of Purchasing and Supply and have been reviewed for compliance to the Procurement of Goods and Services Policy, BE RECEIVED for information;
- b) as per the Procurement of Goods and Services Policy, Section 8.11 (c), an annual report of total payments required where a supplier has invoiced the City a cumulative total value of \$100,000 or more in a calendar year, BE RECEIVED for information;
- c) the administrative contract awards for Professional Consulting Services with an aggregate total greater than \$100,000, as per Section 15.1 (g) of the Procurement of Goods and Services Policy, decentralized from Purchasing and Supply that have been reported to the Manager of Purchasing and Supply and have been reviewed for compliance to the Procurement of Goods and Services Policy, BE RECEIVED for information.

4. Advisory Committee Policy Update

That the following actions be taken with respecting to updating the Advisory Committee Policy:

- a) the ~~attached~~ revised proposed by-law (Appendix "A") BE INTRODUCED at the Municipal Council meeting on April 30, 2013 to amend the General Policy for Advisory Committees, in order to reference other legislation and policies that may be applicable to the Advisory Committees; and
- b) the City Clerk BE REQUESTED to seek the input of Advisory Committees on the use of social media by Advisory Committees, and report back on any recommended amendments to the Advisory Committee Policy with respect to the use of social media by Advisory Committees, having considered that input.

6. Report on a Visiting Delegation from Nanjing, China - March 2013

That, on the recommendation of the Director of Intergovernmental and Community Liaison, the staff report dated April 23, 2013 regarding the March 2013 visit by a delegation from London's sister city, Nanjing, China, BE RECEIVED.

7. Report on a Visiting Delegation from Chongqing, China - March 2013

That, on the recommendation of the Director of Intergovernmental and Community Liaison, the staff report dated April 23, 2013 regarding the March 2013 visit by a delegation from Chongqing, China, BE RECEIVED.

8. Dearness Home: Consulting and Administrator Services Single Source

That, on the recommendation of Tim Dobbie, Tim L. Dobbie Consulting Ltd, the following actions be taken with respect to the Dearness Home – Consulting Services and Administrative Services – Single Source:

- a) the proposed by-law appended to the staff report dated April 23, 2013 BE INTRODUCED at the Municipal Council meeting of April 30, 2013:
- i) to approve the following Agreements:
 - Agreement dated May 1, 2013 between The Corporation of the City of London and Extencicare (Canada) Inc., 3000 Steeles Ave., Markham, Ontario, L3R 9W2, to provide operational consulting services for the Dearness Home at a cost of \$28,000 per month plus HST and disbursements;
 - Agreement dated May 1, 2013 between The Corporation of the City of London and Extencicare (Canada) Inc., 3000 Steeles Ave., Markham, Ontario, L3R 9W2, to provide Administrator services for Dearness Home at a cost of \$14,500 per month plus HST and disbursements; and
 - ii) to delegate authority to the City Manager to execute the Agreements; and
 - iii) to delegate authority to the City Manager to provide written notice of the termination for the Agreements pursuant to the termination provisions of the Agreements;
- b) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with the Agreements outlined in (a)(i) above; and
- c) the source of funding for the two Agreements outlined in (a)(i), above, estimated at a total maximum cost of \$285 000, BE APPROVED as a drawdown from the Operating Budget Contingency Reserve.

9. Tax Adjustment Agenda

That the recommendations contained in the Tax Adjustment Agenda dated April 23, 2013 BE APPROVED; it being noted that there were no members of the public in attendance to speak to the Corporate Services Committee, at the public hearing associated with the Tax Adjustment Agenda.

11. Request for Support to Pass a Resolution re Contractors

That the communication dated April 4, 2013, from S. Reid, Director, Federal and Ontario Progressive Contractors Association of Canada and I. DeWaard, Regional Director, Christian Labour Association of Canada, BE RECEIVED.

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

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

Non-Voting:

- Michelle Lynne Goodfellow (London & Middlesex Housing Corporation Representative)

13. Appointment to the London Advisory Committee on Heritage

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

Voting:

- Kira Westby (Emerging Leaders Initiative Representative)

14. Appointments to the the Community Safety & Crime Prevention Advisory Committee

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

Voting:

- Linda Steel (Child Safety Middlesex London Representative)

Non-Voting:

- Maureen O'Halloran (Block Parent Office Representative)

15. Appointment to the Accessibility Advisory Committee

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

Voting:

- Martha Dyer (Person with a Disability)

16. Appointment to the Animal Welfare Advisory Committee

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

Voting:

- Tracy Satchell (Veterinarian)

17. Resignation of D. Fortney from the Animal Welfare Advisory Committee

That the communication dated April 3, 2013 from Dianne Fortney, resigning her appointment to the Animal Welfare Advisory Committee, BE ACCEPTED and Ms. Fortney BE THANKED for participating on the Committee.

18. Resignation of M. Rabi from the London Diversity and Race Relations Advisory Committee

That the communication dated April 8, 2013 from Mark Rabi, resigning his appointment to the London Diversity and Race Relations Advisory Committee, BE ACCEPTED and Mr. Rabi BE THANKED for participating on the Committee.

Motion Passed

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

Motion made by Councillor J.P. Bryant to Approve clause 2.

2. Introduction of By-law to Appoint Ms. Sandra Datars Bere to the Statutory Position of Ontario Works Administrator

That, on the recommendation of the City Manager, the following actions be taken with respect to the appointment of Ms. Sandra Datars Bere to the statutory position of Ontario Works Administrator:

- a) the proposed by-law appended to the staff report dated April 23, 2013, BE INTRODUCED at the Municipal Council meeting to be held on April 30, 2013 to appoint Ms. Sandra Datars Bere to the statutory position of Administrator Ontario Works-London, subject to the approval of the Director of Ontario Works, Ministry of Community and Social Services; and,
- b) the City Clerk BE DIRECTED to so notify the Director of Ontario Works, Ministry of Community and Social Services.

Motion Passed

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

RECUSED: P. Hubert (1)

Motion made by Councillor J.P. Bryant to Approve clause 10.

10. Nomination of Councillor H. L. Usher for Re-Election to the FCM Board of Directors

That the following actions be taken with respect to the communication dated April 2, 2013 from Councillor Usher regarding standing for election to the Federation of Canadian Municipalities' Board of Directors and his associated expenses:

a) the following resolution BE ADOPTED:

"WHEREAS the Federation of Canadian Municipalities (FCM) represents the interests of municipalities on policy and program matters that fall within federal jurisdiction;

AND WHEREAS FCM's Board of Directors is comprised of elected municipal officials from all regions and sizes of communities to form a broad base of support and provide FCM with the prestige required to carry the municipal message to the Federal Government;

AND WHEREAS FCM's 76th Annual Conference and Trade Show will take place May 31 to June 3, 2013, during which time the Annual General Meeting will be held and followed by the election of FCM's Board of Directors;

NOW THEREFORE BE IT RESOLVED that the Municipal Council of The Corporation of the City of London endorses Councillor Harold Usher to stand for election on FCM's Board of Directors for the 2013/2014 term;

AND BE IT FURTHER RESOLVED that The Corporation of the City of London assumes all costs associated with Councillor Harold Usher attending FCM's Board of Directors meetings.";

b) in the event Councillor Usher is re-elected to the Board of Directors and is reappointed to the Standing Committee on Environmental Issues and Sustainable Development, the related expenses to attend the following meetings be assumed by the City of London, outside of his annual expense allocation, subject to the annual budget approval process and in accordance with Council's Travel and Business Expenses Policy:

Board of Directors Meeting - September 4-7, 2013 – St. John's NL
Board of Directors Meeting - November 26-29, 2013 – Ottawa, ON
Board of Directors Meeting - March 5-8, 2014 – Thunder Bay, ON
Sustainable Community Conference
& Trade Show - February 2014 – Charlottetown, PEI
Annual Conference and AGM - May 30-June 2, 2014 – Niagara Falls ON;

and,

c) Councillor H.L. Usher BE REIMBURSED by The Corporation of the City of London, outside his annual expense allocation, for his campaign expenses in seeking re-election to the Board of Directors, in an amount of up to \$750, upon submission of eligible expenses.

Motion made by Councillor J.P. Bryant and seconded by Councillor P. Hubert to Amend clause 10 by deleting it in its entirety and by replacing it with a new clause 10 as follows:

"That the following actions be taken with respect to the communication dated April 2, 2013 from Councillor Usher regarding standing for election to the Federation of Canadian Municipalities' Board of Directors and his associated expenses:

a) the following resolution BE ADOPTED:

"WHEREAS the Federation of Canadian Municipalities (FCM) represents the interests of municipalities on policy and program matters that fall within federal jurisdiction;

AND WHEREAS FCM's Board of Directors is comprised of elected municipal officials from all regions and sizes of communities to form a broad base of support and provide FCM with the prestige required to carry the municipal message to the Federal Government;

AND WHEREAS FCM's 76th Annual Conference and Trade Show will take place May 31 to June 3, 2013, during which time the Annual General Meeting will be held and followed by the election of FCM's Board of Directors;

NOW THEREFORE BE IT RESOLVED that the Municipal Council of The Corporation of the City of London endorses Councillor Harold Usher to stand for election on FCM's Board of Directors for the 2013/2014 term;

AND BE IT FURTHER RESOLVED that The Corporation of the City of London assumes all costs associated with Councillor Harold Usher attending FCM's Board of Directors meetings.”;

- b) in the event Councillor Usher is re-elected to the Board of Directors, the related expenses to attend the following meetings be assumed by the City of London, outside of his annual expense allocation, subject to the annual budget approval process and in accordance with Council's Travel and Business Expenses Policy:

Board of Directors Meeting - September 4-7, 2013 – St. John's NL
Board of Directors Meeting - November 26-29, 2013 – Ottawa, ON
Board of Directors Meeting - March 5-8, 2014 – Thunder Bay, ON
Annual Conference and AGM - May 30-June 2, 2014 – Niagara Falls ON;

- c) in the event Councillor Usher is reappointed to the Standing Committee on Environmental Issues and Sustainable Development, the related expenses to attend the following meeting be assumed by the City of London, outside of his annual expense allocation, subject to the annual budget approval process and in accordance with Council's Travel and Business Expenses Policy:
Sustainable Community Conference & Trade Show - February 2014 – Charlottetown, PEI

and;

- d) Councillor H.L. Usher BE REIMBURSED by The Corporation of the City of London, outside his annual expense allocation, for his campaign expenses in seeking re-election to the Board of Directors, in an amount of up to \$750, upon submission of eligible expenses.”

Motion Passed

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

Motion made by Councillor J.P. Bryant and seconded by Councillor P. Hubert to Approve clause 10, as amended

Motion Passed

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

Motion made by Councillor J.P. Bryant to Approve clause 19.

19. Reimbursement of Councillor J.L. Baechler's expenses to serve on Federation of Canadian Municipalities' Standing Committee(s)

That, subject to the approval of Councillor J.L. Baechler's application to serve on a Federation of Canadian Municipalities (FCM) Standing Committee, Councillor Baechler BE AUTHORIZED to attend the FCM meetings as noted below, and BE REIMBURSED for her associated expenses outside of her annual expense allocation, subject to the annual budget approval process, and in accordance with Council's Travel & Business Expenses Policy:

September 4-7, 2013 – St. John's NL
November 26-29, 2013 – Ottawa, ON
March 5-8, 2014 – Thunder Bay, ON
Sustainable Community Conference
& Trade Show – February 2014 – Charlottetown, PEI

Annual Conference and AGM – May 30-June 2, 2014 – Niagara Falls, ON

Motion Passed

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

NAYS: H.L. Usher (1)

At 8:33 PM, His Worship the Mayor places Councillor P. Hubert in the Chair and takes a seat at the Council Board.

Motion made by Mayor J.F. Fontana to Approve clause 5.

5. Code of Conduct for Municipal Council and Lobbyist Registry Update

That the following actions be taken with respect to proposed amendments to the Council Policy 5(30) – Code of Conduct for Members of Municipal Council and the establishment of a Lobbyist Registry:

- a) pursuant to section 13.7 of the Council Procedure By-law, the actions of the Municipal Council taken at its meeting of September 18, 2012, related to the adoption of clause 11 of the 24th Report of the Finance and Administrative Services Committee, concerning the Council Members Integrity Commissioner BE RECONSIDERED;
- b) the City Clerk, in consultation with the City Solicitor, BE DIRECTED to prepare a by-law to adopt the ~~attached~~ (Appendix “B”) Council Code of Conduct, which incorporates an Integrity Commissioner, for introduction at the Municipal Council meeting to be held on April 30, 2013;
- c) the City Clerk, in consultation with the City Solicitor, BE DIRECTED to prepare and report back to Municipal Council with Terms of Reference outlining the duties and functions to be assigned to an Integrity Commissioner established under sections 223.3 to 223.8 of the *Municipal Act, 2001*, that would include, but is not limited to, the following:
 - (i) appointment by Council by by-law under section 223.3 of the *Municipal Act, 2001*;
 - (ii) to function independently from the Civic Administration and report directly to Municipal Council;
 - (iii) to review the Code of Conduct for Members of Municipal Council and to make recommendations thereon as necessary, at a minimum of once per year;
 - (iv) to serve a multi-faceted role to act not only as a complaint investigator, but also as an advisor to individual Members of Council in relation to the Municipal Code of Conduct, and any procedures, rules and policies of the municipality governing the ethical behaviour as well as any associated policies, and act as a proactive educator for the Municipal Council, the Civic Administration and the Public;
 - (v) to provide semi-annual reports to the Municipal Council summarizing his/her activities in accordance with section 223.6 of the *Municipal Act, 2001*; and
 - (vi) to provide individual investigative reports, as required, which will include background concerning the complaint and recommendations to Municipal Council with respect to the complaint for its consideration, in accordance with section 223.6 of the *Municipal Act, 2001*; and
- d) the City Clerk, in consultation with the City Solicitor, BE DIRECTED to report back to Municipal Council with a process for the recruitment of an Integrity Commissioner that would include, but is not limited to the following provisions:
 - (i) preparation of a Request for Proposal (RFP) that will require the submission of the following information: fees to be charged, under an independent contract

and outline the following general qualifications;

- A. proven impartiality and neutrality, such as that of a judge;
 - B. an ability to provide services on a part-time, flexible, and as-needed basis;
 - C. no other involvement in political campaigning/endorsements, or related conflict of interest;
 - D. no financial interest in the work undertaken by the City;
 - E. an independent person who personifies high ethical standards;
 - F. experience managing sensitive inquiries, conducting investigations and making appropriate recommendations;
 - G. excellent communications skills;
 - H. familiarity with investigatory procedures and the applicable legal principles, particularly as they relate to evidence, legal interpretation and natural justice;
 - I. general knowledge and appreciation of municipal government;
 - J. ability to interpret and apply the provisions of various statutes, regulations, policies and other enabling frameworks;
 - K. impartiality, wisdom, sound judgment combined with the ability to inspire trust and confidence; and
 - L. at least ten years of senior-level management, legal or quasi-judicial experience.
- (ii) appointment to be for a four-year term, to be staggered two years between Council terms to ensure continuity; and
- (iii) fees to be paid to the Integrity Commissioner, under an independent contract; and,
- e) the Managing Director, Corporate Services & City Treasurer, Chief Financial Officer BE DIRECTED to provide a source of financing for the establishment of an Integrity Commissioner;
- f) the City Clerk, in consultation with the City Solicitor, BE DIRECTED to report back in one year, after the implementation of the Integrity Commissioner, to evaluate the need for the establishment of a Lobbyist Registry;
- g) the City Clerk, in consultation with the City Solicitor, BE DIRECTED to incorporate into the complaint resolution process, an opportunity for early stage mediation.

The motion to Approve part a) of clause 5 is put.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (12)

NAYS: S. Orser, D.G. Henderson, P. Van Meerbergen (3)

At 8:44 PM, His Worship the Mayor resumes the Chair and Councillor P. Hubert takes his seat at the Council Board.

Motion made by Councillor M. Brown and seconded by Councillor J.L. Baechler to Amend part c) of clause 5 by inserting, at the end of the first paragraph, the following words: “; it being noted that those duties and functions would exclude the responsibilities of “Closed Meeting Investigator” currently being provided by the Ombudsman”.

Motion Passed

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

NAYS: B. Polhill, S. Orser (2)

Motion made by Councillor N. Branscombe and seconded by Councillor S. Orser to further Amend part g) of clause 5 by deleting the word “incorporate” and by replacing it with the words “report back with respect to the potential incorporation”.

Motion Passed

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

Motion made by Councillor S.E. White and seconded by Councillor J.B. Swan, that pursuant to section 9.6 of the Council Procedure By-law, Councillor S. Orser be permitted to speak longer than 5 minutes with respect to clause 5.

Motion Passed

Motion made by Councillor J.P. Bryant and seconded by Councillor J.L. Baechler to Approve clause 5, 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, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (14)

NAYS: P. Van Meerbergen (1)

Clause 5, as amended, reads as follows:

That the following actions be taken with respect to proposed amendments to the Council Policy 5(30) – Code of Conduct for Members of Municipal Council and the establishment of a Lobbyist Registry:

- a) pursuant to section 13.7 of the Council Procedure By-law, the actions of the Municipal Council taken at its meeting of September 18, 2012, related to the adoption of clause 11 of the 24th Report of the Finance and Administrative Services Committee, concerning the Council Members Integrity Commissioner BE RECONSIDERED;
- b) the City Clerk, in consultation with the City Solicitor, BE DIRECTED to prepare a by-law to adopt the attached (Appendix “B”) Council Code of Conduct, which incorporates an Integrity Commissioner, for introduction at the Municipal Council meeting to be held on April 30, 2013;
- c) the City Clerk, in consultation with the City Solicitor, BE DIRECTED to prepare and report back to Municipal Council with Terms of Reference outlining the duties and functions to be assigned to an Integrity Commissioner established under sections 223.3 to 223.8 of the *Municipal Act, 2001*, that would include, but is not limited to, the following; it being noted that those duties and function would exclude the responsibilities of “Closed Meeting Investigator” currently being provided by the Ombudsman:
 - (i) appointment by Council by by-law under section 223.3 of the *Municipal Act, 2001*;
 - (ii) to function independently from the Civic Administration and report directly to Municipal Council;
 - (iii) to review the Code of Conduct for Members of Municipal Council and to make recommendations thereon as necessary, at a minimum of once per year;
 - (iv) to serve a multi-faceted role to act not only as a complaint investigator, but also as an advisor to individual Members of Council in relation to the Municipal Code of Conduct, and any procedures, rules and policies of the municipality governing the ethical behaviour as well as any associated policies, and act as a proactive educator for the Municipal Council, the Civic Administration and the Public;
 - (v) to provide semi-annual reports to the Municipal Council summarizing his/her activities in accordance with section 223.6 of the *Municipal Act, 2001*; and
 - (vi) to provide individual investigative reports, as required, which will include background concerning the complaint and recommendations to Municipal Council with respect to the complaint for its consideration, in accordance with section 223.6 of the *Municipal Act, 2001*; and

- d) the City Clerk, in consultation with the City Solicitor, BE DIRECTED to report back to Municipal Council with a process for the recruitment of an Integrity Commissioner that would include, but is not limited to the following provisions:
- (i) preparation of a Request for Proposal (RFP) that will require the submission of the following information: fees to be charged, under an independent contract and outline the following general qualifications;
 - A. proven impartiality and neutrality, such as that of a judge;
 - B. an ability to provide services on a part-time, flexible, and as-needed basis;
 - C. no other involvement in political campaigning/endorsements, or related conflict of interest;
 - D. no financial interest in the work undertaken by the City;
 - E. an independent person who personifies high ethical standards;
 - F. experience managing sensitive inquiries, conducting investigations and making appropriate recommendations;
 - G. excellent communications skills;
 - H. familiarity with investigatory procedures and the applicable legal principles, particularly as they relate to evidence, legal interpretation and natural justice;
 - I. general knowledge and appreciation of municipal government;
 - J. ability to interpret and apply the provisions of various statutes, regulations, policies and other enabling frameworks;
 - K. impartiality, wisdom, sound judgment combined with the ability to inspire trust and confidence; and
 - L. at least ten years of senior-level management, legal or quasi-judicial experience.
 - (ii) appointment to be for a four-year term, to be staggered two years between Council terms to ensure continuity; and
 - (iii) fees to be paid to the Integrity Commissioner, under an independent contract; and,
- e) the Managing Director, Corporate Services & City Treasurer, Chief Financial Officer BE DIRECTED to provide a source of financing for the establishment of an Integrity Commissioner;
- f) the City Clerk, in consultation with the City Solicitor, BE DIRECTED to report back in one year, after the implementation of the Integrity Commissioner, to evaluate the need for the establishment of a Lobbyist Registry;
- g) the City Clerk, in consultation with the City Solicitor, BE DIRECTED to report back with respect to the potential incorporation into the complaint resolution process, an opportunity for early stage mediation.

At 9:28 PM, Councillor P. Hubert leaves the meeting.

12th Report of the Corporate Services Committee
Councillor J.P. Bryant presents.

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

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

Motion Passed

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

At 9:29 PM, Councillor P. Van Meerbergen leaves the meeting.

9th Report of the Committee of the Whole
Councillor M. Brown presents.

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

ABSENT: Councillor J.B. Swan

ALSO PRESENT: A. Zuidema, J.P. Barber, J. Braam, J.M. Fleming, A. Hagan, M. Hayward, G. Kotsifas, L. Livingstone, V. McAlea Major, L.M. Rowe and B. Warner.

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

That, on the recommendation of the Manager of Realty Services, with respect to the property municipally known as 1269 Hyde Park Road, located on the west side of Hyde Park Road north of Sarnia Road, owned by Everwood Place Limited, the following actions be taken:

- a) the offer submitted from Everwood Place Limited to sell to the City a portion of land from 1269 Hyde Park Road, further described as Part of Lot 24, Concession 3 (Part 2, Reference Plan 33R-18288), containing an area of approximately 8,730 square feet, for the purpose of the Hyde Park Road Widening Project, for the sum of \$83,000.00 BE ACCEPTED, subject to the following conditions:
 - i) the City agreeing to pay a further sum of \$53,000.00 representing full and final disturbance costs and injurious affection, if any;
 - ii) the City agreeing to pay the Vendor's reasonable legal fees, including fees for disbursements and applicable taxes, to complete this transaction, subject to assessment; and
- b) the financing for this acquisition BE APPROVED as set out in the Source of Financing Report ~~attached~~ hereto as Appendix "A".

That, on the recommendation of the Manager of Realty Services, with the concurrence of the Managing Director, Environmental and Engineering Services and City Engineer, Managing Director, Planning and City Planner, Manager of Revenue and Taxation and the Managing Director, Development and Compliance Services and Chief Building Official, with respect to the property located at 1156 Dundas Street, the former McCormick building, the Civic Administration BE DIRECTED to take the following actions:

- a) undertake further investigations into potential municipal uses for the property if brought into municipal ownership, including partnership opportunities, and report back to Council with the results of those investigations; and,
- b) concurrently proceed with the Request for Expression of Interest (REOI) for the Purchase and Sale of the property including a Request for Qualifications (RFQUAL); it being noted that Phases 1 and 2 of the environmental assessment will be shared with the public as part of the REOI process.

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

Motion made by Councillor M. Brown to Approve the following recommendations:

That, on the recommendation of the Manager of Realty Services, with respect to the property municipally known as 1269 Hyde Park Road, located on the west side of Hyde Park Road north of Sarnia Road, owned by Everwood Place Limited, the following actions be taken:

- a) the offer submitted from Everwood Place Limited to sell to the City a portion of land from 1269 Hyde Park Road, further described as Part of Lot 24, Concession 3 (Part 2, Reference Plan 33R-18288), containing an area of approximately 8,730 square feet, for

the purpose of the Hyde Park Road Widening Project, for the sum of \$83,000.00 BE ACCEPTED, subject to the following conditions:

- i) the City agreeing to pay a further sum of \$53,000.00 representing full and final disturbance costs and injurious affection, if any;
 - ii) the City agreeing to pay the Vendor's reasonable legal fees, including fees for disbursements and applicable taxes, to complete this transaction, subject to assessment; and
- b) the financing for this acquisition BE APPROVED as set out in the Source of Financing Report attached hereto as Appendix "A".

That, on the recommendation of the Manager of Realty Services, with the concurrence of the Managing Director, Environmental and Engineering Services and City Engineer, Managing Director, Planning and City Planner, Manager of Revenue and Taxation and the Managing Director, Development and Compliance Services and Chief Building Official, with respect to the property located at 1156 Dundas Street, the former McCormick building, the Civic Administration BE DIRECTED to take the following actions:

- a) undertake further investigations into potential municipal uses for the property if brought into municipal ownership, including partnership opportunities, and report back to Council with the results of those investigations; and,
- b) concurrently proceed with the Request for Expression of Interest (REOI) for the Purchase and Sale of the property including a Request for Qualifications (RFQUAL); it being noted that Phases 1 and 2 of the environmental assessment will be shared with the public as part of the REOI process.

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, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (13)
At 9:31 PM, Councillor D.G. Henderson leaves the meeting.

X DEFERRED MATTERS

None.

XI ENQUIRIES

Councillor Baechler enquired as to the status of the remedial actions with respect to the fallen trees in the Stoney Creek area and noted immediate action is necessary due to the unsafe conditions. The Chair directed the enquiry to the Managing Director of Planning and City Planner for action.

Councillor Branscombe enquired as to when a report would be coming forward with respect to voting options for the 2014 Municipal Election. Council was advised that a report will be submitted to the Corporate Services Committee meeting in June regarding this matter.

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 D. Brown to Approve 1st reading of Bill Nos. 191 to Bill No. 207 and Bill No. 209.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (12)

Motion made by Councillor B. Polhill and seconded by Councillor D. Brown to Approve 2nd reading of Bill Nos. 191 to Bill No. 207 and Bill No. 209.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (12)

Motion made by Councillor B. Polhill and seconded by Councillor H.L. Usher to Approve 3rd reading of Bill Nos. 191 to Bill No. 207 and Bill No. 109 be read a third time and enacted.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, W.J. Armstrong, J.B. Swan, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, D. Brown, H.L. Usher, J.P. Bryant, S.E. White (12)

Motion made by Councillor B. Polhill and seconded by Councillor H.L. Usher to Approve 1st reading of Bill No.s 208 and 210.

Motion Passed

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

RECUSED: M. Brown (1)

Motion made by Councillor B. Polhill and seconded by Councillor H.L. Usher to Approve 2nd reading of Bill Nos. 208 and 210.

Motion Passed

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

RECUSED: M. Brown (1)

Motion made by Councillor B. Polhill and seconded by Councillor D. Brown to Approve 3rd reading of Bill Nos. 208 and 210.

Motion Passed

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

RECUSED: M. Brown (1)

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

- | | |
|--|--|
| Bill No. 191
By-law No. A.-6949-149 | A by-law to confirm the proceedings of the Council Meeting held on the 30th day of April, 2013. (City Clerk) |
| Bill No. 192
By-law No. A.-5273(ch)-150 | A by-law to amend By-law No. A.-5273-82 entitled, "A by-law to appoint Municipal Law Enforcement Officers for the City of London." (Manager By-law Enforcement) |
| Bill No. 193
By-law No. A.-6950-151 | A by-law to approve agreements between The Corporation of the City of London and Extendicare (Canada) Inc. for the provision of consulting services and administrator services to the Dearness Home. (8/11/CSC) |
| Bill No. 194
By-law No. A.-6951-152 | A by-law to appoint Sandra Datars Bere, Managing Director, Housing, Social Services and Dearness Home, as Administrator pursuant to the Ontario Works Act, 1997. (2/11/CSC) |
| Bill No. 195
By-law No. A.-6952-153 | A by-law to approve the Partnership Agreement for labour market planning and partnership development activities with Her Majesty the Queen in Right of Ontario as represented by the Minister of Training, Colleges and Universities; and to authorize the Mayor and the City Clerk to execute the Agreement. (5/8/CPSC) |

Bill No. 196 By-law No. A.-6953-154	A by-law to approve a policy to prohibit inappropriate behaviour and violence at City of London recreation facilities, known as the Rzone Policy. (8/8/CPSC)
Bill No. 197 By-law No. 6954-155	A by-law to approve an amendment to the grant agreement between The Corporation of the City of London (the City) and Homes Unlimited (London) Inc. (the Proponent) (14/8/CPSC)
Bill No. 198 By-law No. A.-6955-156	A by-law with respect to a standard form Purchase of Service Agreement for the City of London Homelessness Initiatives. (6/8/CPSC)
Bill No. 199 By-law No. A.-6956-157	A by-law to amend Council Policy 5(16) entitled "General Policy for Advisory Committees. (4/11/CSC)
Bill No. 200 By-law No. A.-6957-158	A by-law to repeal Council Policy 5(30) entitled "Code of Conduct for Members of Municipal Council" and replace it with a new Council Policy 5(30) entitled "Code of Conduct for Members of Council". (City Clerk)(Ref. 5/11/CSC)
Bill No. 201 By-law No. F.-167-159	A by-law with respect to the installation and maintenance of a fire safety box. (9/8/CPSC)
Bill No. 202 By-law No. S.-5563-160	A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Webster Street, north of Jensen Road) (Chief Surveyor)
Bill No. 203 By-law No. Z.-1-132184	A by-law to amend By-law No. Z.-1 Section 4.21 by adding, deleting and replacing the road allowance for various streets.(7/9/PEC)
Bill No. 204 By-law No. Z.-1-132179	A by-law to amend Section 2 Definitions and Section 4.19, Parking Section, of By-law No. Z.-1. (8a/9/PEC)
Bill No. 205 By-law No. Z.-1-132180	A by-law to amend Section 4.19, Parking Section, of By-law No. Z.-1 (8e/9/PEC)
Bill No. 206 By-law No. Z.-1-132181	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 160 Sunningdale Road West. (10/9/PEC)
Bill No. 207 By-law No. Z.-1-132182	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 736 Talbot Street. (11/9/PEC)
Bill No. 208 By-law No. Z.-1-132183	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 655 Tennent Avenue. (12/9/PEC)
Bill No. 209 By-law No. A.-6958-161	A by-law to authorize an Agreement of Purchase and Sale between The Corporation of the City of London and Everwood Place Limited, for the acquisition of a portion of property located at 1269 Hyde Park Road, for the Hyde Park Road Widening Project, and to authorize the Mayor and the City Clerk to execute the Agreement. (C-1/11/CSC)
Bill No. 210 By-law No. Z.-1-132185	A by-law to repeal By-law No. Z.-1-132178 and to amend By-law No. Z.-1 to rezone an area of land located at 77 Tecumseh Avenue West. (2/10/PEC)

XIV ADJOURNMENT

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

Motion Passed.

The meeting adjourned at 9:37 PM.

Joe Fontana, Mayor

Catharine Saunders, City Clerk