



London
CANADA

COUNCIL MINUTES 13TH MEETING

July 30, 2013

The Council meets in Regular Session in the Council Chambers this day at 4:02 p.m.

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

ABSENT: J.B. Swan, P. Van Meerbergen and S.E. White.

ALSO PRESENT: A. Zuidema, J.P. Barber, J. Braam, S. Datars Bere, J.M. Fleming, M. Hayward, G.T. Hopcroft, J. Kobarda, G. Kotsifas, L. Livingstone, L. Marshall, V. McAlea Major, D. O'Brien, J. Page, R. Paynter, M. Ribera, L.M. Rowe, J. Smout, B. Warner and B. Westlake-Power.

I DISCLOSURES OF PECUNIARY INTEREST

Councillor M. Brown discloses a pecuniary interest in clause 3 of the 20th Report of the Corporate Services Committee having to do with local improvement charges and Sherwood Forest Public School by indicating that he is employed by the Thames Valley District School Board. Councillor M. Brown further discloses a pecuniary interest in clause 21 of the 20th Report of the Corporate Services Committee having to do with an appointment to the London Diversity and Race Relations Advisory Committee by indicating that the subject individual is his spouse's supervisor. Councillor M. Brown also discloses a pecuniary interest in clause 13 of the 17th Report of the Planning and Environment Committee having to do with the property at 655 Tennent Avenue by indicating that he is employed by the Thames Valley District School Board.

Councillor P. Hubert discloses a pecuniary interest in clause 9 of the 13th Report of the Community and Protective Services Committee having to do with the Ontario Works Service Plan by indicating that he is the Executive Director of a social services agency that has a Purchase of Service Agreement with Ontario Works. Councillor Hubert further discloses a pecuniary interest in clause C-1 of the Confidential Appendix to the 13th Report of the Community and Protective Services Committee having to do with a matter to be considered for the purpose of instructions and directions to officers and employees of the Corporation pertaining to a proposed disposition of land; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; reports or advice or recommendations of officers and employees of the Corporation pertaining to a proposed or pending disposition of land; commercial and financial information supplied in confidence pertaining to the proposed disposition the disclosure of which could reasonably be expected to, prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of the Corporation, result in similar information no longer being supplied to the Corporation where it is in the public interest that similar information continue to be so supplied, and result in undue loss or gain to any person, group, committee or financial institution or agency; commercial, information relating to the proposed acquisition or disposition that belongs to the Corporation that has monetary value or potential monetary value; information concerning the proposed disposition whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or its competitive position; information concerning the proposed disposition whose disclosure could reasonably be expected to be injurious to the financial interests of the Corporation; and instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the Corporation concerning the proposed disposition, with respect to the Dearness Home; personal matters, including information regarding identifiable individuals, including municipal employees, with respect to employment-related matters; labour relations and employee negotiations; and advice or recommendations of officers and employees of the Corporation, including communications necessary for that purpose; and for the purpose of giving instructions and directions to officers and employees of the Corporation and the related Bill No. 356, pertaining to the current location of Ontario Works by indicating that he is the Executive Director of a social services agency that has a Purchase of Service Agreement with Ontario Works.

Councillor D. Brown discloses a pecuniary interest in clause 24 of the 13th Report of the Community and Protective Services Committee having to do with an extension to the lifecycle of limousines, by indicating that her employer operates a limousine business.

Councillor J.P. Bryant discloses a pecuniary interest in clause 4 of the 8th Report of the Investment and Economic Prosperity Committee having to do with London's Medical Innovation and Commercialization Network vision, by indicating that her spouse is on the faculty of Western University.

II REVIEW OF CONFIDENTIAL MATTERS TO BE CONSIDERED IN PUBLIC

None.

III ADDED REPORTS

1. 11th Report of the Strategic Priorities and Policy Committee
2. 14th Report of the Community and Protective Services Committee
3. 21st Report of the Corporate Services Committee
4. 8th Report of the Investment and Economic Prosperity Committee

IV COMMITTEE OF THE WHOLE, IN CAMERA

MOTION FOR IN CAMERA SESSION

Motion made by Councillor J.L. Baechler and seconded by Councillor N. Branscombe to Approve that Council rise and go into Committee of the Whole in camera, for the purpose of considering the following:

Motion Passed

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

That Council rise and go into Committee of the Whole, in camera, for the purpose of considering the following:

- a) A matter to be considered for the purpose of instructions and directions to officers and employees of the Corporation pertaining to a proposed disposition of land; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; reports or advice or recommendations of officers and employees of the Corporation pertaining to a proposed or pending disposition of land; commercial and financial information supplied in confidence pertaining to the proposed disposition the disclosure of which could reasonably be expected to, prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of the Corporation, result in similar information no longer being supplied to the Corporation where it is in the public interest that similar information continue to be so supplied, and result in undue loss or gain to any person, group, committee or financial institution or agency; commercial, information relating to the proposed acquisition or disposition that belongs to the Corporation that has monetary value or potential monetary value; information concerning the proposed disposition whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or its competitive position; information concerning the proposed disposition whose disclosure could reasonably be expected to be injurious to the financial interests of the Corporation; and instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the Corporation concerning the proposed disposition, with respect to the Dearness Home; personal matters, including information regarding identifiable individuals, including municipal employees, with respect to employment-related matters; labour relations and employee negotiations; and advice or recommendations of officers and employees of the Corporation, including communications necessary for that

purpose; and for the purpose of giving instructions and directions to officers and employees of the Corporation (C1/13/CPSC)

- b) A matter pertaining to personal matters, including information regarding identifiable individuals, including municipal employees, with respect to employment related matters, labour relations and employee negotiations, and advice or recommendations of officers and employees of the Corporation including communications necessary for that purpose. (C3/20/CSC)
- c) A matter pertaining to potential litigation and advice that is subject to solicitor-client privilege, including communications necessary for that purpose, and for the purpose of providing instructions and directions to officers and employees of the Corporation with respect to a potential arbitration concerning the apportionment of costs for social housing, Ontario Works, Child Care and Land Ambulance between Middlesex County and the City of London. (C5/20/CSC)
- d) A matter pertaining to litigation or potential litigation with respect to the appeals by Princeton Properties Management and 625041 Ontario Ltd., to the Assessment Review Board being appeal numbers 2951044, 2951043, 2951042, 2951221, 2951220 and 2951219 filed under section 364(24) of the Municipal Act, 2001; advice that is subject to solicitor-client privilege, including communications necessary for that purpose, in connection with the aforementioned appeals; and giving instructions and directions to the solicitors of the municipality in connection with the aforementioned appeals. (C1/20/CSC)
- e) A matter pertaining to personal matters involving identifiable individuals who are municipal employees with respect to employment related matters. (C4/20/CSC)
- f) A matter pertaining to personal matters, including information regarding identifiable individuals, including municipal employees, with respect to employment related matters, labour relations and employee negotiations, and 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. (C1/4/AC)
- g) A matter pertaining to personal matters, including information regarding identifiable individuals, including municipal employees, with respect to employment related matters, labour relations and employee negotiations, and 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. (C2/4/AC)
- h) Two matters pertaining to employee negotiations; personal matters, including information regarding identifiable individuals, including municipal employees, with respect to employment related matters; advice that is subject to solicitor-client privilege, including communications necessary for that purpose and for the purpose; security of the property of the municipality; and 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. (C1 & C2/5/AC)
- i) A matter pertaining to personal information about identifiable individuals, including municipal employees with respect to employment related matters and advice or recommendations of officers and employees of the Corporation including communications necessary for that purpose. (C2/20/CSC)
- j) A personal matter about an identifiable individual, including municipal or local board employees, with respect to the 2013 awarding of the Queen Elizabeth Scholarships (C2/13/CPSC)

- k) A matter pertaining to advice subject to solicitor-client privilege, including communications necessary for that purpose, relating to the Strategic Funding Framework Grant Agreement between The Corporation of the City of London and Neighbourhood Watch London. (C3/13/CPSC)
- l) 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. (C1/19/CSC)
- m) 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.

Motion Passed

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

The Council rises and goes in camera at 4:16 PM, with Mayor J.F. Fontana in the Chair and all Members present.

The Committee of the Whole rises and Council resumes in regular session at 5:06 PM, with Mayor J.F. Fontana in the Chair and all Members present except Councillors Swan, Van Meerbergen and White.

V RECOGNITIONS

1. His Worship the Mayor presents a certificate for "London's Featured Community Organization" to the London Rowing Club.
2. His Worship the Mayor accepts, on behalf of the City of London, the Streetscape Improvement Award from Wes Kinghorn of the Woodfield Community Association.

VI CONFIRMATION AND SIGNING OF THE MINUTES OF THE TWELFTH MEETING HELD ON JUNE 25, 2013

Motion made by Councillor H.L. Usher and seconded by Councillor J.P. Bryant to Approve the Minutes of the 12th Meeting held on June 25, 2013.

Motion Passed

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

VII COMMUNICATIONS AND PETITIONS

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

1. Director, Intergovernmental and Community Liaison - August 1, 2013 Ontario Provincial By-Election Candidate Questionnaire (Refer to the Corporate Services Committee Stage for Consideration with Clause 13 of the 20th Report of the Corporate Services Committee.)
2. (ADDED) C. Gammage, 2004-340 Colborne Street - Land Needs Background Study for the 2011 Official Plan Review (O-7938) (Refer to the Planning and Environment Committee Stage for Consideration with Clause 26 of the 17th Report of the Planning and Environment Committee.)

Motion Passed

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

VIII MOTIONS OF WHICH NOTICE IS GIVEN

None.

IX REPORTS

13th Report of the Civic Works Committee
Councillor H.L. Usher presents.

Motion made by Councillor H.L. Usher to Approve clauses 1, 3 to 16, 19 and 20.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

3. Supply and Delivery of Crew Cab And Chassis (Tender 13-61)

That, on the recommendation of the Managing Director, Environmental & Engineering Services & City Engineer, the following actions be taken with respect to the supply and delivery of crew cab and chassis:

- a) the tender for the Supply and Delivery of Twenty-Five (25) Crew Cab and Chassis submitted by Carrier Centres, 645 Athlone Place, Woodstock, Ontario N4S 7V8 at their tendered price of \$1,704,425.00 (excluding HST), BE ACCEPTED;
- b) the funding for this purchase BE APPROVED as set out in the Sources of Financing Report appended to the staff report dated July 22, 2013;
- c) the Civic Administration BE AUTHORIZED to undertake all administrative acts which are necessary in connection with this award; and,
- d) the approval hereby given BE CONDITIONAL upon the Corporation entering into a formal contract or issuing a purchase order relating to the subject matter of this approval. (2013-L04)

4. Supply and Delivery of Platform Type Dump Bodies (Tender 13-62)

That, on the recommendation of the Managing Director, Environmental & Engineering Services & City Engineer, the following actions be taken with respect to the Supply and Delivery of Platform Type Dump Bodies:

- a) the tender for the Supply and Delivery of Twenty-Five (25) Platform Type Dump Bodies submitted by Commander Industries, 16A Second Street, Strathroy, ON, N7G 3H7 at their tendered price of \$542,240.00 (excluding HST), BE ACCEPTED;
- b) the funding for this purchase BE APPROVED as set out in the Sources of Financing Report appended to the staff report dated July 22, 2013;

- c) the Civic Administration BE AUTHORIZED to undertake all administrative acts which are necessary in connection with this award; and,
- d) approvals hereby given BE CONDITIONAL upon the Corporation entering into a formal contract or issuing a purchase order relating to the subject matter of this approval. (2013-L04)

5. Gordon Sanitary Trunk Sewer Rehabilitation Project No. Es2473 - Irregular Result (RFP No. 13-21)

That, on the recommendation of the Managing Director, Environmental and Engineering Services & City Engineer, the following actions be taken with respect to the award of a contract for the construction of the Gordon Sanitary Trunk Sewer Rehabilitation:

- a) the proposal submitted by Liqui-Force Services, 2015 Spinks Dr., Kingsville, ON at its price of \$2,287,000.00 excluding H.S.T., for the Gordon Sanitary Trunk Sewer Rehabilitation project BE ACCEPTED; it being noted that Liqui-Force Services was the only contractor to respond to a Request for Proposal and their submission meets the City's specifications and requirements in all areas;
- b) the financing for this project BE APPROVED as set out in the Sources of Financing Report appended to the staff report dated July 22, 2013;
- c) Dillon Consulting Limited BE AUTHORIZED to carry out the resident inspection and contract administration for the said project in accordance with the estimate, on file, at an amount of \$54,560.00 excluding H.S.T, based upon the Fee Guideline for Professional Engineering Services, 2006; it being noted that the award is in accordance with Section 15, Clause 15.2(g) of the Procurement of Goods and Services Policy;
- d) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with these projects; and,
- e) the approvals given herein BE CONDITIONAL upon the Corporation entering into a formal contract or issuing a purchase order for the material to be supplied and the work to be done with respect to these projects. (2013-A05)

6. Highway 401/Highbury Avenue Interchange Reconstruction - Land Transfer Between the City Of London and the Ministry Of Transportation

That, on the recommendation of the Managing Director, Environmental & Engineering Services & City Engineer, the following actions be taken with respect to land transfers with the Ministry of Transportation for the proposed Highway 401 / Highbury Avenue Interchange:

- a) all City-owned parcels of land identified on the Location Map in Appendix 'A' to the staff report dated July 22, 2013 being Parts 3, 4 and 5 on Plan 33R-18627 BE DEDICATED as public highway; and,
- b) the parcels of land identified on the Location Map in Appendix 'A' to the staff report dated July 22, 2013, being Parts 3 and 4 on Plan 33R-18627 which are to be dedicated from the City to the Ministry of Transportation BE DECLARED surplus to the needs of the City and BE TRANSFERRED to the Ministry of Transportation. (2013-L07)

7. Amendments to the Traffic And Parking By-Law

That, on the recommendation of the Managing Director, Environmental & Engineering Services and City Engineer, the proposed by-law as appended to the staff report dated July 22, 2013 BE INTRODUCED at the Municipal Council meeting to be held on July 30, 2013 for the purpose of amending the Traffic and Parking By-law (P.S. 111). (2013-C01)

8. Amendments to the Traffic And Parking By-Law to Address Safety Issues During The Western Fair

That, on the recommendation of the Managing Director, Environmental & Engineering Services and City Engineer, the proposed by-law as appended to the staff report dated July 22, 2013 BE INTRODUCED at the Municipal Council meeting to be held on July 30, 2013 for the purpose of amending the Traffic and Parking By-law (P.S. 111) to address safety concerns

during the Western Fair. (2013-C01)

9. Wilton Avenue and Oakland Avenue Watermain Emergency Improvements (Ew3563-13)

That, on the recommendation of the Managing Director, Environmental & Engineering Services & City Engineer, the following actions be taken with respect to the Wilton Avenue and Oakland Avenue Watermain Improvements (EW3563-13):

- a) the estimate submitted by Fer-Pal Construction Limited, 169 Fenmar Drive, North York, Ontario, M9L 1M6 at a price of \$304,951.38 excluding H.S.T for the Wilton Avenue and Oakland Avenue Watermain Improvements BE ACCEPTED; it being noted that the sections of Watermain on Wilton Avenue and Oakland Avenue have insufficient flows to provide proper fire protection and are being lined to maintain an acceptable fire flow to the area as required by the Fire Underwriters Survey; it being further noted that the estimate submitted by Fer-Pal Construction Limited is an extension of their 2013 Watermain Cleaning and Structural Lining Program and contract unit prices were maintained;
- b) the financing for this project BE APPROVED as set out in the Sources of Financing Report as appended to the staff report dated July 22, 2013;
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project; and,
- d) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2013-E08)

10. Appointment of Consulting Engineer for the Contract Administration Services of the Old Victoria SWM Facility No. 2 (ES3020-OV2)

That, on the recommendation of the Managing Director, Environmental & Engineering Services and City Engineer, the following actions be taken with respect to the appointment of a consultant for the contract administration services for the Old Victoria No. 2 SWM Facility (ES3020-OV2):

- a) Delcan, 1069 Wellington Road South, Suite 214, London Ontario BE APPOINTED Consulting Engineers to carry out the contract administration services and post construction monitoring of the said project in the amount of \$87,209 including contingency, excluding HST; in accordance with Section 15.2(g) of the Procurement of Goods and Services Policy and based on the Fee Guideline for Professional Engineering Services, recommended by the Ontario Society of Professional Engineers;
- b) the financing for the project BE APPROVED in accordance with the "Sources of Financing Report" appended to the staff report dated July 22, 2013;
- c) the approvals given herein BE CONDITIONAL upon the Corporation entering into a formal contract with the consultant for the work; and,
- d) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations.

11. Appointment of Consulting Engineer for the Functional Design for the Wickerson No. S-B SWM Facility (ESSWM-SB)

That, on the recommendation of the Managing Director, Environmental & Engineering Services and City Engineer, the following actions be taken with respect to the appointment of a consultant for the functional design services for the Wickerson No. S-B SWM Facility (ESSWM-SB):

- a) AECOM Canada Inc., 250 York Street, Citi Plaza, Suite 410, London Ontario N6A 6K2 BE APPOINTED Consulting Engineers to carry out the functional design for said project in the amount of \$170,254,00 including contingency, excluding HST, in accordance with Section 15.2(d) of the Procurement of Goods and Services Policy and based on the Fee Guideline for Professional Engineering Services, recommended by the Ontario Society of Professional Engineers;
- b) the financing for the project BE APPROVED in accordance with the "Sources of

Financing Report” appended to the staff report dated July 22, 2013;

- c) the approvals given herein BE CONDITIONAL upon the Corporation entering into a formal contract with the consultant for the work; and,
- d) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2013-A05)

12. Reprioritization of Growth Management Implementation Strategy (GMIS) Transportation Projects

That, on the recommendation of the Director, Roads and Transportation, the following actions be taken with respect to the reprioritization of the Western Road (TS1489) and Bradley Avenue East (TS1479-1) widening projects:

- a) the Western Road Widening from Platts Lane to Oxford Street, BE ADDED to the 2014 Growth Management Implementation Strategy Update in the year 2017 as the project was identified in the 2030 Transportation Master Plan as a 0-5 year need;
- b) the timing of the Bradley Avenue East Widening BE RESCHEDULED to the 5 to 10 year horizon in the 2014 Growth Management Implementation Strategy Update;
- c) the approved 2013 Growth Capital Funding from the Bradley Avenue East Widening BE REALLOCATED; and,
- d) a budget of \$450,000 to initiate the Western Road Widening (TS1489) BE APPROVED as set out in the Sources of Financing Report appended to the staff report dated July 22, 2013. (2013-E02)

13. Gore Road Bridge Replacement Municipal Class Environmental Assessment

That, on the recommendation of the Director, Roads and Transportation, the following actions be taken with respect to the Gore Road Bridge Replacement (TS1214):

- a) the Gore Road Bridge Replacement Municipal Class Environmental Assessment Schedule ‘B’ Project File BE ACCEPTED;
- b) a Notice of Completion for the project BE FILED with the Municipal Clerk; and,
- c) the Gore Road Bridge Replacement Municipal Class Environmental Assessment Project File BE PLACED on public record for a 30 day review period. (2013-T04)

14. Status Report: Update of Road Map to Maximize Waste Diversion 2.0

That, on the recommendation of the Director, Environment, Fleet & Solid Waste, the addition of plastic garden containers and large pails (up to 20 litres) to the Blue Box program BE APPROVED; it being noted that the revenue from the sale of these materials will offset most or all of the recycling costs. (2013-E07)

15. Packaging and Removal of Waste Electrical and Electronic Equipment from City of London Depots (RFP 13-15)

That, on the recommendation of the Director, Environment, Fleet & Solid Waste the following actions be taken with respect to the packaging and removal of waste electrical and electronic equipment from City of London depots:

- a) approval hereby BE GIVEN to enter into a one (1) year contract for the packaging and removal of waste electrical and electronic equipment from City of London depots with Global Electric Electronic Processing Inc. (GEEP) with an option to renew for a further one (1) year at the City’s discretion;
- b) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this contract;
- c) approval hereby given BE CONDITIONAL upon the Corporation negotiating satisfactory prices, terms and conditions with GEEP to the satisfaction of both the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer and the Managing Director, Environmental & Engineering Services & City Engineer; and,

- d) approval hereby given BE CONDITIONAL upon the Corporation entering into a formal contract or having a purchase order relating to the subject matter of this approval. (2013-L04B)

16. Update - Key Energy Stakeholder Engagement - Community Energy Action Plan

That, on the recommendation of the Director, Environment, Fleet & Solid Waste, the staff report dated July 22, 2013 with respect to the Key Energy Stakeholder Engagement – Community Energy Action Plan BE RECEIVED. (2013-E19)

19. Sidewalk Repair Program

That the communication dated July 14, 2013, from Councillor M. Brown, with respect to the Sidewalk Repair Program, BE REFERRED to staff for a report back to the Civic Works Committee. (2013-t04)

20. Highway 401/Colonel Talbot Intersection

That the communication dated July 12, 2013, from Councillor H. L. Usher and Councillor D. G. Henderson, with respect to the realignment of Highway 401 at Colonel Talbot Road BE REFERRED back to staff for a report back to the Civic Works Committee. (2013-T09)

Motion Passed

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

Motion made by Councillor H.L. Usher to Approve clause 2.

2. Ontario's Safe Drinking Water Act, 2002 Standards of Care Provision

That the following actions be taken with respect to Ontario's Safe Drinking Water Act, 2002:

- a) a communication BE SENT to the Ministry of Environment seeking further clarification with respect to the individual responsibility with respect to the Standards of Care Provision;
- b) based upon the response to a), above, the City's indemnification by-law, BE REVIEWED to see what amendments might be in order to better protect Council Members and staff; and,
- c) the report dated July 22, 2013 with respect to Ontario's Safe Drinking Water Act, 2002 Standards of Care Provision, including the ~~attached~~ document entitled "Safe Drinking Water and Standard of Care", BE RECEIVED.

Pursuant to section 12.3 of the Council Procedure By-law, Councillor H.L. Usher calls for a separate vote on clause 2a).

The motion to Approve clause 2a) is put.

Motion Failed

YEAS: J.F. Fontana, B. Polhill, B. Armstrong, S. Orser, D.G. Henderson, D. Brown (6)

NAYS: J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, H.L. Usher, J.P. Bryant (6)

The motion to Approve the balance of clause 2 is put.

Motion Passed

YEAS: J.F. Fontana, B. Polhill, B. Armstrong, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, D. Brown, H.L. Usher, J.P. Bryant (12)
Clause 2, as amended, reads as follows:

That the following actions be taken with respect to Ontario's Safe Drinking Water Act, 2002:

- a) the City's Indemnification By-laws BE REVIEWED to see what amendments might be in

order to better protect Council Members and staff; and,

- b) the report dated July 22, 2013 with respect to Ontario's Safe Drinking Water Act, 2002 Standards of Care Provision, including the ~~attached~~ document entitled "Safe Drinking Water and Standard of Care", BE RECEIVED.

Motion made by Councillor H.L. Usher to Approve clause 17.

17. Municipal Class Environmental Assessment Schedule 'B' Study for Pottersburg Creek Slope Stability South of Hamilton Road Bridge

That, on the recommendation of the Director, Roads and Transportation, the following actions be taken with respect to the Pottersburg Creek Slope Stability South of Hamilton Road Bridge Municipal Class Environmental Assessment (EA) Schedule "B":

- a) the Pottersburg Creek Slope Stability South of Hamilton Road Bridge Municipal Class EA Schedule "B" Project File BE ACCEPTED; it being noted that two recommended servicing alternatives to the Municipal Class EA Study are: Slope Stabilization with Pottersburg Creek Channel Realignment or Buyout of Residential Properties to remove the gabion baskets and re-grade the slope to a stable incline;
- b) a Notice of Completion of Completion BE FILED with the Municipal Clerk; and,
- c) the Municipal Class EA Schedule "B" Project File for the Pottersburg Creek Slope Stability South of Hamilton Road Bridge BE PLACED on public record for a 30-day review period.

it being noted that the Civic Works Committee (CWC) received the ~~attached~~ presentation from the Manager of Stormwater with respect to this matter;

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

- A. Dixon, 1199 Hamilton Road – pointing out that option #1 will limit the emergency exits and suggesting that option #4 is in the best interest of the residents. (2013-E20)

Motion Passed

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

Motion made by Councillor H.L. Usher to Approve clause 18.

18. Residential Parking Pass Program

That the Civic Administration BE DIRECTED to bring forward the necessary proposed by-law(s) to a public participation meeting to be held by the Civic Works Committee on August 19, 2013 to give consideration to deleting the fee exemption for the initial pilot program area for the Residential Parking Pass Program. (2013-T02)

Motion Failed

YEAS: J.F. Fontana, S. Orser, H.L. Usher (3)

NAYS: B. Polhill, B. Armstrong, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, D. Brown, J.P. Bryant (9)

Motion made by Councillor N. Branscombe and seconded by Councillor D. Brown to Approve the City Clerk BE DIRECTED to bring forward a proposed draft by-law, at a public participation meeting of the appropriate Standing Committee, to amend the Fees and Charges By-law to provide Trowbridge Avenue with the same Residential Parking Pass Program fee exemption as the initial pilot program; it being noted that the Trowbridge Avenue residents will continue to be able to use free parking passes until this matter is dispensed with by the Municipal Council.

Motion Passed

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

Motion made by Councillor H.L. Usher to Approve clause 21.

21. Increased Time on Wellington Street Parking Meters - St. Joseph's Hospital

That the communication dated June 21, 2013, from Councillor S. Orser, with respect to a request to consider increasing the time on the Wellington Street parking meters adjacent to St. Joseph's Hospital from 2 hours to 6 hours BE REFERRED to staff for a report back to the Civic Works Committee to consider alternative solutions. (2013-T02)

Motion Passed

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

NAYS: J.L. Baechler (1)

Motion made by Councillor H.L. Usher to Approve clause 22.

22. CN/CP Rail Safety

That the matter of railway safety BE BROUGHT forward to a future meeting of the appropriate Standing Committee of Council for the purpose of discussing such matters as traffic flow, how communities are being protected when dangerous goods are being transported, and what measures are in place for response by the railways, and other emergency response partners, in the event of a railway related emergency; it being noted that the Mayor gave a brief verbal update with respect to discussions he has undertaken with respect to this matter.

Motion Passed

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

17th Report of the Planning and Environment Committee
Councillor B. Polhill presents.

Motion made by Councillor B. Polhill to Approve clauses 1 to 20.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. 2nd Report of The Agricultural Advisory Committee

That the 2nd Report of the Agricultural Advisory Committee from its meeting held on June 19, 2013 BE RECEIVED.

3. 6th Report of The Trees and Forests Advisory Committee

That the 6th Report of the Trees and Forests Advisory Committee from its meeting held on June 26, 2013 BE RECEIVED.

4. 7th Report of the Environmental and Ecological Planning Advisory Committee

That the 7th Report of the Environmental and Ecological Planning Advisory Committee from its meeting held on June 20, 2013 BE RECEIVED.

5. Properties Located at 412-416 And 420-424 Rectory Street and 814-826 King Street (H-8137)

That, on the recommendation of the Senior Planner, Development Services, based on the application by Western Fair Association, relating to the property located at 412-416, 420-424 Rectory Street and 814-826 King Street, the proposed by-law, as appended to the staff report dated July 23, 2013, BE INTRODUCED at the Municipal Council meeting to be held on July 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 Regional Facility Special Provision (h-147*RF(2)) Zone TO a Regional Facility Special Provision (RF(2)) Zone to remove the holding provision. (2013-D14B)

6. Properties Located at 3592-3614 Isaac Court and 6951-6973 Clayton Walk (H-8175)

That, on the recommendation of the Senior Planner, Development Services, based on the application of Dennis Oliver, relating to the properties located at 3592-3614 Isaac Court and 6951-6973 Clayton Walk, the proposed by-law, as appended to the staff report dated July 23, 2013, BE INTRODUCED at the Municipal Council meeting to be held on July 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.R1-8) Zone TO a Residential R1 (R1-8) Zone to remove the "h", holding provision. (2013-D14B)

7. Property Located at 1550 Highbury Avenue North (H-8193)

That, on the recommendation of the Senior Planner, Development Services, based on the application of Louis Cooke, relating to the property located at 1550 Highbury Avenue North, the proposed by-law, as appended to the staff report dated July 23, 2013, BE INTRODUCED at the Municipal Council meeting to be held on July 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 Highway Service Commercial/Restricted Service Commercial (h*HS/HS2/HS3/RSC1/RSC3/RSC4) Zone TO a Highway Service Commercial/ Restricted Service Commercial (HS/HS2/HS3/RSC1/RSC3/RSC4) Zone to remove the "h" holding provision. (2013-D14B)

8. Property Located at 537 Crestwood Drive (H-8147)

That, on the recommendation of the Senior Planner, Development Planning, based on the application of Starcevic Homes Limited, relating to the property located at 537 Crestwood Drive, the proposed by-law, as appended to the staff report dated July 23, 2013, BE INTRODUCED at the Municipal Council meeting to be held on July 30, 2013 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning FROM a Holding Residential R6 Special Provision (h-145.h-146.R6-2(13)) Zone TO a Residential R6 Special Provision (R6-2(13)) Zone to remove the h-145 and h-146 holding provisions. (2013-D14B)

9. Properties Located at 365 and 385 Sugar Creek Trail (H-8179)

That, on the recommendation of the Manager, Development Planning, based on the application of Old Oak Properties, relating to the property located at 365 and 385 Sugar Creek Trail, the proposed by-law, as appended to the staff report dated July 23, 2013, BE INTRODUCED at the Municipal Council meeting to be held on July 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 R5 Bonus (h-1*h-18*R5-2*B11) Zone TO a Residential R5 Bonus (R5-2*B11) Zone to remove the "h-1" and "h-18" holding provisions. (2013-D14B)

10. Ballymote Woods Subdivision (Lots 88 And 89 In Plan 33M-631 and Lots 1-12 in Plan 33m-632) (P-8205)

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the application by Sifton Properties Limited, to exempt the following lands from Part Lot Control:

- a) pursuant to subsection 50(7) of the Planning Act, R.S.O. 1990, c. P.13, the proposed by-law, as appended to the staff report dated July 23, 2013, BE INTRODUCED at the Municipal Council meeting to be held on July 30, 2013, to exempt Lots 88 and 89 in Plan 33M-631 and Lots 1-12 in Plan 33M-632, from the Part Lot Control provisions of subsection 50(5) of the said Act, for a period not to exceed one (1) year; it being pointed out that these lands are subject to a registered subdivision agreement and Lots 1-12 in Plan 33M-632 are zoned as a Holding Residential R1 (h-96*R1-5) Zone and Lots 88 and 89 in Plan 33M-631 are zoned as a Residential R1 (R1-5) Zone in Zoning By-law No. Z.-1, which permits single detached dwellings with a minimum lot frontage of 12m and minimum lot area of 415m²; it being further noted that the applicant shall submit to the City confirmation that the approved reference plan for final lot development has been deposited in the Land Registry Office; and,
- b) the applicant BE ADVISED that the cost of registration of this by-law is to be borne by the applicant in accordance with City policy. (2013-D12)

11. Greengate Village Limited Re Asima Drive (Lots 60 to 73 and Lots 113 and 114 Plan 33M-533) (P-8199)

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the application by Greengate Village Limited, to exempt the following lands from Part Lot Control:

- a) pursuant to subsection 50(7) of the Planning Act, R.S.O. 1990, c. P.13, the proposed by-law, as appended to the staff report dated July 23, 2013, BE INTRODUCED at a future meeting of the Municipal Council, to exempt Lots 60 to 73 and Lots 113 and 114 in Plan 33M-533, from the Part Lot Control provisions of subsection 50(5) of the said Act, for a period not to exceed one (1) year; it being pointed out that these lands are subject to a registered subdivision agreement and are zoned as a Residential R1 Special Provision (R1-3(12)) Zone, in Zoning By-law No. Z.-1, which permits single detached dwellings with a minimum lot frontage of 10m and minimum lot area of 300m²;
- b) the following conditions of approval BE COMPLETED by the applicant, prior to the passage of a Part Lot Control by-law for Lots 60 to 73 and Lots 113 and 114 in Plan 33M-533, as noted in clause a), above:
 - i) the applicant shall submit a draft reference plan to the Development and Compliance Services Division for review and approval to ensure the proposed part lots and development plans comply with the regulations of the Zoning By-law, prior to the reference plan being deposited in the Land Registry Office;
 - ii) the applicant shall submit to the Development and Compliance Services Division a digital copy, together with a hard copy of each reference plan, as noted in part i) above, to be deposited in the Land Registry Office; it being noted that the digital file shall be assembled in accordance with the City of London's Digital Submission / Drafting Standards and be referenced to the City's NAD83 UTM Control Reference;
 - iii) the applicant shall obtain confirmation from the Development and Compliance Services Division that the assignment of municipal numbering has been completed, in accordance with the reference plan(s) to be deposited, should there be further division of property contemplated as a result of the approval of the reference plan prior to the reference plan being deposited in the Land Registry Office;
 - iv) the applicant shall enter into an amended subdivision agreement with the City for Registered Plan 33M-533 to address all issues outlined below and provide adequate related security:
 - I) all services are to be constructed, to the satisfaction of the City Engineer, including all private drain connections and water services, in accordance with the accepted final design of the lots, and is to be in compliance with all the obligations for current and proposed works and associated requirements set out in an amended subdivision agreement for Plan 33M-533;
 - II) all lot grading is to be undertaken in accordance with the final lot layout and is to be in compliance with all the obligations for current and proposed works and associated requirements set out in an amended subdivision agreement for Plan 33M-533, and on the accepted revised grading plans for Plan 39T-07508 accepted by the City on July 8, 2008 and the accepted plans for Plan 33M-533;
 - III) the Owner shall ensure all parts contained in the draft reference plan are in accordance with the draft approved lotting and road geometry for Plan 39T-07508, to the satisfaction of the City;
 - IV) Parts 7, 8, 9, 10 and 11 shall be restricted from development until Plan 39T-07508 for the creation and construction of Strawberry Walk over Part 9 has been registered; it being noted that the Owner shall provide a 0.3m reserve at the north limit of parts 7, 9 and 11; it being further noted that this 0.3m reserve shall remain in place until the registration of 39T-07508;
 - V) the Owner shall construct Asima Drive in accordance with the accepted engineering drawings for Plan 39T-07508 accepted July 8, 2008; and,
 - VI) clearance is to be obtained from the City that requirements I) to V),

above, have been satisfactorily completed, prior to any issuance of any Certificate of Conditional Approval for the proposed lots;

- c) the applicant BE REQUIRED to submit to the City confirmation that an approved reference plan for final lot development has been deposited in the Land Registry Office; and,
- d) the applicant BE ADVISED that the cost of registration of this by-law is to be borne by the applicant in accordance with City policy. (2013-D12) (11/17/PEC)

12. Sunningdale Meadows Subdivision (39t-10502)

That, on the recommendation of the Manager, Development Planning, Development Services, the following actions be taken with respect to a subdivision agreement between The Corporation of the City of London and Sunningdale Golf & Country Club Ltd. and 160 Sunningdale Road West Ltd., for the subdivisions of land, situated on the south side of Sunningdale Road West, midway between Richmond Street and Wonderland Road North:

- a) the Special Provisions, as appended to the staff report dated July 23, 2013, be contained in a Subdivision Agreement between The Corporation of the City of London and Sunningdale Golf & Country Club Ltd. and 160 Sunningdale Road West Ltd., for the subdivision of land over Part of Lots 41 and 48, Registrar's Compiled Plan 1029, (Geographic Township of London), City of London, County of Middlesex (Geographic Township of London), for the Sunningdale Meadows Subdivision (39T-10502) BE APPROVED;
- b) the financing for this project BE APPROVED in accordance with the "Related Costs and Revenues" appended as Schedule "B" to the associated staff report, dated July 23, 2013;
- c) the Mayor and the City Clerk BE AUTHORIZED to execute this Agreement, any amending agreements and all documents required to fulfill its conditions. (2013-D12)

13. Property Located at 655 Tennent Avenue Subdivision (39t-13501)

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to a subdivision agreement between The Corporation of the City of London and Wastell Developments Inc., for the subdivisions of land, situated on the south side of Tennent Avenue, west of Adelaide Street North:

- a) the Special Provisions, as appended to the staff report dated July 23, 2013, to be contained in a Subdivision Agreement between The Corporation of the City of London and Wastell Developments Inc., for the subdivisions of land over Part of Lots 9, 10 and 20, Registered Plan No. 325(C), City of London, County of Middlesex, for the Wastell Subdivision (39T-13501) BE APPROVED;
- b) the financing for this project BE APPROVED in accordance with the "Sources of Financing" appended as Schedule "A" to the associated staff report, dated July 23, 2013;
- c) the financing for this project BE APPROVED in accordance with the "Related Costs and Revenues" appended as Schedule "B" to the associated staff report, dated July 23, 2013; and,
- d) the Mayor and the City Clerk BE AUTHORIZED to execute this Agreement, any amending agreements and all documents required to fulfill its conditions. (2013-D12)

14. Building Division Monthly Report For May 2013

That the Building Division Monthly Report for May 2013 BE RECEIVED. (2013-P06)

15. Property Located at 2825 Tokala Trail (Oz-8115)

That, on the recommendation of the Managing Director, Planning and City Planner, in response to the letter of appeal to the Ontario Municipal Board dated April 2, 2013, submitted by Stikeman Elliott, on behalf of 1830145 Ontario Limited (York Developments), relating to Official Plan and Zoning By-law amendment application No. OZ-8115, relating to the property located at 2825 Tokala Trail, the Ontario Municipal Board BE ADVISED that the Municipal

Council has reviewed its decision relating to this matter and sees no reason to alter it. (2013-D14A)

16. Properties Located at 275-277 Piccadilly Street (Z-8132)

That, on the recommendation of the Managing Director, Planning and City Planner, in response to the letter of appeal to the Ontario Municipal Board dated May 16, 2013, submitted by 1875425 Ontario Inc., relating to Zoning By-law application No. Z-8132, relating to the properties located at 275-277 Piccadilly Street, the Ontario Municipal Board BE ADVISED that the Municipal Council has reviewed its decision relating to this matter and sees no reason to alter it. (2013-D14A)

17. 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, in response to the letter of appeal to the Ontario Municipal Board dated May 29, 2013, submitted by 2261531 Ontario LTD, relating to Zoning By-law application No. Z-8142, relating to various streets listed in Section 4.21 "Road Allowance Requirements – Specific Roads" of the Z-1 Zoning By-law, the Ontario Municipal Board BE ADVISED that the Municipal Council has reviewed its decision relating to this matter and sees no reason to alter it. (2013-D14A)

18. Property Located at 1761 Wonderland Road North (O-8131/Oz-7825)

That, on the recommendation of the Managing Director, Planning and City Planner, the report dated July 23, 2013, relating to the decision by the Ontario Municipal Board, concerning the appeals by Alan Patton, on behalf of Loblaw Properties Limited, FCHT Holdings (Ontario) Corporation, Barvest Realty Inc., Sunningdale Developments Inc. and Auburn Developments, with respect to an amendment to the Official Plan and the Zoning By-law No. Z.-1, a Municipal Council decision relating to the property located at 1761 Wonderland Road North BE RECEIVED. (2013-D14A)

19. Property Located at 754 Maitland Street (Z-8065)

That, on the recommendation of the Managing Director, Planning and City Planner, the report dated July 23, 2013, relating to the decision by the Ontario Municipal Board, concerning the appeal by Kapland Inc., with respect to an application for an amendment to the Zoning By-law No. Z.-1, which was refused by the Municipal Council concerning the property located at 754 Maitland Street BE RECEIVED. (2013-D14A)

20. London Psychiatric Hospital Secondary Plan (O-7668)

That, on the recommendation of the Managing Director, Planning and City Planner, the report, dated July 23, 2013, relating to the decision by the Ontario Municipal Board, concerning the appeal by Robert Malpass, President of the Fairmont Lawn Bowling Club, on behalf of the Fairmont Lawn Bowling Club, relating to Official Plan Application No. O-7668, relating to the London Psychiatric Hospital Secondary Plan, described as 840 and 850 Highbury Avenue North and 1414 and 1340 Dundas Street and lands without municipal address east of 850 Highbury Avenue North and bounded by the Canadian Pacific and Canadian National Railways, BE RECEIVED. (2013-D08)

Pursuant to section 12.3 of the Council Procedure By-law, Councillor J.L. Baechler calls for a separate vote on clause 13.

The motion to Approve clauses 1 to 20, excluding clause 13, is put.

Motion Passed

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

Motion made by Councillor J.L. Baechler and seconded by Councillor S. Orser to Amend clause 13 by adding at the end the words “; it being noted that the Municipal Council supports the establishment of a parkette within this development.”

Motion Passed

YEAS: J.F. Fontana, B. Polhill, B. Armstrong, S. Orser, J.L. Baechler, N. Branscombe, P.

Hubert, D.G. Henderson, D. Brown, H.L. Usher, J.P. Bryant (11)

RECUSED: M. Brown (1)

Motion made by Councillor B. Polhill and seconded by Councillor S. Orser to Approve clause 13, as amended.

Motion Passed

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

RECUSED: M. Brown (1)

Clause 13, as amended, reads as follows:

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to a subdivision agreement between The Corporation of the City of London and Wastell Developments Inc., for the subdivisions of land, situated on the south side of Tennent Avenue, west of Adelaide Street North:

- a) the Special Provisions, as appended to the staff report dated July 23, 2013, to be contained in a Subdivision Agreement between The Corporation of the City of London and Wastell Developments Inc., for the subdivisions of land over Part of Lots 9, 10 and 20, Registered Plan No. 325(C), City of London, County of Middlesex, for the Wastell Subdivision (39T-13501) BE APPROVED;
- b) the financing for this project BE APPROVED in accordance with the "Sources of Financing" appended as Schedule "A" to the associated staff report, dated July 23, 2013;
- c) the financing for this project BE APPROVED in accordance with the "Related Costs and Revenues" appended as Schedule "B" to the associated staff report, dated July 23, 2013; and,
- d) the Mayor and the City Clerk BE AUTHORIZED to execute this Agreement, any amending agreements and all documents required to fulfill its conditions;

it being noted that the Municipal Council supports the establishment of a parkette within this development. (2013-D12)

Motion made by Councillor B. Polhill to Approve clauses 21 to 24.

21. 7th and 8th Reports of the London Advisory Committee on Heritage

That, the following actions be taken with respect to the 7th and 8th Reports of the London Advisory Committee on Heritage (LACH) from its meetings held on June 12 and July 10, 2013, respectively:

- a) 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. Furmston requesting permission for alterations to the designated heritage property located at 340 St. James Street BE APPROVED; it being noted that the Heritage Planner has reviewed the proposed alterations to the building, including a demolition of an existing garage and its replacement and has advised that the impact of such an alteration on the heritage features of the property identified in the reasons for designation is negligible; it being further noted that the LACH heard a verbal delegation from M. Furmston, with respect to this matter;
- b) the Civic Administration BE REQUESTED to include the areas of Riverview and Evergreen Avenues in the geographic description of the potential Heritage Conservation Districts currently known as "Stanley-Becher"; it being noted that the LACH reviewed and received a communication from O. Hobson, with respect to this matter;
- c) the Civic Administration BE REQUESTED to include the Orchard Park/Sherwood Forest Community on the list of potential Heritage Conservation Districts; it being noted that the LACH received a communication dated May 22, 2013, from T. Jones, Orchard Park Sherwood Forest Ratepayers, with respect to this matter;

- d) the report dated July 10, 2013, from the Managing Director, Planning and City Planner, with respect to a Heritage Alteration Application submitted by R.C. Leach for the property located at 366 Central Avenue, BE DEFERRED to a future meeting of the LACH, pending further discussions with the owner and the West Woodfield Heritage Conservation District Association, to review the District's heritage alteration applications and approval Guidelines, as related to the proposed property alterations; it being noted that the LACH heard a verbal delegation from R. C. Leach, with respect to this matter;
- e) the Civic Administration BE REQUESTED to include, as part of the Application for Heritage Alteration approvals process, an 8½ x 11 sign, as appended to the LACH Report dated July 10, 2013, to be posted by the applicant in the front window or other suitable area visible from the street, for the time period between the filing of the application and its approval by the City; it being noted that the sign should clearly indicate that an application for heritage alteration has been submitted with a phone number to contact for more information; it being further noted that the LACH received and reviewed the Planning and Policy Sub-Committee's minutes from its meeting held on July 2, 2013;
- f) that J. Manness BE REQUESTED to submit completed nomination forms for the 2013 Ontario Medal for Good Citizenship and the Ontario Heritage Trust 2013 Recognition Program to the Mayor for signature and submission to the Ontario Heritage Trust;
- g) the communication from G.W. Smith, Friends of Meadowlily Woods Community Association dated July 22, 2013, relating to their request for Meadowlily Woods to be considered as a Cultural Heritage Landscape BE REFERRED to the LACH for consideration;
- h) that clauses 4 to 22, inclusive, of the 7th Report of the LACH BE RECEIVED; and,
- i) that clauses 4 to 9, inclusive, of the 8th Report of the LACH BE RECEIVED;

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

22. Property Located at 1615 North Routledge Park (Z-8166)

That, on the recommendation of the Manager, Development Planning, based on the application of Doman Developments Inc., relating to the property located at 1615 Northroutledge Park, the proposed by-law, as appended to the staff report dated July 23, 2013, BE INTRODUCED at the Municipal Council meeting to be held on July 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 Light Industrial Special Provision(LI1(8) Zone, which permits electrical and electronic products industries, office, store and business electronic products industries, commercial schools, medical/dental offices, clinics, day care centres, bakeries, business service establishments, laboratories, manufacturing and assembly industries, support offices, paper and allied products industries excluding pulp and paper and asphalt roofing industries, pharmaceutical and medical product industries, printing, reproduction and data processing industries, research and development establishments, warehouse establishments, wholesale establishments, custom workshop, brewing on premises establishments and service trades TO a Compound Light Industrial Special Provision (LI1(8)/LI3) Zone, which permits, in addition to the above noted uses, assembly halls, commercial recreation establishments, day care centres, private clubs and private parks;

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

23. Property Located at 36 Blackfriars Street - Request for Delegation Status

That C. Wilson, 36 Blackfriars Street BE DENIED delegation status at a future Planning and Environment Committee meeting as the staff is currently undertaking a Heritage Conservation District study for the Petersville/Blackfriars area and there may be programs available once the HCD is completed. (2013-D19)

24. Riverbend South Secondary Plan Terms of Reference

That, on the recommendation of the Manager, Development Services and Planning Liaison, the Terms of Reference, as appended to the staff report dated July 23, 2013, to guide the process and preparation of the River Bend South Secondary Plan BE ADOPTED;

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

M. Zunti, Sifton Properties Limited, applicant – expressing support for the Terms of Reference. (2013-D08)

Motion Passed

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

Motion made by Councillor B. Polhill to Approve clause 25.

25. Properties Located at 754 and 764 Waterloo Street and 354 Oxford Street East (Oz-8121)

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of Farhi Holdings Inc., relating to the properties located at 754 and 764 Waterloo Street and 354 Oxford Street East:

- a) the proposed by-law, as appended to the staff report dated July 23, 2013, BE INTRODUCED at the Municipal Council meeting to be held on July 30, 2013, to amend Appendix "1" the Official Plan to change the identification of the subject property FROM a Service Station TO a Convenience Commercial and Service Station identification;
- b) the ~~attached~~, revised, proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on July 30, 2013, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan, as amended in part a), above), to change the zoning of the subject property FROM a Convenience Commercial/Service Station (CC/SS) Zone and a Residential R2 (R2-2) Zone and a Residential R3/Office Conversion (R3-1/OC5) Zone, which permits such uses as convenience service establishments without a drive-through facility, convenience stores without a drive-through facility, financial institutions without a drive-through facility, personal service establishments without a drive-through facility, gas bars, single-detached dwellings, semi-detached dwellings, duplex dwellings and converted dwellings, fourplex dwellings, dwelling units, medical dental offices and offices TO a Holding Convenience Commercial Special Provision/Service Station (h-(*)*h-5*h-103*CC6()/SS) Zone, to allow for such uses as bake shops without drive-through facilities, commercial schools without drive-through facilities, florist shops without drive-through facilities, pharmacies without drive-through facilities, eat-in restaurants without drive-through facilities, brewing on premises establishment, including a maximum front yard setback of (1.0m), a maximum exterior side yard setback of (1.0m), a maximum lot coverage of (35%), a maximum gross floor area of 948m² and a minimum of 28 parking spaces; it being noted that the holding h-(*)* provision is to ensure landscaping enhancements are implemented within the abutting Oxford Street and Waterloo Street road allowances to achieve high quality landscaping and the creation of an attractive street edge at this strategic gateway location; it being further noted that the holding (h-5) provision is to ensure that development takes a form compatible with adjacent land uses, by requiring a public site plan review meeting; it being also noted that the holding (h-103) provision is to ensure that urban design is addressed at site plan;
- c) subject to Policy 19.1.1 of the Official Plan, the subject lands at 764 Waterloo Street BE INTREPRETED to be located within the "Multi-Family, Medium Density Residential" designation;
- d) the Site Plan Approval Authority BE REQUESTED to consider the following design elements through the site plan approval process:
 - i) consider rotating the building (general design, function and floor plate can remain the same), as illustrated in Appendices 'C' and 'D', clockwise by 90 degrees to engage the intersection and create active street frontages along Waterloo and Oxford Streets such that the proposed east elevation be situated on the south elevation (along Oxford Street) and the proposed south elevation be situated on the west elevation (along Waterloo Street) and incorporate the following design elements:
 - l) consider an entrance at the southwest corner facing the intersection of Waterloo Street and Oxford Street to service those travelling by foot or

transit, with a secondary entrance located at the southeast corner of the building to service those coming from the parking lot;

- II) create a height element at the southwest corner of the building (at the intersection) to announce the entrance as well as address the intersection;
 - III) create a corner plaza at the intersection of Oxford and Waterloo Streets between the building entrance and the intersection of the public sidewalks including enhanced landscaping in order to create a welcoming forecourt that engages the intersection;
 - IV) ensure that the majority of windows located along the Oxford and Waterloo Street corridors are transparent glass to activate the street frontages;
 - V) ensure that the sign band is integrated into the building and below the height of the parapet in order to allow for the southwest corner parapet (at the intersection and entrance into the building) to act as the height element for the building;
 - VI) ensure that the materials used on all facades and the level architectural detailing are in keeping with the heritage district; it being noted that in accordance with the Bishop Hellmuth Heritage District Plan materials should include brick and masonry and architectural details are to include brick soldier courses and corbelling; and,
 - VII) provide enhanced landscaping to screen all exposed parking lots from Oxford and Waterloo Streets in order to create a positive edge condition and enhance the pedestrian experience; it being noted that this may be achieved using a landscape wall and landscaping that includes, but not limited to, shrubs, tall grasses, and trees;
- ii) install a 1.83 metre (6 feet) minimum sound attenuation fence along the property line directly abutting St. George Public School (the north property line of 354 Oxford Street East) in order to ensure continued student safety;
- e) a meeting BE HELD, prior to the end of the appeal period for this application, with representatives of the Bishop-Hellmuth Community Association, St. George's School Association, the applicant and the Civic Administration, to discuss the final design, with the date of the meeting to be provided at the Municipal Council meeting to be held on July 30, 2013; 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 noted that the Planning and Environment Committee reviewed and received the following communications, with respect to this matter:

- a communication dated July 19, 2013, from G. McCormack, Chair, Executive of School Council, St. George's Public School;
- a communication dated July 19, 2013, from N.Z. Tausky, 288 St. James Street;
- the ~~attached~~ communication dated July 22, 2013 from M. Loft, 784 Wellington Street; and,
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it being pointed out that at the public participation meeting associated with this matter, the following individuals made oral submissions in connection therewith:

- Richard Zelinka, Zelinka Priamo Ltd., on behalf of the applicant – advising that the northeast corner of Oxford Street and Waterloo Street has been commercial since before most of the Bishop-Hellmuth community was built; indicating that, from the early 1880's there was one and then a second, retail store at this location, until they were replaced around 1955 by a gasoline service station which was there for over half a century; advising that the service station and two other buildings have been removed; noting that the site is now vacant; advising that, at various times, three of the four quadrants of the intersection have had service stations on them; advising that the current application seeks to broaden the range of local service retail uses on the corner so that, in addition to the current permission for service station use and the fairly narrow convenience commercial uses, the site may be allowed to develop for a broader range of uses, specifically for the pharmacy that is being proposed at this time; indicating that the application is based on the desire of Rexall to establish a full-line

drug store on the northeast corner and to convert their existing small sized dispensary on the southeast corner to medical clinic uses; advising that the applicant and Rexall have proposed, and modified, plans for a high standard of design at this location as a recognition of its importance in the City generally and its importance at the entrance to the Bishop-Hellmuth area; advising that this did not come in as a conventional store with parking in front; indicating that the common condition along Waterloo Street is front yard and boulevard parking; recognizing that, when this was a service station, there were parking and service areas extending into the boulevard; notwithstanding that the proposal is for the building to come up to the corner of the property, with the parking behind and in the side and rear yards of the property; incorporating suggestions made by the Urban Design Peer Review Panel, City staff and the public, both in the form and in the function of the site; indicating that were able to resolve the entry issue in the southeast corner of the site on Oxford Street to ensure that it is both safe and functional; 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have an adverse effect on the rest of the site; noting that as a directive, instead of a consideration, it could undermine the entire proposal; asking the Committee to remove the first bullet from the recommendation to the Municipal Council; indicating that there is already consideration at the site plan stage for the entrance to be at the southwest corner and another at the southeast corner; noting that there is also a similar situation in part iv); indicating that the consideration is a proper and valid one, encouraging as much transparent glass rather than spangled glass is a reasonable consideration; however ensuring that that happens would not be proper as it does not recognize functional imperatives of the store and undermines the ability of store to go in; reiterating that he is asking the Committee to reword, where possible, to have the windows along the Oxford Street and Waterloo Street corridors as transparent glass to activate the street frontages; noting that that is a proper submission and we can work with staff but to require by ensuring that the majority of the windows be transparent glass does not give us any room for error; indicating that the other “ensure” directives, we do not have a problem with, they can be achieved; advising that the revised by-law with the change from minimum front and rear yard setbacks to maximum, recognizing that this is not a perfectly square site, building wall can’t be parallel to both streets; making sure they are avoiding the necessity for any minor variance that may come; noting that the intent of having the maximum at 1.0 metre properly covers it; requesting that the Committee makes the changes that he has submitted; advising that if the service station commercial use was an additional use that we were requesting, this would have to go back for further notice; however, it is part of the existing zoning on the site and will continue to be the existing zoning on the site if the by-law is not passed; and requesting that the recommendation also be made that no further notice be given with respect to the changes being made to the zoning by-law.

- Don Clark, Director of Design, Store Planning and Construction, Rexall – expressing excitement about the opportunity to develop on this site; indicating that they are looking forward to providing healthier choices to the neighbourhood and their customers; noting that this will also be a first class retail environment; advising that they are adding 20 additional jobs as well as a tax base to this site; indicating that they will be spending millions on this site; and advising that this is a one of a kind development for them.
- Scott MacDougall-Shackleton, 802 Hellmuth Avenue – advising that he lives within the Bishop-Hellmuth Conservation District; noting that he is a member of the Community Association and a member of the St. George’s School Council, which is steps away from this site; advising that he has talked to a lot of his neighbours and a lot of people in the school neighbourhood; expressing appreciation to the Planning Department for recognizing the communities concerns in their report; noting that the staff did a great job of recommending some holding provisions that are very important for this site; expressing appreciation to the applicant for acknowledging the importance of heritage and the importance of this Conservation District for the wellbeing of the core of this City; reiterating that these holding provisions are important; advising that the history of this site is that they lost a heritage building on this site because of demolition by neglect; advising that with the approval of the demolition of that house, there were holding provisions that included landscaping on the site; advising that the landscaping has never happened; indicating that the site has not been maintained and they have to call in to have the property mowed; advising that the community is not secure in taking people’s word that the site will be developed properly; urging the Committee to stick with the holding provisions as outlined by Planning staff; recommending that it is ensured that heritage elements are included and this includes having a streetscape along Waterloo Street and along Oxford Street, not a streetscape along a parking lot; expressing excitement about having a vibrant new business rather than an empty gravel lot that is not being maintained; advising that they would rather see a business on site; noting that the business needs to fit into the community and that the community is going to be supporting; indicating that they are a large community and they want to support their local businesses but we want them to fit in and have a streetscape along the streets; expressing concern with the garbage, at the northeast corner of the site, backs onto St. George’s public school, which is a Kindergarten to Grade 8 public school, with a developmental centre for severely developmentally challenged children; reiterating that this is an important local public school; advising that development of this site will not only impact the heritage district but the school as well; and indicating that both of these need to be addressed and the best way to do this is to ensure that the holding provisions are included in the Committee’s recommendation to the Municipal Council.
- Greg McCormack, Chair, Executive of School Council, St. George’s Public School – expressing appreciation for all of the work that has gone into this; echoing the comments of Mr. MacDougall-Shackleton; enquiring as to what is the worst property that can go on that site if the zoning is approved; requesting that the Committee consider that as they do not want that built in this location; advising that the school is a

community school with a large number of students that walks to school, especially along the Waterloo Street corridor; indicating that they are concerned about security elements, especially the driveway on Waterloo Street; advising that the School Council requests that the driveway be removed and just have a single entrance across Oxford Street; and advising that, with the trees, it is a blind entrance and it is only a matter of time before someone is hurt.

- John Dickinson, 873 Hellmuth Avenue – advising that he is on the Bishop-Hellmuth Community Association; advising that he has had the opportunity to meet with the landowners in the past and that it is nice to see the potential occupant representative at the meeting as well; indicating that what the City Planners recommended in their report makes a lot of sense, especially during the slide presentation where slides were shown of what a pharmacy looks like when it is not live windows; advising that the walls without windows make him quite concerned; having really solid recommendations, maybe even a minimum requirement for a certain amount of glass is what I would like to see; expressing support for the safety concerns; advising that one of his children would be passing the pharmacy every day; and reiterating that he would like to see many of the staff recommendations adopted along with minimum requirements.
- Laura Kaufman, 778 Hellmuth Avenue – requesting that the entranceway be moved from the southeast corner to the southwest corner and make it more of a streetscape in keeping with the local neighbourhood; advising that she purchased her house five years ago; noting that part of her decision to purchase was because of the architecture and to put something that resembles suburban strip mall blight on a corner that is a gateway to a historic neighbourhood just is not right; and hoping that the Committee follows the guidelines and the recommendations and makes them stipulations instead.
- Mohamed Moussa, 155 Thornton Avenue – advising that he grew up in Old North and that he presently still resides in Old North; indicating that he has never made a submission to a Committee or to staff in any shape or form, but what they have on the site is a vacant lot; advising that they have the opportunity to develop this land into something usable; indicating that they want to keep the character of the neighbourhood; indicating that asking Rexall to put in a new door that could possibly make it unfeasible for them is a shame; reiterating that he would like to keep the character of the area, but not to handcuff the applicant, whether it is Rexall or someone else; advising that this is an opportunity to take a vacant lot and get tax money out of this for the next 15, 20 or 30 years; and advising that the infrastructure is there and to handcuff a business coming in here would be very sad.
- Mari Parks, 798 Hellmuth Avenue – advising that she has been involved with the Community Association for a very long time; indicating that she has been before the Committee for two or three other issues in this neighbourhood; expressing concern about the architectural design of this indicating that Shell worked with the community over its redevelopment many years ago; advising that Shell representatives met with the Community Association and that has not happened in this instance at all; indicating that Mr. Farhi was asked to meet with the Community Association and the community when the house was demolished over some landscaping and other plans at the time; noting that that still has not happened; indicating that, other than the landscaping issues, these two proposals have not addressed the architectural features or the compatibility concerns that have been mentioned in many letters to staff and the Committee members; advising that this design would be more appropriate if Appendix “E” of the staff report was considered; noting that this would address the aesthetics of the building, make the connection with the community and the pedestrian traffic more appropriate for this area; indicating that we need to get this right as this building is going to be there for a long time; noting that it is not something that is going to be put up and torn down in five to 10 years; indicating that the building has to be used if Rexall decides to pull out; noting that this building has to be useful for other purposes as well; and recommending that the Committee add the recommendations in Appendix “E” to the zoning application so that the community knows that they can go forward with consistent historic aspects for this community.
- Sandra Boersen, 310 Huron Street – advising that this is the entrance that she uses to get into her neighbourhood; noting that she tends not to go in through Huron Street or Adelaide Street or Richmond Street; expressing surprise for where the building sits on the site; advising that she was expecting to see something that mirrored the northwest corner where the Shell is; advising that she was expecting to see a mirroring as it is a gateway into the neighbourhood; indicating that she does not object to what this is, she just did not expect to see this; advising that she expected to see some tie in to being a part of the historical area by having a wall similar to what the other side has; expressing concern with the service entrance because there will now be delivery trucks coming in and out of Waterloo Street and that is not the intention of Waterloo Street; noting that it was never the intention for Waterloo Street, even when it was a commercial facility

before; advising that two houses were removed to make this site into one larger commercial spot which now encroaches more into the neighbourhood than normal; echoing the concerns of the school about what comes in and out of that service entrance and whether that would be restricted in some way so that those service trucks do not end up coming into the neighbourhood further and start using Waterloo Street as a bypass instead of going down Oxford Street, which they should be using; advising that she has not seen much in the way of any historical features going into this building besides the brick colour; indicating that she thinks that this is a Waterloo Street address and putting in faux windows and doors does not address the fact that this is a Waterloo Street address; indicating that this reminds her of the silos that were built on Huron Street where there were no entrances and windows and the concerns that were raised over that at the time; noting that putting up faux windows does not address that; advising that it just flies in the face of what we consider a historical area and what we would consider appropriate; indicating that the difference in terms of width and length is 10.5 feet; indicating that 10.5 feet is not enough to stop the internal flow inside a building; advising that she echoes the concerns that have been raised about the length of time the building will be standing and how it is the entrance to the neighbourhood and what that represents; understanding that jobs will be coming to this facility, but they will be coming to this facility whether it faces 90 degrees or not; they will come to this facility whether they build this correctly or not; advising that her concern is in building something appropriate; indicating that a slow erosion of a historic district ends up being no historic district at all; advising that a lot of effort has gone into making this a historic district and we are asking that that concern be honoured; requesting that when people buy something in a historic area, they actually build something that fits into the historic area; indicating that when she travels, she travels to areas that have mostly historic buildings because she likes architecture; indicating that when she goes to places like Niagara-on-the-Lake it always shocks her how well national chains are able to accommodate older buildings and work within them and still maintain a sense of history yet they can do it without having to do this; indicating that it can be done, there needs to be a will to do it; and noting that if there is a will to do it, you will make it work and you will make it work for everyone.

- Jim Kogelheide, 373 Byron Boulevard – advising that he has an education in architecture; noting that it was always fascinating for him when pushed by the teachers, when we were doing mock designs, how they would go about thinking of the history of an area and using that history to incorporate some of the technologies of the present to create something that was a blending of the two to further enhance the integrity and architectural aspects of the area as well as to consider the needs, both commercially and economically in terms of employment for local communities; advising that when he hears that another national chain is coming to town is the amount of garbage that will be created; and advising that national chains do nothing to enhance local economic development as most of their products are shipped from overseas.
- Shmuel Farhi, Farhi Holdings Corporation, applicant – advising that it was not easy to find an international client like Rexall prepared to build a flagship store at this location creating construction and retail jobs; noting that it is 25 new jobs for the site, with over 170 jobs during construction; indicating that the only other serious inquiry that they had in the last year plus was from petroleum dealers looking to open another gas bar as the current zoning allows; advising that this pharmacy development will generate an additional \$2,000,000 in taxes for the City; indicating that Rexall is sensitive to the concerns, the standard layout was significantly modified to create a design more harmonious with the neighbourhood; indicating that the finished building will be far more attractive than the old drugstore on the southeast corner and the gas bar and office building on the northwest corner; advising that when talking about heritage, he takes credit to say that he owns more heritage buildings in the City of London than any other individual or corporation; noting that he owns over 52 buildings to date; indicating that he looks after them; indicating that he understands what heritage means and that he understands what is at stake; however, looking at this corner, he thinks that this application is the best use of what can be done with this corner; advising that they are taking a small store and bringing it into this century; reiterating that this development will be a much better fit than any other gas station or anything else than can be built there; and advising that he welcomes international companies into London any day. (see attached photographs) (2013-D14A)

Motion made by Councillor N. Branscombe and seconded by Councillor J.L. Baechler to Amend clause 25 by adding a new part d)i)VIII) as follows:

“VIII) consideration be given to the rooflines so that they are in keeping with the heritage district;”.

Motion Passed

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

Motion made by Councillor N. Branscombe and seconded by Councillor J.L. Baechler to Approve clause 25, as amended.

Motion Passed

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

Clause 25, 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 Farhi Holdings Inc., relating to the properties located at 754 and 764 Waterloo Street and 354 Oxford Street East:

- a) the proposed by-law, as appended to the staff report dated July 23, 2013, BE INTRODUCED at the Municipal Council meeting to be held on July 30, 2013, to amend Appendix "1" the Official Plan to change the identification of the subject property FROM a Service Station TO a Convenience Commercial and Service Station identification;
- b) the ~~attached~~, revised, proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on July 30, 2013, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan, as amended in part a), above), to change the zoning of the subject property FROM a Convenience Commercial/Service Station (CC/SS) Zone and a Residential R2 (R2-2) Zone and a Residential R3/Office Conversion (R3-1/OC5) Zone, which permits such uses as convenience service establishments without a drive-through facility, convenience stores without a drive-through facility, financial institutions without a drive-through facility, personal service establishments without a drive-through facility, gas bars, single-detached dwellings, semi-detached dwellings, duplex dwellings and converted dwellings, fourplex dwellings, dwelling units, medical dental offices and offices TO a Holding Convenience Commercial Special Provision/Service Station (h-(*))*h-5*h-103*CC6()/SS) Zone, to allow for such uses as bake shops without drive-through facilities, commercial schools without drive-through facilities, florist shops without drive-through facilities, pharmacies without drive-through facilities, eat-in restaurants without drive-through facilities, brewing on premises establishment, including a maximum front yard setback of (1.0m), a maximum exterior side yard setback of (1.0m), a maximum lot coverage of (35%), a maximum gross floor area of 948m² and a minimum of 28 parking spaces; it being noted that the holding h-(*) provision is to ensure landscaping enhancements are implemented within the abutting Oxford Street and Waterloo Street road allowances to achieve high quality landscaping and the creation of an attractive street edge at this strategic gateway location; it being further noted that the holding (h-5) provision is to ensure that development takes a form compatible with adjacent land uses, by requiring a public site plan review meeting; it being also noted that the holding (h-103) provision is to ensure that urban design is addressed at site plan;
- c) subject to Policy 19.1.1 of the Official Plan, the subject lands at 764 Waterloo Street BE INTREPRETED to be located within the "Multi-Family, Medium Density Residential" designation;
- d) the Site Plan Approval Authority BE REQUESTED to consider the following design elements through the site plan approval process:
 - i) consider rotating the building (general design, function and floor plate can remain the same), as illustrated in Appendices 'C' and 'D', clockwise by 90 degrees to engage the intersection and create active street frontages along Waterloo and Oxford Streets such that the proposed east elevation be situated on the south elevation (along Oxford Street) and the proposed south elevation be situated on the west elevation (along Waterloo Street) and incorporate the following design elements:
 - l) consider an entrance at the southwest corner facing the intersection of Waterloo Street and Oxford Street to service those travelling by foot or transit, with a secondary entrance located at the southeast corner of the building to service those coming from the parking lot;

- II) create a height element at the southwest corner of the building (at the intersection) to announce the entrance as well as address the intersection;
 - III) create a corner plaza at the intersection of Oxford and Waterloo Streets between the building entrance and the intersection of the public sidewalks including enhanced landscaping in order to create a welcoming forecourt that engages the intersection;
 - IV) ensure that the majority of windows located along the Oxford and Waterloo Street corridors are transparent glass to activate the street frontages;
 - V) ensure that the sign band is integrated into the building and below the height of the parapet in order to allow for the southwest corner parapet (at the intersection and entrance into the building) to act as the height element for the building;
 - VI) ensure that the materials used on all facades and the level architectural detailing are in keeping with the heritage district; it being noted that in accordance with the Bishop Hellmuth Heritage District Plan materials should include brick and masonry and architectural details are to include brick soldier courses and corbelling;
 - VII) provide enhanced landscaping to screen all exposed parking lots from Oxford and Waterloo Streets in order to create a positive edge condition and enhance the pedestrian experience; it being noted that this may be achieved using a landscape wall and landscaping that includes, but not limited to, shrubs, tall grasses, and trees; and,
 - VIII) consideration be given to the rooflines so that they are in keeping with the heritage district;
- ii) install a 1.83 metre (6 feet) minimum sound attenuation fence along the property line directly abutting St. George Public School (the north property line of 354 Oxford Street East) in order to ensure continued student safety;
- e) a meeting BE HELD, prior to the end of the appeal period for this application, with representatives of the Bishop-Hellmuth Community Association, St. George's School Association, the applicant and the Civic Administration, to discuss the final design, with the date of the meeting to be provided at the Municipal Council meeting to be held on July 30, 2013; 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 noted that the Planning and Environment Committee reviewed and received the following communications, with respect to this matter:

- a communication dated July 19, 2013, from G. McCormack, Chair, Executive of School Council, St. George's Public School;
- a communication dated July 19, 2013, from N.Z. Tausky, 288 St. James Street;
- the attached communication dated July 22, 2013 from M. Loft, 784 Wellington Street; and,
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advising that they have always asked for the addition of uses to the existing convenience commercial service station/commercial zoning combination; advising that, although in the Official Plan amendment that is being recommended, the convenience commercial to the service station/commercial is added on Appendix "A" of the Official Plan; advising that it was not carried forward in the Zoning By-law; advising that the existing service station zoning was requested to be carried forward into the new zoning; advising that we are asking the Committee to reinstate the existing service station zoning provisions in the by-law that is recommended to the Municipal Council; advising that the h-103 holding provision will ensure that urban design is addressed at the site plan stage; indicating that section d) of the recommendation does include, under i) is a matter for consideration at the site plan stage; advising that we are willing to continue to work with staff to enhance the presence of the use at the intersection; however, staff have added that first bullet that requests that the building be rotated by 90 degrees; advising that this is a directive, not a consideration; advising that this is a hammer and he ask this Committee to consider that it is not an appropriate hammer to put in the Council resolution for the site plan stage; advising that it does not recognize the functional imperatives of the pharmacy operation; advising that it does not recognize that the store is not square, but rectangular; advising that if the building is to be rotated, it does have an adverse effect on the rest of the site; noting that as a directive, instead of a consideration, it could

undermine the entire proposal; asking the Committee to remove the first bullet from the recommendation to the Municipal Council; indicating that there is already consideration at the site plan stage for the entrance to be at the southwest corner and another at the southeast corner; noting that there is also a similar situation in part iv); indicating that the consideration is a proper and valid one, encouraging as much transparent glass rather than spangled glass is a reasonable consideration; however ensuring that that happens would not be proper as it does not recognize functional imperatives of the store and undermines the ability of store to go in; reiterating that he is asking the Committee to reword, where possible, to have the windows along the Oxford Street and Waterloo Street corridors as transparent glass to activate the street frontages; noting that that is a proper submission and we can work with staff but to require by ensuring that the majority of the windows be transparent glass does not give us any room for error; indicating that the other “ensure” directives, we do not have a problem with, they can be achieved; advising that the revised by-law with the change from minimum front and rear yard setbacks to maximum, recognizing that this is not a perfectly square site, building wall can't be parallel to both streets; making sure they are avoiding the necessity for any minor variance that may come; noting that the intent of having the maximum at 1.0 metre properly covers it; requesting that the Committee makes the changes that he has submitted; advising that if the service station commercial use was an additional use that we were requesting, this would have to go back for further notice; however, it is part of the existing zoning on the site and will continue to be the existing zoning on the site if the by-law is not passed; and requesting that the recommendation also be made that no further notice be given with respect to the changes being made to the zoning by-law.

- Don Clark, Director of Design, Store Planning and Construction, Rexall – expressing excitement about the opportunity to develop on this site; indicating that they are looking forward to providing healthier choices to the neighbourhood and their customers; noting that this will also be a first class retail environment; advising that they are adding 20 additional jobs as well as a tax base to this site; indicating that they will be spending millions on this site; and advising that this is a one of a kind development for them.
- Scott MacDougall-Shackleton, 802 Hellmuth Avenue – advising that he lives within the Bishop-Hellmuth Conservation District; noting that he is a member of the Community Association and a member of the St. George's School Council, which is steps away from this site; advising that he has talked to a lot of his neighbours and a lot of people in the school neighbourhood; expressing appreciation to the Planning Department for recognizing the communities concerns in their report; noting that the staff did a great job of recommending some holding provisions that are very important for this site; expressing appreciation to the applicant for acknowledging the importance of heritage and the importance of this Conservation District for the wellbeing of the core of this City; reiterating that these holding provisions are important; advising that the history of this site is that they lost a heritage building on this site because of demolition by neglect; advising that with the approval of the demolition of that house, there were holding provisions that included landscaping on the site; advising that the landscaping has never happened; indicating that the site has not been maintained and they have to call in to have the property mowed; advising that the community is not secure in taking people's word that the site will be developed properly; urging the Committee to stick with the holding provisions as outlined by Planning staff; recommending that it is ensured that heritage elements are included and this includes having a streetscape along Waterloo Street and along Oxford Street, not a streetscape along a parking lot; expressing excitement about having a vibrant new business rather than an empty gravel lot that is not being maintained; advising that they would rather see a business on site; noting that the business needs to fit into the community and that the community is going to be supporting; indicating that they are a large community and they want to support their local businesses but we want them to fit in and have a streetscape along the streets; expressing concern with the garbage, at the northeast corner of the site, backs onto St. George's public school, which is a Kindergarten to Grade 8 public school, with a developmental centre for severely developmentally challenged children; reiterating that this is an important local public school; advising that development of this site will not only impact the heritage district but the school as well; and indicating that both of these need to be addressed and the best way to do this is to ensure that the holding provisions are included in the Committee's recommendation to the Municipal Council.
- Greg McCormack, Chair, Executive of School Council, St. George's Public School – expressing appreciation for all of the work that has gone into this; echoing the comments of Mr. MacDougall-Shackleton; enquiring as to what is the worst property that can go on that site if the zoning is approved; requesting that the Committee consider that as they do not want that built in this location; advising that the school is a community school with a large number of students that walks to school, especially along the Waterloo Street corridor; indicating that they are concerned about security elements, especially the driveway on Waterloo Street; advising that the School Council requests that the

driveway be removed and just have a single entrance across Oxford Street; and advising that, with the trees, it is a blind entrance and it is only a matter of time before someone is hurt.

- John Dickinson, 873 Hellmuth Avenue – advising that he is on the Bishop-Hellmuth Community Association; advising that he has had the opportunity to meet with the landowners in the past and that it is nice to see the potential occupant representative at the meeting as well; indicating that what the City Planners recommended in their report makes a lot of sense, especially during the slide presentation where slides were shown of what a pharmacy looks like when it is not live windows; advising that the walls without windows make him quite concerned; having really solid recommendations, maybe even a minimum requirement for a certain amount of glass is what I would like to see; expressing support for the safety concerns; advising that one of his children would be passing the pharmacy every day; and reiterating that he would like to see many of the staff recommendations adopted along with minimum requirements.
- Laura Kaufman, 778 Hellmuth Avenue – requesting that the entranceway be moved from the southeast corner to the southwest corner and make it more of a streetscape in keeping with the local neighbourhood; advising that she purchased her house five years ago; noting that part of her decision to purchase was because of the architecture and to put something that resembles suburban strip mall blight on a corner that is a gateway to a historic neighbourhood just is not right; and hoping that the Committee follows the guidelines and the recommendations and makes them stipulations instead.
- Mohamed Moussa, 155 Thornton Avenue – advising that he grew up in Old North and that he presently still resides in Old North; indicating that he has never made a submission to a Committee or to staff in any shape or form, but what they have on the site is a vacant lot; advising that they have the opportunity to develop this land into something usable; indicating that they want to keep the character of the neighbourhood; indicating that asking Rexall to put in a new door that could possibly make it unfeasible for them is a shame; reiterating that he would like to keep the character of the area, but not to handcuff the applicant, whether it is Rexall or someone else; advising that this is an opportunity to take a vacant lot and get tax money out of this for the next 15, 20 or 30 years; and advising that the infrastructure is there and to handcuff a business coming in here would be very sad.
- Mari Parks, 798 Hellmuth Avenue – advising that she has been involved with the Community Association for a very long time; indicating that she has been before the Committee for two or three other issues in this neighbourhood; expressing concern about the architectural design of this indicating that Shell worked with the community over its redevelopment many years ago; advising that Shell representatives met with the Community Association and that has not happened in this instance at all; indicating that Mr. Farhi was asked to meet with the Community Association and the community when the house was demolished over some landscaping and other plans at the time; noting that that still has not happened; indicating that, other than the landscaping issues, these two proposals have not addressed the architectural features or the compatibility concerns that have been mentioned in many letters to staff and the Committee members; advising that this design would be more appropriate if Appendix “E” of the staff report was considered; noting that this would address the aesthetics of the building, make the connection with the community and the pedestrian traffic more appropriate for this area; indicating that we need to get this right as this building is going to be there for a long time; noting that it is not something that is going to be put up and torn down in five to 10 years; indicating that the building has to be used if Rexall decides to pull out; noting that this building has to be useful for other purposes as well; and recommending that the Committee add the recommendations in Appendix “E” to the zoning application so that the community knows that they can go forward with consistent historic aspects for this community.
- Sandra Boersen, 310 Huron Street – advising that this is the entrance that she uses to get into her neighbourhood; noting that she tends not to go in through Huron Street or Adelaide Street or Richmond Street; expressing surprise for where the building sits on the site; advising that she was expecting to see something that mirrored the northwest corner where the Shell is; advising that she was expecting to see a mirroring as it is a gateway into the neighbourhood; indicating that she does not object to what this is, she just did not expect to see this; advising that she expected to see some tie in to being a part of the historical area by having a wall similar to what the other side has; expressing concern with the service entrance because there will now be delivery trucks coming in and out of Waterloo Street and that is not the intention of Waterloo Street; noting that it was never the intention for Waterloo Street, even when it was a commercial facility before; advising that two houses were removed to make this site into one larger commercial spot which now encroaches more into the neighbourhood than normal; echoing the concerns of the school about what comes in and out of that service entrance and whether that would be restricted in some way so that those service trucks do not

end up coming into the neighbourhood further and start using Waterloo Street as a bypass instead of going down Oxford Street, which they should be using; advising that she has not seen much in the way of any historical features going into this building besides the brick colour; indicating that she thinks that this is a Waterloo Street address and putting in faux windows and doors does not address the fact that this is a Waterloo Street address; indicating that this reminds her of the silos that were built on Huron Street where there were no entrances and windows and the concerns that were raised over that at the time; noting that putting up faux windows does not address that; advising that it just flies in the face of what we consider a historical area and what we would consider appropriate; indicating that the difference in terms of width and length is 10.5 feet; indicating that 10.5 feet is not enough to stop the internal flow inside a building; advising that she echoes the concerns that have been raised about the length of time the building will be standing and how it is the entrance to the neighbourhood and what that represents; understanding that jobs will be coming to this facility, but they will be coming to this facility whether it faces 90 degrees or not; they will come to this facility whether they build this correctly or not; advising that her concern is in building something appropriate; indicating that a slow erosion of a historic district ends up being no historic district at all; advising that a lot of effort has gone into making this a historic district and we are asking that that concern be honoured; requesting that when people buy something in a historic area, they actually build something that fits into the historic area; indicating that when she travels, she travels to areas that have mostly historic buildings because she likes architecture; indicating that when she goes to places like Niagara-on-the-Lake it always shocks her how well national chains are able to accommodate older buildings and work within them and still maintain a sense of history yet they can do it without having to do this; indicating that it can be done, there needs to be a will to do it; and noting that if there is a will to do it, you will make it work and you will make it work for everyone.

- Jim Kogelheide, 373 Byron Boulevard – advising that he has an education in architecture; noting that it was always fascinating for him when pushed by the teachers, when we were doing mock designs, how they would go about thinking of the history of an area and using that history to incorporate some of the technologies of the present to create something that was a blending of the two to further enhance the integrity and architectural aspects of the area as well as to consider the needs, both commercially and economically in terms of employment for local communities; advising that when he hears that another national chain is coming to town is the amount of garbage that will be created; and advising that national chains do nothing to enhance local economic development as most of their products are shipped from overseas.
- Shmuel Farhi, Farhi Holdings Corporation, applicant – advising that it was not easy to find an international client like Rexall prepared to build a flagship store at this location creating construction and retail jobs; noting that it is 25 new jobs for the site, with over 170 jobs during construction; indicating that the only other serious inquiry that they had in the last year plus was from petroleum dealers looking to open another gas bar as the current zoning allows; advising that this pharmacy development will generate an additional \$2,000,000 in taxes for the City; indicating that Rexall is sensitive to the concerns, the standard layout was significantly modified to create a design more harmonious with the neighbourhood; indicating that the finished building will be far more attractive than the old drugstore on the southeast corner and the gas bar and office building on the northwest corner; advising that when talking about heritage, he takes credit to say that he owns more heritage buildings in the City of London than any other individual or corporation; noting that he owns over 52 buildings to date; indicating that he looks after them; indicating that he understands what heritage means and that he understands what is at stake; however, looking at this corner, he thinks that this application is the best use of what can be done with this corner; advising that they are taking a small store and bringing it into this century; reiterating that this development will be a much better fit than any other gas station or anything else than can be built there; and advising that he welcomes international companies into London any day. (see attached photographs) (2013-D14A)

Motion made by Councillor B. Polhill to Approve clause 26.

26. Land Needs Background Study for the 2011 Official Plan Review (O-7938)

That, the following actions be taken with respect to the ReThink London Official Plan Review process:

- a) a Public Participation Meeting of the Planning and Environment Committee BE HELD on October 8, 2013 to consider the Land Needs Background Study, as a background document for the Rethink London Official Plan Review process; and,

- b) the development community BE ASKED to work with the Civic Administration to further review the analysis and assumptions used to determine the urban growth boundary and to further review the requests for expansions to that boundary, to determine if certain lands have unique or strategic qualities that would warrant them being added to or removed from the urban growth boundary;

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

- a communication dated July 10, 2013, from E.F. Brown, 3133 Colonel Talbot Road, et al;
- a communication dated July 15, 2013 from D.R. Schmidt, Development Manager, Corlon Properties Inc.;
- a communication dated July 17, 2013 from M. Jackson-Brewer, 1996 Bradley Avenue;
- a communication dated July 19, 2013 from P. Masschelein, Vice President, Neighbourhood Developments, Sifton Properties Limited;
- the attached communication dated July 23, 2013 from R. Knutson, Knutson Development Consultants Inc.; and,
- the attached communication dated July 23, 2013 from C.M. Weibe, MHBC Planning Consultants, on behalf of J-Aar Excavating;

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

- Shmuel Farhi, Farhi Holdings Corporation – discussing a parcel of approximately 137 acres in East London; indicating that he believes that East London deserves to have development close to the work force; advising that there should be affordable homes for people working close to the Industrial Park; and discussing a parcel of 500+ acres along Highway 402, Colonel Talbot Road, Longwood Road and Murray Road; indicating that this property borders Highway 402 and is outside of the urban growth boundary.
- Tom Brown, 3133 Colonel Talbot Road North, on behalf of the West Talbot Road Landowners Association – advising that he represents the landowners on the west side of Colonel Talbot Road, south of Southdale Road, north of Pack Road and east of Dingman Creek; quoting the “Vision” statement; indicating that their lands are surrounded by urban growth; advising that, in years past, they were able to rent lands across the road and down Southdale Road; noting that renting land is no longer available to them; advising that the viability of farming this land is very restrictive; indicating that moving farm machinery around the arterial roads is not only cumbersome, but it could be dangerous; advising that the machinery can be quite large; indicating that a large portion of their lands either abut or include the Dingman Creek ecosystem and watershed, which is a very strong area of natural heritage; noting that approximately 35% of their lands are either woodland or part of the Dingman Creek ecosystem; reading Section 2.10 of the Official Plan; advising that, at one time, they had approximately 600 acres of land; noting that they no longer have that amount of land; advising that the economist scale is lost for them; indicating that the viability of farming that land is not an option; indicating that the urban development and commercial development in the area is separating their land and forcing them into a position where they can no longer move machinery and farm like they used to; advising that trespassing is one of their major problems with urban development on three sides; noting that they have people snowmobiling, driving all-terrain vehicles, off-leash dog walking and dumping garbage on their lands; indicating that their farms are running into a compatibility issue with the surrounding urban areas as they cannot move their machinery around and they cannot farm like they used to; advising that they used to have dairy, beef and cash crops; noting that the revenue from the cash crop will cover the cost of the crop itself, pay the taxes and insurance; noting that this is what they are limited to now; advising that their land is no longer productive as farm land; indicating that they have servicing on three sides of their properties; noting that Southdale Road, Colonel Talbot Road and Pack Road are all fully serviced; indicating that including their properties inside the urban growth boundary would not be a significant cost or pose a difficulty to include their lands in the South West Area Plan; advising that there was recently a memo that stated that the South West area is anticipated to have significant growth over the next 20 years; advising that they are in that area; noting that the Dingman Creek would add significant access to the citizens of London; and reiterating to please include their lands in the urban growth boundary.
- Ali Jomaa, 1431 Sunningdale Road West – indicating that he owns 108 acres of property northwest of Sunningdale; advising that there is a major transportation route

being planned for Sunningdale Road; indicating that the Heard Drain, which is being developed, is part of that land; advising that his land slants towards the drain very slightly which is excellent for the reduction of costs; advising that the land is very smooth all the way across; indicating that the reduction of costs is very important; and advising that if the City is looking to make sure that this is profitable, he is making the argument that this is a natural position for it to be positioned because of the services and the transportation route.

- William Hill, on behalf of Margaret Jackson-Brewer – requesting that the lands on the north and south side of Bradley Avenue from Old Victoria Sideroad to the present urban growth boundary be put into the new urban growth boundary; indicating that it is consistent with putting building lots where people work and it is becoming impossible to farm on Bradley Avenue because of the traffic; indicating that there is no cattle farming left in the area; noting that it is all cash cropping as you cannot take the risk of having an animal get loose on Bradley Avenue; advising that they believe that it is a great piece of land for the City for several reasons, including the fact that the City spent a lot of money providing hydro and water to the area to service the industrial area; indicating that the south side of Bradley in this area goes right to Highway 401 so that you have three kilometers of land along Highway 401; indicating that you have the Highbury Avenue interchange as well as the Veterans Memorial Parkway interchange, with approximately four kilometers of land in between that is serviced already; suggesting that the south side of Bradley Avenue be zoned Industrial and the north side of Bradley Avenue be zoned Residential, which would then be consistent with Bradley Avenue as it goes back into the old part of the City; indicating that another reason he believes this land should be included in the urban growth boundary is because when the City expanded the Industrial area and went from Commissioners Road down to Highway 401 and over to Old Victoria Sideroad, he does not believe that there was any consideration given, and there was no consultation with the people who lived on Bradley Avenue, as to the impact that the expansion that the Industrial lands will have; indicating that a number of plants have now been built; indicating that the amount of traffic that they have on Bradley Avenue now as compared to what they had before, has turned it from a great place to live in the countryside, to living in the City; noting that it is probably even noisier because there are not the barriers around to break the noise; looking at it from the point of view of the residents on Bradley Avenue, they should be in the plan and the City needs to correct that; and indicating that they are an island with nothing happening in between Veterans Memorial Park, the Industrial area and Summerside.
- Dave Schmidt, Corlon Properties Inc. – advising that their property is approximately 82 acres on the northwest side of Sunningdale Road and Wonderland Road North; indicating that they were before the Committee five years ago as part of the 2006 Official Plan review; indicating that the subject property is uniquely positioned because the municipal boundary is immediately along the northerly property line all the way across the end of the City, but the urban growth boundary follows Sunningdale Road, then goes up Wonderland Road North and continues along the municipal boundary; indicating that full municipal services already exist on their property; advising that there is a 900mm watermain existing all the way down Sunningdale Road, there is a 375mm sanitary sewer stub metres away from the intersection that was part of the Medway Trunk sanitary sewer project that has just been built in the last five years and was sized to service this area; the stormwater management environmental assessment has been done and included these lands; indicating that everything is here to allow this land to move forward; advising that the problem is that there is a line on the map that has it on the wrong side of it; indicating that there is a big difference between today and the last Official Plan that was completed because at that time the Municipal Council recognized many of the presentations that were done, there were unique opportunities here that probably should have been reviewed in a different way than has ever been reviewed to date; indicating that the Municipal Council resolution from August 13, 2007 (reads part d) of the resolution); indicating that he reviews the Agendas every week as part of his job, he has reviewed the 2011 ReThink process, he has reviewed the 2001 Land Needs Background Study (reading the Terms of Reference for the 2011 Official Plan review); indicating that he has not seen this done to date; noting that he has not seen the report from the 2007 resolution relating to this matter and he has not seen an evaluation of the lands that possibly could be considered for inclusion in the urban growth boundary being done, other than an analysis that says that we have “x” amount of land, we need “this” amount of land and we have more than we need, none of them represent an emergence opportunity, nothing to do; indicating that he is not sure that this is the way we should be proceeding forward; advising that we are rethinking the Official Plan in the City of London; indicating that we are not reaffirming a growth boundary that was drawn in 1996 as part of the Vision 96 process based upon thinking that was in place at that time; noting that lots of things have changed; advising that lots

of infrastructure has gone in the ground; indicating that some very big decisions have been made by this Municipal Council since then with respect to servicing (ie. Southside Sewage Treatment Control Plant); believing that the Municipal Council needs to take into consideration not expanding the growth boundary but looking at the viability of adjusting the growth boundary, not necessarily adding any more growth acreage in, but taking a look at the requests that are before you and deciding whether they represent good, sound, logical planning that is cost effective and efficient to this municipality, its existing residents and its future residents; noting that our development charges rely on this; indicating that, if we continue to develop land that is not the most economical to service, our development charges will put us at a continuous economic disadvantage compared to our neighbouring municipalities around us where people will continue to go to seek residential homes when we price ourselves out of the market because we are not developing the most efficient land that we possibly can; reiterating that, with the piece of land that they have, the services are bought, paid for and installed; noting that capacity exists at the Plant, but the line drawn on the maps says that we have enough, there is no reason to consider it; indicating that the methodology that was employed the Land Needs Background Study that was just completed was the same that was done five years ago; advising that land needs equals supply minus demand; noting that it is impossible for anyone here today to contest those findings; indicating that there is a lot of land inside the growth boundary; enquiring as to whether or not this land is efficiently positioned to optimize the services that we have already bought and paid for; noting that he is not sure that anyone here can answer that question today; indicating that the analysis that the Municipal Council requested back in 2007, as part of the Municipal Council resolution previously mentioned, has never been done; noting that it is not here today as part of the Land Needs Background Study; advising that he is not sure anyone will be able to tell how much 100 acres inside the urban growth boundary is going to cost to develop as opposed to any of the applications that are before the Committee today; indicating that other municipalities have swapped land; noting that the Township of Middlesex Centre swapped land in their last Official Plan review; indicating that it is not a question of whether or not we have enough land in the urban growth boundary, but whether this land is strategically located to achieve sufficient development patterns and optimize the investment in infrastructure and public service facilities; indicating that a review of the City of London Official Plan and the Provincial Policy Statement would suggest, to him, that a realignment of the urban growth boundary needs to be considered; reiterating that he is not talking about an expansion of the urban growth boundary, but a realignment of the urban growth boundary; and advising that the road that we are going down today is not consistent with the City of London Official Plan, but also not with the Provincial Policy Statement.

- Carol Weibe, MHBC Planning Consultants, on behalf of J-Aar Excavating – indicating that she was before the Planning Committee in 2007 requesting that J-Aar Excavating be included in the urban growth boundary; indicating that this is a unique property that is currently licensed as an aggregate extraction property; noting that the urban growth boundary runs along the west and the south property limits; also noting that it is adjacent to existing residential property development on two sides, the west side and the south side; indicating that it is currently designated Agriculture in the Official Plan and zoned for extraction; indicating that, in the six years since she was before them, there has been a considerable amount of development in this immediate area; noting that the lands to the south and west, those subdivisions, those lands have been developing at a very brisk rate; showing a map of the Kilally North Area Plan; noting that the property was intended, at the appropriate time, to complete this area plan; noting that Blackwell Boulevard terminates at the property line and Cedar Hollow Boulevard to the south is also intended to connect through and loop through that property to provide that collector road system and to provide transit and to really round out this Area Plan; indicating that the issues brought to the Committee's attention in 2007 are still relevant today; advising that what is unique about this property is that it is a current extraction operation, under their license they are required to extract the aggregate that is there and every year that they are remaining outside of that urban growth boundary they continue to extract so the grades on that property continue to get lower and lower; advising that that means that when they have exhausted the aggregate, in order for these lands to develop as they were planned, an equivalent amount of fill will need to be brought in to bring that land back up; indicating that the services for this property have already been installed; noting that the services have been oversized, constructed and paid for; reiterating that these lands can be serviced today; advising that the concerns that J-Aar Excavating has is that if the lands continue to be left outside of the urban growth boundary, they are going to come to the point where the land is no longer economically feasible to service due to the amount of fill that will need to be brought in; indicating that the only way that they can relinquish their license is that they would have to demonstrate to the Ministry of Natural Resources that

their rehabilitation plan required them to keep the elevations as they are today; asking the Committee and the Municipal Council to look at this service and say if we do not bring these lands in in the immediate future, we are going to forever prevent them from being brought in because it will not be economically feasible to do so; indicating that, as this Area Plan clearly demonstrates, it was intended to complete this Area Plan and to have these road stubs just terminate and never be completed is really bad planning; advising that she believes that this site warrants consideration; and reminding the Committee that when she brought these points to the Committee's attention the last time, there were three properties that were singled out and staff was directed to go back and to look at them, noting that this was one of them and it was because of the severity of the policies that said that if you have sufficient lands within that 20 year horizon, it does not matter how justified a parcel is and because staff did not want to go down that road of the trade-offs and the swaps, it did not get in, even though, back in 2007, there was recognition that it warranted further consideration; asking the Committee to now take that extra step, look at the property and ask if we want to lose this opportunity because that is exactly what will happen; indicating that the property is approximately 40 hectares; however, there are a lot of ponds on the land and chances are the northern half of the property will not be built on.

- Carol Weibe, MHBC Planning Consultants, on behalf of the London Development Institute (LDI) – see communication dated July 19, 2013.
- Maureen Zunti, Sifton Properties Limited – reiterating the concerns about the Land Needs Background Study that Ms. Weibe just mentioned; expressing concern with respect to some of the assumptions for intensification; advising that one of the ones that she has a specific concern about is that 88% of high density development will occur in the infill areas; noting that that is above the trend for the past 10 years; advising that what that means is that, if you assume that a typical apartment building being constructed these days, particularly in suburban areas, is an average of 150 units, the intensification assumption would require approximately 77 apartment buildings to be constructed in the built area over the next 20 years, with only 10 buildings in the greenfield areas; indicating that she does not believe that that is reflective of what the City is looking for in terms of building complete communities; advising that there are some questions about how these assumptions are being put forward that we have to look at and get more information on; reiterating the concern about the table on page 335 on the PEC Agenda; noting that the variation in the average densities between the five categories is far too wide as it does range from 3.5 to 34.4 units per hectare; further noting that some of the numbers may be too low and some of the numbers may be too high; indicating that, particularly with the designated residential lands, that they are assuming there to be almost 34,000 units to be constructed; noting that the low density units there are actually 41%, the percentage of low density units is higher than is actually existing in the draft subdivision plans which are currently under review and the density is still much higher than that; advising that there are some numbers that do not make sense that they need to have more background information on; indicating that she submitted a letter to staff approximately one week ago outlining some of these concerns; indicating that on page 23 of the staff report relating to this item, the “Land Use Background Study”, it indicates that there were five adjustments made to the residential greenfield supply numbers so we cannot really test those numbers because the numbers are different than the Vacant Land Inventories for 2011 and 2012; indicating that they do not know what the adjustments are and they do not know how the densities were calculated, whether they are net or gross; advising that it is really critical for them to meet with staff and get more information on their questions and concerns because the Land Needs Background Study is essentially a mathematical exercise and if you do not have the right numbers at the front, then everything else can be quite wrong.
- Phil Masschelein, Sifton Properties Limited – see attached presentation.
- Nick Sauter, 204 Tremont Road – advising that he lives in Argyle, which is the largest neighbourhood in London, with 55,000 people living there; indicating that he speaks on behalf of the people living in Argyle who have unique problems that no one in other areas of the City have ever faced; advising that, in 1959, Argyle was not part of the City; noting that they were not annexed until 1961; indicating that anyone who knows the City knows that not all planning in the past has gone well; noting that, in the past, the Planners divided the City into two, with all of the industries in one end of town, which they did in the 1960's and 1970's; indicating that, eventually, Airport Road (Veterans Memorial Parkway) was built, which was deemed to be the first part of a ring road; noting that that did not work out either; advising that the Argyle Community Association was started because they did not feel they were being treated fairly; indicating that their five Councillors are on board with what is going on; indicating that, in 2010, Mr. Farhi approached him to get the Argyle Community Association's support for a project that he wanted to propose to them; indicating that he bought some land

that was formerly Lagrou Farms and he has some wonderful plans for a subdivision with houses that people can afford; noting that the Argyle Community Association supports Mr. Farhi's idea and has lobbied for it; requesting that this request not be rejected because we have enough land, that parcel of land, east of Crumlin Road is the only spot left in all of Ward 2 where you can build a small residential development; indicating that he believes that ReThink London is a great idea; and advising that this is the first time that he has heard of people thinking about building a city thriving on the idea of neighbourhoods.

- Alan R. Patton, Patton Cormier and Associates, on behalf of the Wickerson Land Owners Association – indicating that the area is south of Byron Baseline Road, Wickerson Road (the north/south road on the east side), part of Southdale Road and over to West del Bourne; advising that the area is approximately 87 hectares; indicating that the lands are boundary serviced and the stormwater management ponds been the subject of an environmental assessment; advising that the entire property is easily serviceable and is a logical extension of land in the west end of the City which has schools and other infrastructure; indicating that the plan picks up the proposed planned realignment of Byron Baseline Road to meet with Elviage Drive on the west side of West del Bourne; advising that this is not a hypothetical situation; indicating that this is a very real, logical extension of the urban growth boundary; advising that they have cost the project out, as Mr. Masschelein said, for another area in the City, this is a net benefit in terms of development charges of \$23,000,000; indicating that it provides transportation plans, the realignment of Baseline Road/Boler Road; advising that it also relates to the Altus Growth Study because they play off Mr. Barrett's presentation; noting that a lot of the statistics are from 2006 to 2011 in terms of demand and building permits; further noting that, during this time, there was a down turn in the economy, in terms of the building economy and the worldwide economy and that had an effect on London, so that it is not the best five year period to take for your analysis; indicating that another problem with the Study is that it includes a number of verifiable assumptions and a number of non-verifiable assumptions, which Ms. Weibe went over to a considerable degree; indicating that the reliance on the Altus Study is much on reliance on take-out yet those have been depressed over the last five years, we are not at a take-out where we should be but we are in a recovery; requesting, for verification of net benefit, refer to Agenda Item 26 e), Sifton Properties' (Mr. Masschelein's) communication verifying the development charges and the net benefit to the development charges funds; advising that the infrastructure is planned; indicating that, logically, the Stanley estate on Wickerson Road should have been included as there is a master plan that provides for open space, stormwater management and represents a very logical extension of the urban growth boundary in an area of the City, in the west end, where there is a demand for growth and the other infrastructure and amenities already exist and are development charges positive; and reiterating that it really should have been included earlier, but it was left out.
- Sergio Pompili and Ryan Pompili, Sergio E. Pompili & Associates Ltd. – see attached presentation.
- Paul Hinde, Tridon Group of Companies – speaking in generalities, we have heard from Planning staff that they believe that there are sufficient lands within the boundary right now for 20 year growth and there has been a substantial amount, and very compelling arguments to encourage the Municipal Council to consider some flexibility and consideration of bringing additional lands in, both from an economic standpoint from servicing but also from other standpoints such as economic growth throughout the City; advising that, although City staff is saying that they have sufficient lands, they have also asked staff to look at, not on a micro basis, but really is there sufficient lands within the 20 year growth boundary to accommodate the growth that they actually need; indicating that Tridon Group of Companies is in partnership with Thames Village Joint Venture for a residential subdivision, in the southeast corner, in Old Victoria (Hamilton Road and Commissioners Road) and that draft plan of subdivision is 31.5 hectares in size, of which only 14 hectares is being developed for residential purposes; noting that the other 18 hectares is either Thames River floodplain or natural heritage feature and non-developable lands; advising that, on that micro analysis, out of a 31 hectare parcel of land, only 40% of the land is going to be developed for residential purposes, accommodating the growth that the City is looking at; noting that this is an example of only 40% of the land is being developed; and encouraging the Municipal Council to listen to the compelling arguments/suggestions that have been made for some flexibility, for some swapping and to maybe consider some new lands being brought in to accommodate those lands already within the urban growth boundary which will not be developed because of constraints associated with natural features or corridors or any other feature.
- Mauro Castrilli, 2156 Highbury Avenue North – advising that he has 4.5 acres that border the urban growth boundary line on the south and west sides; indicating that it is

currently zoned R1-11; noting that, in 2005, the Municipal Council passed a resolution severing the property into three lots; indicating that he attended a Stoney Creek Sanitary Trunk Sewer meeting; noting that the sanitary trunk sewer was adopted by the Municipal Council in 2010, which would service along Highbury Avenue North; advising that the Municipal Council has already committed to servicing the property along Highbury Avenue North; and requesting that his property be included in the urban growth boundary.

- Phyllis Matthews, #10-947 Adirondack Road – indicating that she owns property on the west side of the City; advising that, during the Vision 96 process, her property was in the southwest option; indicating that her property is located immediately next to the current urban growth boundary; noting that the property is 31 acres (12.6 hectares); advising that it has been suggested to her by urban planners that the property is suitable for commercial development at the corner of the two arterial roads – Oxford Street and Gideon Drive; noting that the rest of the property, along Gideon Drive, would be high density, medium density and low density along the Parkland, which is now owned by the City; indicating that she submitted a communication for inclusion in the urban growth boundary along with the servicing feasibility of the land, which was prepared by ENG Plus; indicating that there are no servicing issues; stating that the Eagle Ridge subdivision will be required to build the sewer to the corner of Gideon Drive and Oxford Street, which will be right across the road; advising that stormwater management will be looked after by the regional stormwater management facility that will be located on the north side of Oxford Street, opposite Gideon Drive; advising that the Woodhull subdivision, which is immediately to the west will be constructing a municipal watermain along Gideon Drive; noting that this will be paid for by the developer; further noting that this will provide water to her property; and reiterating that her property be included in the urban growth boundary.
- Joe Platino, Mainline Planning Services – indicating that he is representing an owners group who own approximately 160 acres south of Highbury Avenue South, south of Highway 401 and adjacent to the urban growth boundary; thanking the Committee for the opportunity to speak; expressing that it is clear that the Committee is invested in this process and has an open mind for those who wish to be included in the urban growth boundary; expressing support for the submissions, there have been a lot of passionate people speaking and a lot of comprehensive work has been done; noting that he does not believe that that could happen if the municipality had not done the work it has; requesting to be included in the urban growth boundary; noting that they are not on the list that the staff have compiled; indicating that they will be making a very comprehensive submission in the coming days; .
- David Cousins, CBRE – see attached communication.
- Stephen Turner, 463 Tecumseh Avenue East – advising that one of the cruxes of the situation before the Committee is how to determine whose property gets put in the urban growth boundary and whose does not; indicating that there are 13 applicants before the Committee; realizing it is a question of fairness; advising that the Planning staff is well paid and well educated; indicating that the Planning staff have advised that there are more than adequate lands in the 20 year horizon to be able to complete all the growth forecasts of the Lands Needs Assessments; indicating that the arguments that he has heard about the potential to swap lands in and out to create an urban growth boundary that is about the same size but he believes it would be a fair question to ask all 13 proponents if they have land inside the urban growth boundary that they would be prepared to swap out; advising that there is speculation opportunity for those who have lands adjacent to the urban growth boundary whose lands go up in value significantly as soon as you move it; expressing concern about not seeing a lot of members of the Committee at the ReThink London events and he thinks it is really important for the context of the discussion that is happening on the part of the citizens of London, about what they are saying about what they would like to see the urban form look like and it really is the antithesis of expanding the urban form further; indicating that it is time to pay attention to what the people are saying, to incorporate a lot of the principles and visions that have been articulated through the ReThink London process and take a good look at what is happening here tonight; indicating that he believes that the burden of proof is on the applicants to show that there is a compelling need to expand the urban growth boundary and he does not think that that has gone any further than what the Planning staff have said that there is not. (2013-D08)

Motion made by Councillor J.L. Baechler and seconded by Councillor H.L. Usher to Amend part b) by deleting everything following the word "boundary" and by adding a new part c), as follows:

- "c) staff to evaluate the lands within the Urban Growth Boundary, and requests beyond, with a view to not expanding the Urban Growth Boundary but possibly re-adjusting

when it represents logical sound planning and is cost-effective to the municipality by using infrastructure more effectively and efficiently".

Motion Passed

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

Motion made by Councillor B. Polhill and seconded by Councillor S. Orser to Approve clause 26, as amended.

Motion Passed

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

Clause 26, as amended, reads as follows:

That, the following actions be taken with respect to the ReThink London Official Plan Review process:

- a) a Public Participation Meeting of the Planning and Environment Committee BE HELD on October 8, 2013 to consider the Land Needs Background Study, as a background document for the Rethink London Official Plan Review process; and,
- b) the development community BE ASKED to work with the Civic Administration to further review the analysis and assumptions used to determine the urban growth boundary and to further review the requests for expansions to that boundary;
- c) staff to evaluate the lands within the Urban Growth Boundary, and requests beyond, with a view to not expanding the Urban Growth Boundary but possibly re-adjusting when it represents logical sound planning and is cost-effective to the municipality by using infrastructure more effectively and efficiently;

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

- a communication dated July 10, 2013, from E.F. Brown, 3133 Colonel Talbot Road, et al;
- a communication dated July 15, 2013 from D.R. Schmidt, Development Manager, Corlon Properties Inc.;
- a communication dated July 17, 2013 from M. Jackson-Brewer, 1996 Bradley Avenue;
- a communication dated July 19, 2013 from P. Masschelein, Vice President, Neighbourhood Developments, Sifton Properties Limited;
- the attached communication dated July 23, 2013 from R. Knutson, Knutson Development Consultants Inc.; and,
- the attached communication dated July 23, 2013 from C.M. Weibe, MHBC Planning Consultants, on behalf of J-Aar Excavating;

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

- Shmuel Farhi, Farhi Holdings Corporation – discussing a parcel of approximately 137 acres in East London; indicating that he believes that East London deserves to have development close to the work force; advising that there should be affordable homes for people working close to the Industrial Park; and discussing a parcel of 500+ acres along Highway 402, Colonel Talbot Road, Longwood Road and Murray Road; indicating that this property borders Highway 402 and is outside of the urban growth boundary.
- Tom Brown, 3133 Colonel Talbot Road North, on behalf of the West Talbot Road Landowners Association – advising that he represents the landowners on the west side of Colonel Talbot Road, south of Southdale Road, north of Pack Road and east of Dingman Creek; quoting the "Vision" statement; indicating that their lands are surrounded by urban growth; advising that, in years past, they were able to rent lands across the road and down Southdale Road; noting that renting land is no longer available to them; advising that the viability of farming this land is very restrictive; indicating that moving farm machinery around the arterial roads is not only

cumbersome, but it could be dangerous; advising that the machinery can be quite large; indicating that a large portion of their lands either abut or include the Dingman Creek ecosystem and watershed, which is a very strong area of natural heritage; noting that approximately 35% of their lands are either woodland or part of the Dingman Creek ecosystem; reading Section 2.10 of the Official Plan; advising that, at one time, they had approximately 600 acres of land; noting that they no longer have that amount of land; advising that the economist scale is lost for them; indicating that the viability of farming that land is not an option; indicating that the urban development and commercial development in the area is separating their land and forcing them into a position where they can no longer move machinery and farm like they used to; advising that trespassing is one of their major problems with urban development on three sides; noting that they have people snowmobiling, driving all-terrain vehicles, off-leash dog walking and dumping garbage on their lands; indicating that their farms are running into a compatibility issue with the surrounding urban areas as they cannot move their machinery around and they cannot farm like they used to; advising that they used to have dairy, beef and cash crops; noting that the revenue from the cash crop will cover the cost of the crop itself, pay the taxes and insurance; noting that this is what they are limited to now; advising that their land is no longer productive as farm land; indicating that they have servicing on three sides of their properties; noting that Southdale Road, Colonel Talbot Road and Pack Road are all fully serviced; indicating that including their properties inside the urban growth boundary would not be a significant cost or pose a difficulty to include their lands in the South West Area Plan; advising that there was recently a memo that stated that the South West area is anticipated to have significant growth over the next 20 years; advising that they are in that area; noting that the Dingman Creek would add significant access to the citizens of London; and reiterating to please include their lands in the urban growth boundary.

- Ali Jomaa, 1431 Sunningdale Road West – indicating that he owns 108 acres of property northwest of Sunningdale; advising that there is a major transportation route being planned for Sunningdale Road; indicating that the Heard Drain, which is being developed, is part of that land; advising that his land slants towards the drain very slightly which is excellent for the reduction of costs; advising that the land is very smooth all the way across; indicating that the reduction of costs is very important; and advising that if the City is looking to make sure that this is profitable, he is making the argument that this is a natural position for it to be positioned because of the services and the transportation route.
- William Hill, on behalf of Margaret Jackson-Brewer – requesting that the lands on the north and south side of Bradley Avenue from Old Victoria Sideroad to the present urban growth boundary be put into the new urban growth boundary; indicating that it is consistent with putting building lots where people work and it is becoming impossible to farm on Bradley Avenue because of the traffic; indicating that there is no cattle farming left in the area; noting that it is all cash cropping as you cannot take the risk of having an animal get loose on Bradley Avenue; advising that they believe that it is a great piece of land for the City for several reasons, including the fact that the City spent a lot of money providing hydro and water to the area to service the industrial area; indicating that the south side of Bradley in this area goes right to Highway 401 so that you have three kilometers of land along Highway 401; indicating that you have the Highbury Avenue interchange as well as the Veterans Memorial Parkway interchange, with approximately four kilometers of land in between that is serviced already; suggesting that the south side of Bradley Avenue be zoned Industrial and the north side of Bradley Avenue be zoned Residential, which would then be consistent with Bradley Avenue as it goes back into the old part of the City; indicating that another reason he believes this land should be included in the urban growth boundary is because when the City expanded the Industrial area and went from Commissioners Road down to Highway 401 and over to Old Victoria Sideroad, he does not believe that there was any consideration given, and there was no consultation with the people who lived on Bradley Avenue, as to the impact that the expansion that the Industrial lands will have; indicating that a number of plants have now been built; indicating that the amount of traffic that they have on Bradley Avenue now as compared to what they had before, has turned it from a great place to live in the countryside, to living in the City; noting that it is probably even noisier because there are not the barriers around to break the noise; looking at it from the point of view of the residents on Bradley Avenue, they should be in the plan and the City needs to correct that; and indicating that they are an island with nothing happening in between Veterans Memorial Park, the Industrial area and Summerside.
- Dave Schmidt, Corlon Properties Inc. – advising that their property is approximately 82 acres on the northwest side of Sunningdale Road and Wonderland Road North; indicating that they were before the Committee five years ago as part of the 2006 Official Plan review; indicating that the subject property is uniquely positioned because

the municipal boundary is immediately along the northerly property line all the way across the end of the City, but the urban growth boundary follows Sunningdale Road, then goes up Wonderland Road North and continues along the municipal boundary; indicating that full municipal services already exist on their property; advising that there is a 900mm watermain existing all the way down Sunningdale Road, there is a 375mm sanitary sewer stub metres away from the intersection that was part of the Medway Trunk sanitary sewer project that has just been built in the last five years and was sized to service this area; the stormwater management environmental assessment has been done and included these lands; indicating that everything is here to allow this land to move forward; advising that the problem is that there is a line on the map that has it on the wrong side of it; indicating that there is a big difference between today and the last Official Plan that was completed because at that time the Municipal Council recognized many of the presentations that were done, there were unique opportunities here that probably should have been reviewed in a different way than has ever been reviewed to date; indicating that the Municipal Council resolution from August 13, 2007 (reads part d) of the resolution); indicating that he reviews the Agendas every week as part of his job, he has reviewed the 2011 ReThink process, he has reviewed the 2001 Land Needs Background Study (reading the Terms of Reference for the 2011 Official Plan review); indicating that he has not seen this done to date; noting that he has not seen the report from the 2007 resolution relating to this matter and he has not seen an evaluation of the lands that possibly could be considered for inclusion in the urban growth boundary being done, other than an analysis that says that we have “x” amount of land, we need “this” amount of land and we have more than we need, none of them represent an emergence opportunity, nothing to do; indicating that he is not sure that this is the way we should be proceeding forward; advising that we are rethinking the Official Plan in the City of London; indicating that we are not reaffirming a growth boundary that was drawn in 1996 as part of the Vision 96 process based upon thinking that was in place at that time; noting that lots of things have changed; advising that lots of infrastructure has gone in the ground; indicating that some very big decisions have been made by this Municipal Council since then with respect to servicing (ie. Southside Sewage Treatment Control Plant); believing that the Municipal Council needs to take into consideration not expanding the growth boundary but looking at the viability of adjusting the growth boundary, not necessarily adding any more growth acreage in, but taking a look at the requests that are before you and deciding whether they represent good, sound, logical planning that is cost effective and efficient to this municipality, its existing residents and its future residents; noting that our development charges rely on this; indicating that, if we continue to develop land that is not the most economical to service, our development charges will put us at a continuous economic disadvantage compared to our neighbouring municipalities around us where people will continue to go to seek residential homes when we price ourselves out of the market because we are not developing the most efficient land that we possibly can; reiterating that, with the piece of land that they have, the services are bought, paid for and installed; noting that capacity exists at the Plant, but the line drawn on the maps says that we have enough, there is no reason to consider it; indicating that the methodology that was employed the Land Needs Background Study that was just completed was the same that was done five years ago; advising that land needs equals supply minus demand; noting that it is impossible for anyone here today to contest those findings; indicating that there is a lot of land inside the growth boundary; enquiring as to whether or not this land is efficiently positioned to optimize the services that we have already bought and paid for; noting that he is not sure that anyone here can answer that question today; indicating that the analysis that the Municipal Council requested back in 2007, as part of the Municipal Council resolution previously mentioned, has never been done; noting that it is not here today as part of the Land Needs Background Study; advising that he is not sure anyone will be able to tell how much 100 acres inside the urban growth boundary is going to cost to develop as opposed to any of the applications that are before the Committee today; indicating that other municipalities have swapped land; noting that the Township of Middlesex Centre swapped land in their last Official Plan review; indicating that it is not a question of whether or not we have enough land in the urban growth boundary, but whether this land is strategically located to achieve sufficient development patterns and optimize the investment in infrastructure and public service facilities; indicating that a review of the City of London Official Plan and the Provincial Policy Statement would suggest, to him, that a realignment of the urban growth boundary needs to be considered; reiterating that he is not talking about an expansion of the urban growth boundary, but a realignment of the urban growth boundary; and advising that the road that we are going down today is not consistent with the City of London Official Plan, but also not with the Provincial Policy Statement.

- Carol Weibe, MHBC Planning Consultants, on behalf of J-Aar Excavating – indicating that she was before the Planning Committee in 2007 requesting that J-Aar Excavating

be included in the urban growth boundary; indicating that this is a unique property that is currently licensed as an aggregate extraction property; noting that the urban growth boundary runs along the west and the south property limits; also noting that it is adjacent to existing residential property development on two sides, the west side and the south side; indicating that it is currently designated Agriculture in the Official Plan and zoned for extraction; indicating that, in the six years since she was before them, there has been a considerable amount of development in this immediate area; noting that the lands to the south and west, those subdivisions, those lands have been developing at a very brisk rate; showing a map of the Kilally North Area Plan; noting that the property was intended, at the appropriate time, to complete this area plan; noting that Blackwell Boulevard terminates at the property line and Cedar Hollow Boulevard to the south is also intended to connect through and loop through that property to provide that collector road system and to provide transit and to really round out this Area Plan; indicating that the issues brought to the Committee's attention in 2007 are still relevant today; advising that what is unique about this property is that it is a current extraction operation, under their license they are required to extract the aggregate that is there and every year that they are remaining outside of that urban growth boundary they continue to extract so the grades on that property continue to get lower and lower; advising that that means that when they have exhausted the aggregate, in order for these lands to develop as they were planned, an equivalent amount of fill will need to be brought in to bring that land back up; indicating that the services for this property have already been installed; noting that the services have been oversized, constructed and paid for; reiterating that these lands can be serviced today; advising that the concerns that J-Aar Excavating has is that if the lands continue to be left outside of the urban growth boundary, they are going to come to the point where the land is no longer economically feasible to service due to the amount of fill that will need to be brought in; indicating that the only way that they can relinquish their license is that they would have to demonstrate to the Ministry of Natural Resources that their rehabilitation plan required them to keep the elevations as they are today; asking the Committee and the Municipal Council to look at this service and say if we do not bring these lands in in the immediate future, we are going to forever prevent them from being brought in because it will not be economically feasible to do so; indicating that, as this Area Plan clearly demonstrates, it was intended to complete this Area Plan and to have these road stubs just terminate and never be completed is really bad planning; advising that she believes that this site warrants consideration; and reminding the Committee that when she brought these points to the Committee's attention the last time, there were three properties that were singled out and staff was directed to go back and to look at them, noting that this was one of them and it was because of the severity of the policies that said that if you have sufficient lands within that 20 year horizon, it does not matter how justified a parcel is and because staff did not want to go down that road of the trade-offs and the swaps, it did not get in, even though, back in 2007, there was recognition that it warranted further consideration; asking the Committee to now take that extra step, look at the property and ask if we want to lose this opportunity because that is exactly what will happen; indicating that the property is approximately 40 hectares; however, there are a lot of ponds on the land and chances are the northern half of the property will not be built on.

- Carol Weibe, MHBC Planning Consultants, on behalf of the London Development Institute (LDI) – see communication dated July 19, 2013.
- Maureen Zunti, Sifton Properties Limited – reiterating the concerns about the Land Needs Background Study that Ms. Weibe just mentioned; expressing concern with respect to some of the assumptions for intensification; advising that one of the ones that she has a specific concern about is that 88% of high density development will occur in the infill areas; noting that that is above the trend for the past 10 years; advising that what that means is that, if you assume that a typical apartment building being constructed these days, particularly in suburban areas, is an average of 150 units, the intensification assumption would require approximately 77 apartment buildings to be constructed in the built area over the next 20 years, with only 10 buildings in the greenfield areas; indicating that she does not believe that that is reflective of what the City is looking for in terms of building complete communities; advising that there are some questions about how these assumptions are being put forward that we have to look at and get more information on; reiterating the concern about the table on page 335 on the PEC Agenda; noting that the variation in the average densities between the five categories is far too wide as it does range from 3.5 to 34.4 units per hectare; further noting that some of the numbers may be too low and some of the numbers may be too high; indicating that, particularly with the designated residential lands, that they are assuming there to be almost 34,000 units to be constructed; noting that the low density units there are actually 41%, the percentage of low density units is higher than is actually existing in the draft subdivision plans which

are currently under review and the density is still much higher than that; advising that there are some numbers that do not make sense that they need to have more background information on; indicating that she submitted a letter to staff approximately one week ago outlining some of these concerns; indicating that on page 23 of the staff report relating to this item, the "Land Use Background Study", it indicates that there were five adjustments made to the residential greenfield supply numbers so we cannot really test those numbers because the numbers are different than the Vacant Land Inventories for 2011 and 2012; indicating that they do not know what the adjustments are and they do not know how the densities were calculated, whether they are net or gross; advising that it is really critical for them to meet with staff and get more information on their questions and concerns because the Land Needs Background Study is essentially a mathematical exercise and if you do not have the right numbers at the front, then everything else can be quite wrong.

- Phil Masschelein, Sifton Properties Limited – see attached presentation.
- Nick Sauter, 204 Tremont Road – advising that he lives in Argyle, which is the largest neighbourhood in London, with 55,000 people living there; indicating that he speaks on behalf of the people living in Argyle who have unique problems that no one in other areas of the City have ever faced; advising that, in 1959, Argyle was not part of the City; noting that they were not annexed until 1961; indicating that anyone who knows the City knows that not all planning in the past has gone well; noting that, in the past, the Planners divided the City into two, with all of the industries in one end of town, which they did in the 1960's and 1970's; indicating that, eventually, Airport Road (Veterans Memorial Parkway) was built, which was deemed to be the first part of a ring road; noting that that did not work out either; advising that the Argyle Community Association was started because they did not feel they were being treated fairly; indicating that their five Councillors are on board with what is going on; indicating that, in 2010, Mr. Farhi approached him to get the Argyle Community Association's support for a project that he wanted to propose to them; indicating that he bought some land that was formerly Lagrou Farms and he has some wonderful plans for a subdivision with houses that people can afford; noting that the Argyle Community Association supports Mr. Farhi's idea and has lobbied for it; requesting that this request not be rejected because we have enough land, that parcel of land, east of Crumlin Road is the only spot left in all of Ward 2 where you can build a small residential development; indicating that he believes that ReThink London is a great idea; and advising that this is the first time that he has heard of people thinking about building a city thriving on the idea of neighbourhoods.
- Alan R. Patton, Patton Cormier and Associates, on behalf of the Wickerson Land Owners Association – indicating that the area is south of Byron Baseline Road, Wickerson Road (the north/south road on the east side), part of Southdale Road and over to West del Bourne; advising that the area is approximately 87 hectares; indicating that the lands are boundary serviced and the stormwater management ponds been the subject of an environmental assessment; advising that the entire property is easily serviceable and is a logical extension of land in the west end of the City which has schools and other infrastructure; indicating that the plan picks up the proposed planned realignment of Byron Baseline Road to meet with Elviage Drive on the west side of West del Bourne; advising that this is not a hypothetical situation; indicating that this is a very real, logical extension of the urban growth boundary; advising that they have cost the project out, as Mr. Masschelein said, for another area in the City, this is a net benefit in terms of development charges of \$23,000,000; indicating that it provides transportation plans, the realignment of Baseline Road/Boler Road; advising that it also relates to the Altus Growth Study because they play off Mr. Barrett's presentation; noting that a lot of the statistics are from 2006 to 2011 in terms of demand and building permits; further noting that, during this time, there was a down turn in the economy, in terms of the building economy and the worldwide economy and that had an effect on London, so that it is not the best five year period to take for your analysis; indicating that another problem with the Study is that it includes a number of verifiable assumptions and a number of non-verifiable assumptions, which Ms. Weibe went over to a considerable degree; indicating that the reliance on the Altus Study is much on reliance on take-out yet those have been depressed over the last five years, we are not at a take-out where we should be but we are in a recovery; requesting, for verification of net benefit, refer to Agenda Item 26 e), Sifton Properties (Mr. Masschelein's) communication verifying the development charges and the net benefit to the development charges funds; advising that the infrastructure is planned; indicating that, logically, the Stanley estate on Wickerson Road should have been included as there is a master plan that provides for open space, stormwater management and represents a very logical extension of the urban growth boundary in an area of the City, in the west end, where there is a demand for growth and the other infrastructure and amenities already exist and are development charges positive; and reiterating that it really should

have been included earlier, but it was left out.

- Sergio Pompili and Ryan Pompili, Sergio E. Pompili & Associates Ltd. – see attached presentation.
- Paul Hinde, Tridon Group of Companies – speaking in generalities, we have heard from Planning staff that they believe that there are sufficient lands within the boundary right now for 20 year growth and there has been a substantial amount, and very compelling arguments to encourage the Municipal Council to consider some flexibility and consideration of bringing additional lands in, both from an economic standpoint from servicing but also from other standpoints such as economic growth throughout the City; advising that, although City staff is saying that they have sufficient lands, they have also asked staff to look at, not on a micro basis, but really is there sufficient lands within the 20 year growth boundary to accommodate the growth that they actually need; indicating that Tridon Group of Companies is in partnership with Thames Village Joint Venture for a residential subdivision, in the southeast corner, in Old Victoria (Hamilton Road and Commissioners Road) and that draft plan of subdivision is 31.5 hectares in size, of which only 14 hectares is being developed for residential purposes; noting that the other 18 hectares is either Thames River floodplain or natural heritage feature and non-developable lands; advising that, on that micro analysis, out of a 31 hectare parcel of land, only 40% of the land is going to be developed for residential purposes, accommodating the growth that the City is looking at; noting that this is an example of only 40% of the land is being developed; and encouraging the Municipal Council to listen to the compelling arguments/suggestions that have been made for some flexibility, for some swapping and to maybe consider some new lands being brought in to accommodate those lands already within the urban growth boundary which will not be developed because of constraints associated with natural features or corridors or any other feature.
- Mauro Castrilli, 2156 Highbury Avenue North – advising that he has 4.5 acres that border the urban growth boundary line on the south and west sides; indicating that it is currently zoned R1-11; noting that, in 2005, the Municipal Council passed a resolution severing the property into three lots; indicating that he attended a Stoney Creek Sanitary Trunk Sewer meeting; noting that the sanitary trunk sewer was adopted by the Municipal Council in 2010, which would service along Highbury Avenue North; advising that the Municipal Council has already committed to servicing the property along Highbury Avenue North; and requesting that his property be included in the urban growth boundary.
- Phyllis Matthews, #10-947 Adirondack Road – indicating that she owns property on the west side of the City; advising that, during the Vision 96 process, her property was in the southwest option; indicating that her property is located immediately next to the current urban growth boundary; noting that the property is 31 acres (12.6 hectares); advising that it has been suggested to her by urban planners that the property is suitable for commercial development at the corner of the two arterial roads – Oxford Street and Gideon Drive; noting that the rest of the property, along Gideon Drive, would be high density, medium density and low density along the Parkland, which is now owned by the City; indicating that she submitted a communication for inclusion in the urban growth boundary along with the servicing feasibility of the land, which was prepared by ENG Plus; indicating that there are no servicing issues; stating that the Eagle Ridge subdivision will be required to build the sewer to the corner of Gideon Drive and Oxford Street, which will be right across the road; advising that stormwater management will be looked after by the regional stormwater management facility that will be located on the north side of Oxford Street, opposite Gideon Drive; advising that the Woodhull subdivision, which is immediately to the west will be constructing a municipal watermain along Gideon Drive; noting that this will be paid for by the developer; further noting that this will provide water to her property; and reiterating that her property be included in the urban growth boundary.
- Joe Platino, Mainline Planning Services – indicating that he is representing an owners group who own approximately 160 acres south of Highbury Avenue South, south of Highway 401 and adjacent to the urban growth boundary; thanking the Committee for the opportunity to speak; expressing that it is clear that the Committee is invested in this process and has an open mind for those who wish to be included in the urban growth boundary; expressing support for the submissions, there have been a lot of passionate people speaking and a lot of comprehensive work has been done; noting that he does not believe that that could happen if the municipality had not done the work it has; requesting to be included in the urban growth boundary; noting that they are not on the list that the staff have compiled; indicating that they will be making a very comprehensive submission in the coming days; .
- David Cousins, CBRE – see attached communication.
- Stephen Turner, 463 Tecumseh Avenue East – advising that one of the cruxes of the

situation before the Committee is how to determine whose property gets put in the urban growth boundary and whose does not; indicating that there are 13 applicants before the Committee; realizing it is a question of fairness; advising that the Planning staff is well paid and well educated; indicating that the Planning staff have advised that there are more than adequate lands in the 20 year horizon to be able to complete all the growth forecasts of the Lands Needs Assessments; indicating that the arguments that he has heard about the potential to swap lands in and out to create an urban growth boundary that is about the same size but he believes it would be a fair question to ask all 13 proponents if they have land inside the urban growth boundary that they would be prepared to swap out; advising that there is speculation opportunity for those who have lands adjacent to the urban growth boundary whose lands go up in value significantly as soon as you move it; expressing concern about not seeing a lot of members of the Committee at the ReThink London events and he thinks it is really important for the context of the discussion that is happening on the part of the citizens of London, about what they are saying about what they would like to see the urban form look like and it really is the antithesis of expanding the urban form further; indicating that it is time to pay attention to what the people are saying, to incorporate a lot of the principles and visions that have been articulated through the ReThink London process and take a good look at what is happening here tonight; indicating that he believes that the burden of proof is on the applicants to show that there is a compelling need to expand the urban growth boundary and he does not think that that has gone any further than what the Planning staff have said that there is not. (2013-D08)

Motion made by Councillor B. Polhill to Approve clauses 27 and 28

27. Council Committee Recommendations Source Identification

That the communication from Councillor M. Brown dated July 3, 2013, with respect to Council Committee recommendations source identification BE REFERRED to the Civic Administration for consideration. (2013-C03C)

28. Property Located at 13 Blackfriars Street - Request for Delegation Status

That B. Storoniowski, 13 Blackfriars Street BE DENIED delegation status at a future Planning and Environment Committee meeting; it being noted that the staff will work with the applicant to try to resolve this matter.

Motion Passed

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

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

Motion Passed

The Council recesses at 6:29 PM and reconvenes at 7:19 PM with Mayor J.F. Fontana in the Chair and all Members present except Councillors J.B. Swan, P. Van Meerbergen and S.E. White.

13th Report of the Community and Protective Services Committee
Councillor D. Brown presents.

Motion made by Councillor D. Brown to Approve clauses 1 to 4, 6 to 8, 10, 12, 13, 15, and 17 to 21.

1. Disclosures of Pecuniary Interest

That it BE NOTED that Councillor D. Brown disclosed a pecuniary interest in item 24 of this Report having to do with a request for a limousine lifecycle extension, by indicating that her employer manages a limousine company.

2. 7th Report of The London Housing Advisory Committee

That the 7th Report of the London Housing Advisory Committee, from its meeting held on June 12, 2013, BE RECEIVED.

3. 5th Report of the Community Safety and Crime Prevention Advisory Committee

That the 5th Report of the Community Safety and Crime Prevention Advisory Committee, from its meeting held on June 27, 2013, BE RECEIVED.

4. Homemakers Program Review - Dearness Home

That, on the recommendation of the Managing Director of Housing, Social Services and Dearness Home, the report dated July 22, 2013 with respect to the implementation of a services and financial program review of the Homemakers Program at the Dearness Home BE RECEIVED for information. (2013-S02)

6. Convert-To-Rent/Rehabilitation Program Proposal at 1048 Dundas Street East

That, on the recommendation of the Director of Municipal Housing, with the concurrence of the Managing Director, Housing, Social Services and Dearness Home, the following actions be taken with respect to the Convert-to-Rent/Rehabilitation Program Proposal at 1048 Dundas Street East:

- a) the municipal allocation for 2212126 Ontario Inc. in the amount of \$96,000 (\$48,000 per unit) for two (2) units, plus \$5,000 for accessibility modifications to one (1) of the units, for a total municipal allocation of \$101,000 for 1048 Dundas Street East, BE APPROVED;
- b) the above-noted funding allocation BE APPROVED as set out in the Sources of Financing Report, as appended to the staff report dated July 22, 2013; and,
- c) in accordance with Municipal Housing Facilities By-Law No A.-5814-11, the by-law appended to the staff report dated July 22, 2013 BE INTRODUCED at the Municipal Council meeting being held on July 30, 2013 to:
 - i) approve the Contribution Agreement pertaining to the above-noted proposal, substantially in the form of agreement appended to the aforementioned by-law and to the satisfaction of the City Solicitor, and
 - ii) to authorize the Mayor and the City Clerk to execute the said Agreement. (2013-S11)

7. Convert-To-Rent/Rehabilitation Program at 343 Richmond Street (Phase 2)

That, on the recommendation of the Director of Municipal Housing, with the concurrence of the Managing Director, Housing, Social Services and Dearness Home, the following actions be taken with respect to the Convert-to-Rent/Rehabilitation Program at 343 Richmond Street (Phase 2):

- a) the second municipal allocation of \$14,000 per unit for sixteen (16) affordable housing units at 343 Richmond Street for a total of \$224,000 for At'Nohsa Native Family Healing Services BE APPROVED; it being noted that this group has previously received approval for \$10,000 per unit in 2010;
- b) the above-noted funding allocation BE APPROVED as set out in the Sources of Financing Report, as appended to the staff report dated July 22, 2013; and,
- c) in accordance with Municipal Housing Facilities By-Law No A.-5814-11, the by-law appended to the staff report dated July 22, 2013 BE INTRODUCED at the Municipal Council meeting being held on July 30, 2013 to:
 - i) approve the Amended Municipal Contribution Agreement pertaining to the above-noted proposal substantially in the form of agreement appended to the aforementioned by-law and to the satisfaction of the City Solicitor, and
 - ii) authorize the Mayor and the City Clerk to execute the said Agreement. (2013-S11)

8. Local Standards Under The Housing Services Act

That, on the recommendation of the Director of Municipal Housing, with the concurrence of the Managing Director of Housing, Social Services and Dearness Home, the report dated July 22, 2013, with respect to the implementation of the Housing Services Act, 2011 BE RECEIVED for

information and the local standards, as appended to the staff report dated July 22, 2013, with regard to the administration of social housing within the City of London and Middlesex County, BE APPROVED. (2013-S11)

10. Supply and Delivery of Fire Services Quint

That, on the recommendation of the Fire Chief, with the concurrence of the Managing Director, Neighbourhood, Children & Fire Services, the following actions be taken with respect to the supply and delivery of a Fire Services Quint:

- a) the negotiated amount with Carl Thibault Fire Trucks Inc., 38 Thibault Street, Pierreville, PQ., for the supply and delivery of one (1) 75 foot Quint, at the proposed price of \$851,180.00 (HST extra) BE ACCEPTED; it being noted that this price includes two options;
- b) the funding for the above-noted purchase BE APPROVED as set out in the Source of Finance Report as appended to the staff report dated July 22, 2013;
- 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, relating to this matter. (2013-A05)

12. Architect to Act as Prime Consultant for Addition and Interior Alterations to the South London Community Centre - Request for Proposal No. 13-18 Project #P126-RC2751

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer and the Managing Director, Neighbourhood, Children & Fire Services, with the concurrence of the Managing Director, Housing, Social Services and Dearness Home, the following actions be taken with respect to Project #P126-RC2751, Request for Proposal No. 13-18:

- (a) the proposal submitted by Cornerstone Architecture, 110-700 Richmond Street, London, Ontario N6A 5C7 to act as Prime Consultant for the addition and interior alterations to the South London Community Centre for a fee of \$399,500 (excluding HST), BE ACCEPTED; it being pointed out that the proposal submitted by Cornerstone Architecture was deemed to provide the best technical and financial value to the Corporation, meets the City's requirements in all areas and acceptance is in compliance with Section 15.2 of the Procurement of Goods and Services Policy;
- (b) the financing for this project BE APPROVED as set out in the Sources of Financing Report attached to the staff report dated July 22, 2013;
- (c) the Civic Administration BE AUTHORIZED to undertake all administrative acts which are necessary in connection with the project;
- (d) the approvals given herein BE CONDITIONAL upon the Corporation entering into a formal contract with the consultant for the work; and
- (e) the Mayor and City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2013-A05)

13. Fire Safety Inspections

That, on the recommendation of the Fire Chief, with the concurrence of the Managing Director of Neighbourhood, Children and Fire Services, the information report with respect to fire inspections BE RECEIVED; it being noted the Community and Protective Services Committee received the ~~attached~~ presentation from Deputy Chief J. Jessop, with respect to this matter. (2013-P16)

15. 7th and 8th Reports of the Animal Welfare Advisory Committee

That the following actions be taken with respect to the 7th and 8th Reports of the Animal Welfare Advisory Committee (AWAC) from its meetings held on June 6, 2013 and July 4, 2013, respectively:

- a) the Civic Administration BE ADVISED that the Animal Welfare Advisory Committee (AWAC) supports the proposed new Dingman off-leash dog park, with construction planned to begin in the fall 2013; it being noted that the AWAC expressed thanks to the Staff for developing a very attractive and functional design and for working with the community partners to bring this idea to fruition; it being further noted that the AWAC heard the ~~attached~~ presentation from A. Macpherson, Manager, Parks Planning and Design, with respect to this matter;
- b) the Civic Administration BE REQUESTED to review the ~~attached~~ Toronto Animal Services Sheltering Data, 2011, and consider including the Toronto indicators in London's animal services reporting model;
- c) clauses 3 to 11 of the 7th Report of the AWAC BE RECEIVED;
- d) clause 1 of the 8th Report of the AWAC BE REFERRED to the Civic Administration for review and comment, including the video; it being noted that clause 1 reads as follows:

"1. That the Animal Welfare Advisory Committee (AWAC) BE PERMITTED to forward the ~~attached~~ informational letter to the Drainage Superintendents Association of Ontario; it being noted that this letter informs about the availability of non-lethal beaver management practices.";
- e) the following actions be taken with respect to the proposed development of properties located at 3130 and 3260 Dingman Drive and the rear portion of 4397 and 4407 Wellington Road South:
 - i) the Civic Administration BE REQUESTED to consider conducting a study of the specific wildlife species that inhabit the area of Dingman Drive and Wellington Road South, and that the study include recommendations for the provision of safe exit corridors and/or relocation of the affected species;
 - ii) the Ministry of Natural Resources BE CONSULTED on all wildlife species inhabiting the above-noted area; and,
 - iii) the Civic Administration BE ADVISED that the Animal Welfare Advisory Committee (AWAC) is not supportive of the proposed development of the above-noted property; it being noted that an environmentally significant woodlot with wetland such as this, provides essential habitat to numerous species, all of which are interdependent of each other, also noting that the area provides environmental benefit to the citizens of London; it being noted that the AWAC held a general discussion and reviewed and received a communication dated June 23, 2013, from S. Rans, with respect to this matter and asked that its Chair meet with the Managing Director, Planning and City Planner regarding the Dingman Drive/Wellington Road property and the City's wildlife policies; and
- f) clauses 3 to 10 of the 8th Report of the AWAC BE RECEIVED;

it being noted that the Community and Protective Services Committee received a verbal presentation from S. Rans, V. Van Linden and M. Puzanov, AWAC, with respect to this matter.

17. 2nd Report of the Town and Gown Committee

That the following actions be taken with respect to the 2nd Report of the Town and Gown Advisory Committee from its meeting held on June 13, 2013:

- a) the City Clerk BE REQUESTED to amend the Town and Gown Committee Terms of Reference to include a Ward 13 resident as a Voting Member; and
- b) clauses 2 to 10, inclusive, BE RECEIVED.

18. Proposed Dingman Dog Off-Leash Area

That, on the recommendation of the Director, Land Use Planning and City Planner, the following actions be taken with respect to the proposed Dingman Dog Off-Leash Area:

- a) the lands adjacent to the Dingman Pumping Station, at 4695 Dingman Drive BE APPROVED as the recommended site for the next dog off-leash area; and,

- b) in accordance with the City's Engagement Policy, the adjacent property owners, within 200 meters of proposed site, BE INFORMED of the plans to construct an off-leash area;

it being noted that the Community and Protective Services Committee received a communication dated July 22, 2013 from B. Sayler, London Dog Owners Association, with respect to this matter. (2013-R04)

19. Automated External Defibrillators (AEDs) in City-Owned Facilities

That, on the recommendation of the Managing Director of Parks & Recreation, the following actions be taken with respect to automated external defibrillators (AEDs) in City-owned facilities:

- a) the City's Aquatic Services Area's support of lifesaving training (first aid, CPR and AED) to staff and to the public BE CONTINUED and the City's use of the Heart and Stroke Foundation as the primary source of public education and awareness regarding the benefits of defibrillators BE SUPPORTED;
- b) the exploration of funding opportunities and work with partners to expand the placement of defibrillators in City-owned facilities BE CONTINUED;
- c) the Heart and Stroke Foundation BE REQUESTED to work directly with the various school boards and private operators regarding placement of defibrillators in schools and recreation facilities not owned or operated by the City; and,
- d) the Mayor BE REQUESTED to write to the Minister of Health and Long-Term Care asking her to work with the Ontario Association of Paramedic Chiefs on changes to the dispatch protocols dealing with cardiac arrests to require clear and mandatory CPR direction in cases of cardiac arrest. (2013-R05)

20. Neighbourhood Watch London

That consideration of the City of London funding relationship with Neighbourhood Watch London BE REFERRED to a special meeting of the Community and Protective Services Committee to be held in advance of the July 30th meeting of the Municipal Council.

21. Public Notification System and Communication Plan for Emergencies

That, on the recommendation of the Managing Director, Corporate Services and Chief Human Resources Officer, the Civic Administration BE DIRECTED to develop and pursue a request for proposal to purchase a public notification system. (2013-P03)

Motion Passed

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

Motion made by Councillor D. Brown to Approve clause 5.

5. Physiotherapy Services - Dearness Home

That, on the recommendation of the Managing Director of Housing, Social Services and Dearness Home, the following actions be taken with respect to the physiotherapy and occupational therapy services at the Dearness Home:

- a) the proposed by-law, appended to the staff report dated July 22, 2013, BE INTRODUCED at the Municipal Council meeting to be held on July 30, 2013 to:
 - i) approve the Amending Agreement, substantially in the form ~~attached~~ as Schedule 1 to the by-law, between The Corporation of the City of London and Arvan Rehab Group to provide physiotherapy and occupational therapy services to the Dearness Home from August 1, 2013 to January 31, 2014; and
 - ii) authorize the Mayor and the City Clerk to execute the above-noted agreement; and,
- b) the approval hereby given BE CONDITIONAL upon the Corporation entering into a

formal procurement process for physiotherapy and occupational therapy services to be completed by January 31, 2014. (2013-S02)

Motion made by Councillor D. Brown and seconded by Councillor B. Polhill to Approve that clause 5 be amended to read as follows:

That, on the recommendation of the Managing Director of Housing, Social Services and Dearness Home, the following actions be taken with respect to the physiotherapy and occupational therapy services at the Dearness Home:

- a) the ~~attached~~ revised proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on July 30, 2013 to:
 - i) approve the ~~attached~~ revised Amending Agreement, substantially in the form ~~attached~~ as Schedule 1 to the by-law, between The Corporation of the City of London and Arvan Rehab Group to provide physiotherapy and occupational therapy services to the Dearness Home to January 31, 2014; and
 - ii) authorize the Managing Director of Housing, Social Services and Dearness Home, or in his/her absence the City Manager, to execute the above-noted agreement; and,
- b) the approval hereby given BE CONDITIONAL upon the Corporation entering into a formal procurement process for physiotherapy and occupational therapy services to be completed by January 31, 2014. (2013-S02)

Motion Passed

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

Motion made by Councillor D. Brown and seconded by Councillor S. Orser to Approve clause 5, as amended.

Motion Passed

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

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

9. Ontario Works Service Plan 2013-2014

That, on the recommendation of the Managing Director, Housing, Social Services and Dearness Home, the report dated July 22, 2013 with respect to the Ontario Works Service Plan for 2013-2014 BE RECEIVED for information. (2013-S04)

Motion Passed

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

RECUSED: P. Hubert (1)

Motion made by Councillor D. Brown to Approve clause 14.

14. 6th Report of the London Diversity and Race Relations Advisory Committee

That the following actions be taken with respect to the 6th Report of the London Diversity and Race Relations Advisory Committee (LDRRAC) from its meeting held on June 20, 2013:

- a) the London Race Relations Award Policy BE AMENDED as follows:
 - i) the purpose of the Award:
 - A) should be used to promote public awareness on diversity, anti-racism, inclusivity and human rights;

- B) should be changed to the “Diversity, Race Relations and Inclusivity Award”; and,
 - C) the three-fold purpose of the Award, should read “encouraging ongoing initiatives within the City of London which promote/advance London as a welcoming city”;
- ii) the date for the Award:
- A) the award should be given in conjunction with Human Rights Day, which is recognized annually on December 10. This day recognizes the ‘Universal Declaration of Human Rights (UDHR)’, which was adopted by the United Nations General Assembly on December 10, 1948; it being noted that this represents a change from the current annual Award date of March 21, which is known as the International Day for the Elimination of Racial Discrimination;
- iii) the eligibility criteria for the Award:
- A) should be changed to allow past winners of the award to be eligible in future years. However, the eligibility should stipulate that the same initiative from a past nominee cannot be recognized more than once;
- iv) the Nomination Categories of the Award:
- A) Small Business and Small Labour (sizes to be determined in consultation with the City);
 - B) Corporations, Large Business and Large Labour (sizes to be determined in consultation with the City);
 - C) Institutions (including both public and private);
 - D) Social/Community Services (including Not-for-Profits), Education and Training; and,
 - E) Youth/Young Adult Groups or Organizations;
- v) The Corporation of the City of London BE REQUESTED to provide support and resources from Corporate Communications to assist with the publicity and promotion of the award (e.g. preparing and disseminating both public service announcements and promotional materials, etc.);
- vi) in the event that the recommendations in a) above are adopted by Council, the various strategies to help publicly promote the Award (including a public ‘re-launch’ of the Award and the creation of a communications strategy to support the Award) BE REFERRED to the London Diversity and Race Relations Advisory Committee for its discussion and consideration;

it being noted that the Award should be reinstated and rejuvenated in keeping with the above-noted recommendations, as it is anticipated that these changes to the existing award will assist with the goal of increasing the number of nominations received;

it being further noted that the London Diversity and Race Relations Advisory Committee (LDRRAC) received the ~~attached~~ revised a report from its Nomination Sub-committee, with respect to this matter; and,

- b) clauses 2 to 8, inclusive, BE RECEIVED;

it being noted that the Community and Protective Services Committee received a verbal presentation from P. Shanahan, Chair, LDRRAC, with respect to this matter.

Motion made by Councillor H.L. Usher and seconded by Councillor S. Orser to Refer clause 14a) back to the London Diversity and Race Relations Advisory Committee as the award should remain centred around March 21st, the International Day for the Elimination of Racial Discrimination, and should not include Human Rights as this is a different matter.

At 7:35 PM Mayor J.F. Fontana places Councillor P. Hubert in the Chair and takes a seat at the Council Board.

At 7:36 Mayor J.F. Fontana resumes the Chair and Councillor P. Hubert takes his seat at the Council Board.

The motion to Refer clause 14a) back to the London Diversity and Race Relations Advisory Committee is put.

Motion Failed

YEAS: J.F. Fontana, B. Polhill, S. Orser, P. Hubert, H.L. Usher (5)

NAYS: B. Armstrong, J.L. Baechler, N. Branscombe, M. Brown, D.G. Henderson, D. Brown, J.P. Bryant (7)

The motion to Approve clause 14 is put.

Motion Passed

YEAS: B. Polhill, B. Armstrong, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, D. Brown, J.P. Bryant (10)

NAYS: J.F. Fontana, H.L. Usher (2)

Motion made by Councillor D. Brown to Approve clause 11.

11. School Crossing Guard Program - One-Year Contract with Stinson Security Services Limited - Single Source

That, on the recommendation of the Managing Director, Environmental & Engineering Services and City Engineer, the following actions be taken with respect to the School Crossing Guard Program:

- a) the Single Source contract with Stinson Security Services Limited BE APPROVED in accordance with Section 14.4 (d) of the Procurement of Goods and Services Policy;
- b) the proposed by-law as appended to the staff report dated July 22, 2013, BE INTRODUCED at the July 30, 2013 Municipal Council meeting to:
 - i) authorize and approve an agreement with Stinson Security Service Limited to supply and manage School Crossing Guards;
 - ii) authorize the Mayor and the City Clerk to execute the above-noted Agreement; and,
 - iii) designate the Managing Director of Environmental & Engineering Services and City Engineer, or designate, as the City Representative with respect to the Agreement;
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this work; and,
- d) 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)

Motion Passed

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

Motion made by Councillor D. Brown to Approve clause 16.

16. Distracted Driving Law: Municipal By-Law to Allow Police to Issue Fine and Seize Cell Phone

That the Mayor BE REQUESTED to write a letter to the Provincial Minister to request consideration of additional and increased penalties for distracted driving; it being noted that the Community and Protective Services Committee received a verbal presentation and communication dated July 22, 2013 from Councillor S. Orser, with respect to this matter. (2013-C00)

Motion made by Councillor D. Brown and seconded by Councillor B. Polhill to Amend clause 16 to add the words "and Police Chief" following the word "Mayor".

Motion Passed

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

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

Motion Passed

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

Clause 16, as amended, reads as follows:

That the Mayor and the Chief of Police BE REQUESTED to write a letter to the Provincial Minister to request consideration of additional and increased penalties for distracted driving; it being noted that the Community and Protective Services Committee received a verbal presentation and communication dated July 22, 2013 from Councillor S. Orser, with respect to this matter. (2013-C00)

Motion made by Councillor D. Brown to Approve clause 22.

22. Ten Year Review - Monitored Surveillance Camera Program

That, on the recommendation of the Division Manager, Corporate Security and Emergency Management with the concurrence of the Managing Director, Corporate Services and Chief Human Resources Officer, the following actions be taken with respect to the Monitored Surveillance Camera Program:

- a) the Civic Administration BE AUTHORIZED to add two stationary cameras at the corner of Richmond Street and Dundas Street; it being noted that the cost of adding the cameras can be accommodated from within the existing 2013 Operating Budget; and,
- b) the Ten-Year Review Report, dated July 22, 2013, BE RECEIVED. (2013-P15)

Motion Passed

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

NAYS: N. Branscombe (1)

Motion made by Councillor D. Brown and seconded by Councillor J.L. Baechler to Approve reconsideration the actions of the Municipal Council taken at its meeting of May 14, 2013, related to the adoption of clause 7 of the 9th Report of the Community and Protective Services Committee (CPSC), concerning a delegation request from Youth Create Health Communities, as detailed in part a) of clause 23.

Motion Failed

YEAS: B. Polhill, B. Armstrong, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D. Brown, J.P. Bryant (9)

NAYS: J.F. Fontana, D.G. Henderson, H.L. Usher (3)

Clause 23b) was not considered as the motion to reconsider the matter failed.

23. A. Balfe, Youth Create Healthy Communities - Request for Delegation Status

That, the following actions be taken with respect to the request of Youth Create Healthy Communities for delegation status, related to a subsidized, monthly student bus pass:

- a) pursuant to section 13.7 of the Council Procedure By-law, the actions of the Municipal Council taken at its meeting of May 14, 2013, related to the adoption of clause 7 of the

9th Report of the Community and Protective Services Committee (CPSC), concerning a delegation request from Youth Create Health Communities, BE RECONSIDERED; and,

- b) delegation status at a future meeting of the CPSC BE APPROVED.

Motion made by Councillor D. Brown to Approve clause 24.

24. Request for Consideration of Lifecycle Extension for Limousines

That the communication dated July 18, 2013, from M. Taylor, Checker Limousine, BE REFERRED to the Civic Administration for consideration and report back as part of the Taxi By-law report currently being drafted.

Motion Passed

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

RECUSED: D. Brown (1)

14th Report of the Community and Protective Services Committee
Councillor D. Brown presents.

Motion made by Councillor D. Brown to Approve clauses 1 and 2.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Neighbourhood Watch London

That, on the recommendation of the Managing Director of Neighbourhood, Children and Fire Services, the following actions be taken with respect to the funding agreement between The Corporation of the City of London and Neighbourhood Watch London:

- a) the Civic Administration BE DIRECTED to withhold the 3rd installment of funds to Neighbourhood Watch London for the 2013 Budget Year, except as provided in part c), below;
- b) the Civic Administration BE DIRECTED to report back to the Community and Protective Services Committee on August 19, 2013 with any further information provided by Neighbourhood Watch London's Board of Directors that materially impacts their current funding agreement with the City of London; and,
- c) the Civic Administration BE DIRECTED to provide funding in the amount of \$5,000 from the above-noted third installment, to support the payment of staff wages.

Motion Passed

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

19th 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, B. Armstrong, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, D. Brown, H.L. Usher, J.P. Bryant (12)

20th Report of the Corporate Services Committee
Councillor J.P. Bryant presents.

Motion made by Councillor J.P. Bryant to Approve clauses 1, 2, 4, 6, 7, 9 to 14, 16 to 20 and 22.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Letter of Agreement - Provincial Dedicated Gas Tax Funds for Public Transportation Program

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the proposed by-law appended to the staff report dated July 23, 2013 (Appendix "A") BE INTRODUCED at the Municipal Council meeting to be held on July 30, 2013 to authorize the Mayor and the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer to execute a Letter of Agreement between the Province of Ontario and the City of London with respect to the Dedicated Gas Tax Funds for Public Transportation Program.

4. Tourism London Request for Financial Support for the 2014 Memorial Cup

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the following actions be taken with respect to financial support from the City of London for the 2014 Memorial Cup:

- a) the letter from Tourism London requesting \$100,000 of financial support from the City of London, as appended to the staff report dated July 23, 2013, BE RECEIVED for information, noting that Tourism London will match this financial support with a \$100,000 contribution from its own operating budget; and
- b) that financing for this project BE APPROVED as detailed in the Sources of Financing Report appended to the staff report dated July 23, 2013.

6. Civil Marriage Ceremonies

That, on the recommendation of the City Clerk, the report dated July 23, 2013 with respect to civil marriage ceremonies BE RECEIVED for information.

7. RFP 13-01 - Print Optimization

That, on the recommendation of the Chief Technology Officer, Information Technology Services, the following actions be taken with respect to the Print Optimization Request for Proposal for managed print services, including multifunctional devices, legacy printers, centralized print facility and software licensing solutions.

- a) the submission from Xerox Canada Ltd., 1398 Wellington Road South, Suite 2-6, London, ON N6E 3N6 for implementing a Print Optimization strategy for managed print services for multifunctional devices and legacy printers for the City of London and their submitted annual cost of hardware, software and services of \$467,472.34 (excluding HST) BE ACCEPTED;
- b) the submission from Canon Canada Inc., 6390 Dixie Road, Mississauga, ON L5T 1P7 for implementing a Print Optimization strategy for the centralized print facility for the City of London and their submitted annual cost of hardware, software and services of \$263,103.00 (excluding HST), BE ACCEPTED;
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this contract; and
- d) approval hereby given BE CONDITIONAL upon the Corporation negotiating satisfactory prices, terms and conditions relating to the subject matter of this approval;

it being noted that the annual cost of this contract is within the existing operating budget for printing services, and there are no increases over the four year term.

9. Declare Surplus and Transfer City-Owned Land - 57 Tecumseh Avenue West

That, on the recommendation of the Manager, Realty Services, with the concurrence of the Managing Director, Housing, Social Services and Deerness Home and the Director, Municipal Housing, with respect to the vacant City-owned property located at 57 Tecumseh Avenue West, legally described as Lots 305 and 306, Plan 488, measuring approximately 110' x 68', containing an area of approximately 7,480 square feet, the following actions be taken:

- a) the subject property BE DECLARED SURPLUS;
- b) the offer submitted by Habitat for Humanity Oxford-Middlesex-Elgin to purchase the subject surplus property from the City, for a consideration of \$20,000.00, BE ACCEPTED in a form to the satisfaction of the City Solicitor; and
- c) the proposed by-law as appended to the staff report dated July 23, 2013 BE INTRODUCED at the Municipal Council meeting to be held on July 30, 2013 to authorize the Mayor and the City Clerk to execute the Agreement of Purchase and Sale.

10. Request from Brose Canada Inc. to Extend the Reconveyance Period Over Parts 5 and 6 of Plan 33R-15347 and to Negotiate a New Option Agreement on Parts 7 and 8 of Plan 33R-15347 - Forest City Industrial Park

That, on the recommendation of the Manager Realty Services, the following actions be taken with respect to property on Max Brose Drive and described as Parts 5, 6, 7 & 8 on Plan 33R-15347:

- a) the request submitted by Brose Canada Inc. for an extension of the reconveyance period until August 1, 2016, over Parts 5 and 6 of Plan 33R-15347, on approximately 12 acres of land located on the north side of Max Brose Drive, as outlined on the location map as appended to the staff report dated July 23, 2013 as Parcel 2 on Schedule "A", BE APPROVED; and
- b) the Civic Administration BE DIRECTED to negotiate an Option Agreement with Brose Canada Inc. to Option (Parts 7 & 8 of Plan 33R-15347) approximately 3.22 acres of land located on the north side of Max Brose Drive, as outlined on the location map as appended to the staff report dated July 23, 2013 as Parcel 3 on Schedule "A".

11. Metrolinx Report

That, on the recommendation of the Director of Intergovernmental and Community Liaison, the report dated July 23, 2013 with respect to Metrolinx BE RECEIVED for information; it being noted that Metrolinx has recommended that if province-wide implementation of new revenue tools for transportation infrastructure is adopted, the revenue generated from outside the Greater Toronto and Hamilton Area (GTHA) should be directed to areas outside the GTHA.

12. AMO Annual General Meeting Conference and Trade Show 2014

That, on the recommendation of the Director of Intergovernmental and Community Liaison, the report dated July 23, 2013 with respect to the AMO Annual General Meeting, Conference and Trade Show for 2014 BE RECEIVED for information.

13. August 1, 2013 Ontario Provincial By-Election Candidate Questionnaire

That, on the recommendation of the Director of Intergovernmental and Community Liaison, the report dated July 23, 2013 with respect to the August 1st Ontario Provincial London West By-Election Candidate Questionnaire BE RECEIVED.

14. Employee Suggestion Program

That, on the recommendation of the Managing Director, Corporate Services & Chief Human Resources Officer, the report dated July 23, 2013 with respect to the employee suggestion program BE RECEIVED for information.

16. Vehicle Lease Agreement - Fleet Services and Tourism London

That, on the recommendation of the Managing Director - Environmental & Engineering Services & City Engineer, the proposed by-law appended to the staff report dated July 23,

2013 BE INTRODUCED at the Municipal Council meeting to be held on July 30, 2013 to:

- a) approve a Vehicle Lease Agreement, appended to the above-noted by-law as Schedule 1, between The Corporation of the City of London and Tourism London for the lease of a City owned vehicle described as a 2012 Dodge Grand Caravan VIN # 2C4RDGBG5CR199233; and
- b) authorize the Mayor and the City Clerk to execute the lease agreement noted in a), above.

17. Council Members' Expense Account - Funds to Support Local Youth

That the request by Councillor H.L. Usher to utilize \$200 from his 2013 annual expense allocation, to assist a local youth with the cost of her participation in the Children's International Summer Villages, BE APPROVED on a one-time basis.

18. Request for Designation of Fall Fest as a Municipally Significant Event

That the Fall Fest to be held August 30 – September 2, 2013 in Victoria Park BE DESIGNATED a Municipally Significant Event in the City of London.

19. Partners in Employment (Pie) Representative on the Accessibility Advisory Committee

That Jewel Hartviksen BE APPOINTED to the Accessibility Advisory Committee for the term ending February 28, 2015, as a non-voting resource member representing Partners in Employment (PIE).

20. Appointment to the London Advisory Committee on Heritage

That Hazel Elmslie BE APPOINTED to the London Advisory Committee on Heritage for the term ending February 28, 2015, as a Voting Member representing the Historical Sector.

22. Resignation from the Accessibility Advisory Committee

That the communication dated June 21, 2013 from Antoinette Dona, resigning her appointment to the Accessibility Advisory Committee, BE ACCEPTED and Ms. Dona BE THANKED for participating on the Committee.

Motion Passed

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

NAYS: D.G. Henderson (1)

Motion made by Councillor J.P. Bryant to Approve clause 3.

3. Local Improvement Charges - Sherwood Forest Public School

That the following actions be taken with respect to the acquisition of property through the local improvement process:

- a) the staff report dated July 23, 2013 entitled "Local Improvement Charges - Sherwood Forest Public School" BE RECEIVED for information;
- b) the City Clerk BE REQUESTED to report back with a draft policy, in liaison with the Managing Director, Corporate Services and City Solicitor and the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, with respect to the potential use of the local improvement process for the acquisition of property; and
- c) the Civic Administration BE REQUESTED to meet with the community, the London Muslim Mosque and the Thames Valley District School Board to explore how the City might facilitate the acquisition of Sherwood Forest School by the London Muslim Mosque, and report back thereon at the August 20, 2013 meeting of the Corporate Services Committee;

it being noted that the Corporate Services Committee received the attached communication

dated July 17, 2013 from R. Osman, Chair, London Muslim Mosque with respect to this matter.

Motion made by Councillor N. Branscombe and seconded by Councillor S. Orser to Amend part c) of clause 3 to read as follows:

- "c) the Civic Administration BE REQUESTED to meet with the Sherwood Forest community and the London Muslim Mosque to explore how the City might facilitate the acquisition of Sherwood Forest School for a community or school use purpose at no cost to the City (ie. The London Muslim Mosque) and report back thereon at the August 20, 2013 meeting of the Corporate Services Committee."

Motion Passed

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

RECUSED: M. Brown (1)

Motion made by Councillor N. Branscombe and seconded by Councillor S. Orser to Approve clause 3, as amended.

Motion Passed

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

RECUSED: M. Brown (1)

Clause 3, as amended, reads as follows:

That the following actions be taken with respect to the acquisition of property through the local improvement process:

- a) the staff report dated July 23, 2013 entitled "Local Improvement Charges - Sherwood Forest Public School" BE RECEIVED for information;
- b) the City Clerk BE REQUESTED to report back with a draft policy, in liaison with the Managing Director, Corporate Services and City Solicitor and the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, with respect to the potential use of the local improvement process for the acquisition of property; and
- c) the Civic Administration BE REQUESTED to meet with the Sherwood Forest community and the London Muslim Mosque to explore how the City might facilitate the acquisition of Sherwood Forest School for a community or school use purpose at no cost to the City (ie. The London Muslim Mosque) and report back thereon at the August 20, 2013 meeting of the Corporate Services Committee;

it being noted that the Corporate Services Committee received the ~~attached~~ communication dated July 17, 2013 from R. Osman, Chair, London Muslim Mosque with respect to this matter.

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

5. City of London Days - Budweiser Gardens

That, on the recommendation of the City Clerk, and in accordance with the policy for City events at the Budweiser Gardens, the following event BE APPROVED as a City of London Day at the Budweiser Gardens:

Duck Dynasty's Call On Farmtown Canada
October 12, 2013

Motion made by Councillor J.L. Baechler and seconded by Councillor J.P. Bryant to Amend clause 5 to read as follows:

That the following actions be taken with respect to City of London Days at the Budweiser Gardens:

- a) in accordance with the policy for City events at the Budweiser Gardens, the following

event BE APPROVED as a City of London Day at the Budweiser Gardens:

Duck Dynasty's Call On Farmtown Canada
October 21, 2013;

- b) the City Clerk BE REQUESTED to report back to the Corporate Services Committee with a proposed change to the current policy for City of London Days at the Budweiser Gardens in order to provide for use of City of London Days for local purposes.

Motion Passed

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

Motion made by Councillor J.P. Bryant and seconded by Councillor S. Orser to Approve clause 5, as amended.

Motion Passed

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

Motion made by Councillor J.P. Bryant to Approve clause 8.

8. Declare Surplus - City Owned Property - 337 Ridgewood Avenue

That, on the recommendation of the Manager Realty Services, with respect to the vacant City-owned property, municipally known as 337 Ridgewood Avenue, described as Parts 1, 2, Lot 39, Plan 783, measuring approximately 55' X 124' (16.764 m x 38.054 m), containing an area of approximately 6,865 square feet (638 square meters), the following actions be taken:

- a) the subject property BE DECLARED SURPLUS; and
- b) the subject property BE OFFERED for sale to the abutting property owners at fair market value, failing which it will be tendered for sale in accordance with the Sale and Other Disposition of Land City Policy.

Motion Passed

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

Motion made by Councillor J.P. Bryant to Approve clause 15.

15. Workplace Diversity Statement and Plan Update

That, on the recommendation of the Managing Director, Corporate Services & Chief Human Resources Officer:

- a) the revised Workplace Diversity Statement as appended to the staff report dated July 23, 2013 BE ENDORSED;
- b) the Civic Administration BE DIRECTED to invite the City of London Agencies, Boards and Commissions to participate in the renewed Diversity Task Force; and
- c) the balance of the report BE RECEIVED for information purposes.

Motion made by Councillor J.P. Bryant and seconded by Councillor P. Hubert to Amend part b) to read as follows:

- “b) the Civic Administration BE DIRECTED to invite the City of London agencies, boards and commissions to embrace the City's Workplace Diversity Statement and to participate in the renewed Diversity Task Force; and”.

Motion Passed

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

Motion made by Councillor H.L. Usher and seconded by Councillor S. Orser to Approve clause 15, as amended.

Motion Passed

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

Clause 15, as amended, reads as follows:

That, on the recommendation of the Managing Director, Corporate Services & Chief Human Resources Officer:

- a) the revised Workplace Diversity Statement as appended to the staff report dated July 23, 2013 BE ENDORSED;
- b) the Civic Administration BE DIRECTED to invite the City of London agencies, boards and commissions to embrace the City's Workplace Diversity Statement and to participate in the renewed Diversity Task Force; and
- c) the balance of the report BE RECEIVED for information purposes.

Motion made by Councillor J.P. Bryant to Approve clause 21.

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

That Janet Tufts BE APPOINTED to the London Diversity and Race Relations Advisory Committee for the term ending February 28, 2015, as a Non-Voting Member representing the United Way of London and Middlesex.

Motion Passed

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

RECUSED: M. Brown (1)

4th Report of the Audit Committee
Councillor M. Brown presents.

Motion made by Councillor M. Brown to Approve clauses 1 to 6.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interest were disclosed.

2. RFP 10-24 - Internal Audit Services

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the following actions be taken with respect to RFP10-24 Internal Audit Services:

- a) approval hereby BE GIVEN to extend the current contract for a one (1) year period and enter into negotiations with PricewaterhouseCoopers (PwC) LLP, 465 Richmond Street, Suite 300, London, Ontario N6A 5P4 for Internal Audit Services;
- b) the Civic Administration BE AUTHORIZED to undertake all administrative acts that are necessary in connection with this contract; and
- c) approval hereby given BE CONDITIONAL upon the Corporation entering into negotiations for satisfactory prices, terms and conditions with PricewaterhouseCoopers (PwC) LLP to the satisfaction of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer.

3. 2012 Financial Audit

That the following actions be taken with respect to the 2012 Financial Audit and Audit Findings

Report 2012, as prepared by KPMG:

- a) the 2012 Financial Report of The Corporation of the City of London BE RECEIVED; and
- b) the Audit Findings Report for the year ending December 31, 2012 BE RECEIVED;

it being noted that the Audit Committee received the ~~attached~~ presentation from the Deputy City Treasurer and a verbal presentation from KPMG with respect to these matters.

- 4. Quarterly Report on Internal Audit Results - Urban Forestry and Planning Applications and Corporate Services/Finance - Budgeting Process

That the following actions be taken with respect to the Quarterly Report on Internal Audit Results on urban forestry and planning applications and Corporate Services/Finance's budgeting process:

- a) the report dated June 27, 2013 BE RECEIVED; and,
- b) the action plans identified in Appendices A, B and C of the report noted in a), above, BE IMPLEMENTED.

- 5. Emerald Ash Borer - Tree Replacement Process

That the Civic Administration BE DIRECTED to investigate and report back to the Planning and Environment Committee with respect to the possibility of, and costs related to, the establishment of a tree replacement process whereby residents are given the option of purchasing larger trees and making arrangements for a City of London approved contractor to undertake the work at the residents' expense.

- 6. Succession Plan

That, the Managing Director, Corporate Services and Chief Human Resources Officer BE DIRECTED to provide a written report of the September 2013 Audit Committee meeting with respect to succession planning; it being noted that the Audit Committee received a verbal update from the Managing Director, Corporate Services and Chief Human Resources Officer with respect to this matter.

Motion Passed

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

5th Report of the Audit Committee
Councillor M. Brown presents.

Motion made by Councillor M. Brown 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, B. Armstrong, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, D. Brown, H.L. Usher, J.P. Bryant (12)

21st 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, B. Armstrong, S. Orser, J.L. Baechler, N. Branscombe, M. Brown, P. Hubert, D.G. Henderson, D. Brown, H.L. Usher, J.P. Bryant (12)

8th Report of the Investment and Economic Prosperity Committee
Councillor M. Brown presents.

Motion made by Councillor M. Brown to Approve clauses 1 to 5, excluding clause 4.

1. Disclosures Of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Support for the Grand Theatre Development Proposal

That the communication dated June 17, 2013, from R. Sifton, President, Sifton Properties Limited, with respect to Sifton's support for the Grand Theatre's development proposal, BE RECEIVED.

3. Overview of the Western Fair District's Strategic and Development Plans

That the verbal report from H. Mitchell, Chief Executive Officer, Western Fair District (WFD), with respect to an overview of the WFD strategic and development plans, BE RECEIVED.

5. Solar Project Proposal on the Pottersburg Creek Brownfield Property

That David Webb BE GRANTED delegation status at a future meeting of the Investment and Economic Prosperity Committee, pertaining to a development proposal for the Pottersburg Creek Brownfield property, subject to the satisfactory review of the proposal by the Civic Administration.

Motion Passed

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

Motion made by Councillor M. Brown to Approve clause 4.

4. London's Medical Innovation and Commercialization Network Vision

Recommendation: That, on the recommendation of the Managing Director, Corporate Services, Chief Financial Officer and City Treasurer and the Director, Corporate Investments and Partnerships, the following actions be taken with respect to the development of London's Medical Innovation and Commercialization Network:

- a) the vision for London's Medical Innovation and Commercialization Network BE SUPPORTED IN PRINCIPLE, subject to the preparation of a governance structure; and,
- b) in collaboration with St. Joseph's Health Care Foundation, London Health Sciences Foundation, Lawson Health Research Institute, Robarts Research Institute, London Health Sciences Centre, St. Joseph's Health Care and Western University, the Civic Administration BE DIRECTED to develop a governance structure, as noted in a) above, for the Medical Innovation and Commercialization Network; it being noted that the proposed governance structure will be presented at a future meeting of the Investment and Economic Prosperity Committee;

it being noted that the Investment and Economic Prosperity Committee (IEPC) heard the attached presentation from Dr. Michael Strong, Robarts Research Institute, Dr. David Hill, London Health Sciences Centre and St. Joseph's Health Care, Dan Ross, London Health Sciences Foundation and Michelle Campbell, St. Joseph's Health Care London, with respect to this matter.

At 8:28 PM his Worship the Mayor places Councillor D.G. Henderson in the Chair and takes a seat at the Council Board.

At 8:36 PM His Worship the Mayor resumes the Chair and Councillor D.G. Henderson takes his seat at the Council Board.

The motion to Approve clause 4 is put.

Motion Passed

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

RECUSED: J.P. Bryant (1)

11th Report of the Strategic Policies and Planning Committee
Councillor M. Brown presents.

Motion made by Councillor M. Brown to Approve clauses 1 to 4.

1. Disclosures Of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Managing Director, Corporate Services and City Treasurer, Chief Financial Officer - Development Charges Policy Review - Major Policies Covering Report

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, with the concurrence of the Managing Director, Environmental and Engineering Services and City Engineer and the Managing Director, Development and Compliance Services and Chief Building Official, the following actions be taken:

- a) the following policies with respect to the retirement of the Urban Works Reserve Fund BE APPROVED; it being noted that a number of the recommendations in the May 13, 2013 report have been refined or redesigned in comparison to the May 13, 2013 report, based on discussions with the London Development Institute, the London Home Builders' Association and the Urban League:
 - i) funding of all Urban Works Reserve Fund works be consolidated under the City Services Reserve Fund (CSRF); it being noted that suitable transitional provisions with respect to works currently included in draft plan conditions or under agreements will be addressed in the draft 2014 Development Charges(DC) By-law and Background Study;
 - ii) the enhancements to the Growth Management Implementation Strategy Update Process as generally summarized in Appendix 'A' to the staff report dated July 29, 2013 be endorsed;
 - iii) the new processes for Design and Construction of Storm Water Management Facilities (SWMF's), as amended, and as generally summarized in Appendix 'B' to the staff report dated July 29, 2013 be endorsed;
 - iv) the Municipal Service and Financing Agreements Policy as outlined in Appendix "D" to the staff report dated July 29, 2013 to be enacted as part of the 2014 Development Charges By-law be endorsed for accepting, assessing and administering applications for the acceleration of DC-funded works through Front-Ending Agreements under the Development Charges Act following the adoption of the 2014 Development Charges By-law;
 - v) the draft front-ending agreement prepared by external legal counsel as outlined in Appendix "E" to the staff report dated July 29, 2013 be received for information, it being noted that final agreements will be prepared at the time of Council approval of an application for a Municipal Service and Financing Agreement based on issues specific to the subject infrastructure project;
 - vi) the Civic Administration be directed to further develop the procedures

governing construction of infrastructure undertaken by developers through development agreements; and

- vii) the Civic Administration be directed to prepare by-law amendments and further refine administrative processes necessary to effect the above-noted changes coincident with the effective date of the 2014 DC By-law;
- b) comments from the London Development Institute and the Urban League of London, included in Appendix 'F': "Stakeholder Comments" of the staff report dated July 29, 2013, as well as the ~~attached~~ submission from L. Langdon, Executive Officer, London Home Builders' Association, with respect to the above-noted policy, BE RECEIVED for information; and
- c) the following changes to the City's "local service" definitions BE APPROVED:
 - i) Watermain oversizing be a claimable work;
 - ii) Stormwater Open Channel Oversizing be a claimable work;
 - iii) the definition of Sanitary Sewer Oversizing be redefined subject to information to be provided by the Master Servicing Study consultants; and
 - iv) the definition of storm water management works be more broadly defined as all works required to provide stormwater management servicing that satisfy the requirements of a Class Environmental Assessment process;

it being noted that the Strategic Priorities and Policy Committee heard the ~~attached~~ presentation from L. Townsend with respect to this matter.

3. City Clerk - 1st Report of the 2013 Council Compensation Review Task Force

That the 1st Report of the 2013 Council Compensation Review Task Force from its meeting held on June 26, 2013 BE RECEIVED.

4. Special Strategic Priorities and Policy Committee Meeting – Council Member Training and Education Session

That a Special Meeting of the Strategic Priorities and Policy Committee BE HELD at a future date to be determined based upon Council Member availability, at an offsite location, for the purpose of holding an education/training session to assist the Council Members in defining interpersonal behaviours and values, in order to strengthen relationships and cohesion.

Motion Passed

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

X DEFERRED MATTERS

None.

XI ENQUIRIES

Councillor D. Brown enquired about how the methadone clinic at 425 Wharncliffe Road South was able to open and operate without fulfilling the requirement for wrought iron fencing. The enquiry was referred to the Managing Director, Development & Compliance Services and Chief Building Official for review and report back to Councillor D. Brown, with a copy of the response to be provided to the other Council Members.

Councillor W.J. Armstrong enquired about the status of the sound barrier for Veterans Memorial Parkway. The Managing Director, Environmental and Engineering Services and City Engineer advised that a report on this matter will be coming forward in late September, in keeping with the advice he had previously provided to the Councillor.

XII EMERGENT MOTIONS

None.

Motion made by Councillor D. Brown and seconded by Councillor S. Orser to Approve that the Council rise and go into Committee of the Whole, in camera, for the purpose of completing the in camera matters previously stated.

Motion Passed

The Council rises and goes in camera at 8:43 PM, with Mayor J.F. Fontana in the Chair and all Members present except Councillors J.P. Bryant, J.B. Swan, P. Van Meerbergen and S.E. White.

Councillor J.P. Bryant enters the in camera session at 8:45 PM.

The Committee of the Whole rises and Council reconvenes in public session at 9:30 PM with Mayor J.F. Fontana in the Chair and all Members present except Councillors S. Orser, J.B. Swan, P. Van Meerbergen and S.E. White.

Councillor S. Orser enters the meeting at 9:35 PM

13th Report of the Committee of the Whole
Councillor N. Branscombe presents.

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

ALSO PRESENT: A. Zuidema, J.P. Barber, S. Datars Bere, J.M. Fleming, M. Hayward, V. McAlea Major, J. Page and L. Rowe.

Motion made by Councillor N. Branscombe to Approve:

1. That, on the recommendation of the City Clerk, the following actions be taken with respect to the 2013 Queen Elizabeth Scholarships:

- (a) notwithstanding Council Policy 1(3), which provides for Queen Elizabeth Scholarships in the amount of \$2,000 each, to be granted by the City of London in each school year, for admission to any University, to the two students with the highest scholastic achievement based on six O.A.C. Credits, the following three students BE AWARDED the 2013 Queen Elizabeth Scholarships, in the amounts shown:

Julian Donovan	Regina Mundi Catholic College	98.83% - \$2,000
Emily Dzongowski	Mother Teresa Catholic Secondary School	97.83% - \$2,000
Jason Mile	Sir Wilfrid Laurier Secondary School	97.83% - \$2,000

it being noted that the awarding of Queen Elizabeth Scholarships to three students is being recommended on an exception basis due to the fact that two students are tied for second place; and

- (b) the additional \$2,000 Scholarship BE FUNDED through the City's 2013 Operating Budget.

Motion Passed

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

Motion made by Councillor N. Branscombe to Approve:

2. That, on the recommendation of the City Manager, regarding the lease between the City of London and Farhi Holding Corporation with respect to Market Tower, located at 151 Dundas Street, the following actions be taken:

- a) the proposal submitted by Farhi Holding Corporation to relocate a portion of the City-leased space at Market Tower/Annex to the Bell Building, located at 100 Dundas Street, for the purpose of supporting the sale of Market Tower and the Annex Building to Fanshawe College BE ACCEPTED in the form of a Letter of Intent, subject to the following covenants:

- i) Total Rentable Area of up to 38,000 square feet;
- ii) the Landlord shall provide 30 underground parking spaces at a rate of \$56.25 per space per month for the first year and escalating at 10% per year for the remaining nine (9) years;
- iii) the Term shall be ten (10) years, with two further options each of five (5) years;
- iv) commencement date is subject to the completion of the transfer of Market Tower and the Annex Building to Fanshawe and shall be the earlier of May 1, 2014; or the day following the end of the Fixturing Period;
- v) Basic Rent for Years 1 to 10 at \$10.00 with no escalation during the term;
- vi) Tenant's work – the Landlord will carry out the Tenant's work at its cost and the Tenant agrees to repay the Landlord in equal monthly instalments with the rent, an amount that amortizes interest free the total cost of the Tenant's work over the term of the lease; and
- vii) the negotiation of a commercial lease which is contingent on the completion of the sale of Market Tower and the Annex Building by the Landlord to Fanshawe by May 1, 2014 or earlier, including the assignment of the existing lease with necessary or negotiated modifications.

Motion Passed

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

RECUSED: P. Hubert (1)

XIII BY-LAWS

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

Motion made by Councillor D. Brown and seconded by Councillor H.L. Usher to Approve First Reading of Bill No.s 327 to 355, including the revised Bill 331.

Motion Passed

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

Motion made by Councillor B. Polhill and seconded by Councillor D. Brown to Approve Second Reading of Bill No.s 327 to 355, including the revised Bill 331.

Motion Passed

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

Motion made by Councillor B. Polhill and seconded by Councillor H.L. Usher to Approve Third Reading and enactment of Bill No.s 327 to 355, including the revised Bill 331

Motion Passed

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

Motion made by Councillor D. Brown and seconded by Councillor S. Orser to Approve Introduction and First Reading of Bill 356.

Motion Passed

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

RECUSED: P. Hubert (1)

Motion made by Councillor B. Polhill and seconded by Councillor J.P. Bryant to Approve Second Reading of Bill 356.

Motion Passed

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

RECUSED: P. Hubert (1)

Motion made by Councillor B. Polhill and seconded by Councillor H.L. Usher to Approve Third Reading and Enactment of Bill 356.

Motion Passed

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

RECUSED: P. Hubert (1)

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

Bill No. 327, By-law No. A.-____	A by-law to confirm the proceedings of the Council Meeting held on the 30th day of July, 2013. (City Clerk)
Bill No. 328, By-law No. A.-____	A By-law to authorize the execution of a Letter of Agreement for the transfer of Provincial Gas Tax Revenues. (2/20/CSC)
Bill No. 329, By-law No. A.-____	A by-law to authorize an Agreement of Purchase and Sale between the City and Habitat for Humanity Oxford-Middlesex-Elgin, for the sale of 57 Tecumseh Avenue West and to authorize the Mayor and the City Clerk to execute the agreement. (9/20/CSC)
Bill No. 330, By-law No. A.-____	A By-law to approve the Vehicle Lease Agreement with Tourism London; and to authorize the Mayor and City Clerk to execute the agreement. (16/20/CSC)
Bill No. 331, By-law No. A.-____	A by-law to approve an Amending Agreement for an Agreement between The Corporation of the City of London (the City) and the Arvan Rehab Group (Arvan) for the provision of physiotherapy services and occupational therapy services at the Dearness Home; and to authorize the Mayor and the City Clerk to execute the Amending Agreement.(5/13/CPSC)
Bill No. 332, By-law No. A.-____	A by-law to approve an agreement between The Corporation of the City of London (the City) and 2212126 Ontario Inc. (the Proponent) for the purpose of establishing the Proponent's obligations under the Convert-to-Rent/Rehabilitation Program and the City's obligation to provide funding to the Proponent; and to authorize the Mayor and the City Clerk to execute the agreement. (6/13/CPSC)
Bill No. 333, By-law No. A.-____	A by-law to approve an amendment to the contribution agreement between The Corporation of the City of London (the City) and At'loh'sa Native Family Healing Services (the Proponent) for the purpose of establishing the Proponent's obligations under the Convert-to-Rent/Rehabilitation Program and the City's obligation to provide funding to the Proponent; and to authorize the Mayor and the City Clerk to execute the amended agreement. (7/13/CPSC)
Bill No. 334, By-law No. A.-____	A by-law to authorize the agreement between the Corporation of the City of London and Stinson Security Services Limited for provision of School Crossing Guards. (11/13/CPSC)

Bill No. 335, By-law No. C.P.-1284(tg)-____	A by-law to amend the Official Plan for the City of London, 1989 relating to 754 and 764 Waterloo Street and 354 Oxford Street East. (25/17/PEC)
Bill No. 336, By-law No. C.P.-____	A by-law to exempt from Part Lot Control, lands located on the south side of Silverfox Crescent, at Denview Avenue, legally described as part of Block 80 in Registered Plan 33M-622, more particularly described as Parts 1-9 in Plan 33R18647 in the City of London and County of Middlesex. (8/8/BNEC-2011)
Bill No. 337, By-law No. C.P.-____	A by-law to exempt from Part Lot Control, lands located on the north side of Callaway Road, legally described as part of Block 98 in Registered Plan 33M-633, more particularly described as Parts 1-18 in Plan 33R18631 in the City of London and County of Middlesex. (4/25/PEC-2012)
Bill No. 338, By-law No. C.P.-____	A by-law to exempt from Part Lot Control, lands located on the north side of Callaway Road, legally described as part of Block 98 in Registered Plan 33M-633, more particularly described as Parts 1-24 in Plan 33R18653 in the City of London and County of Middlesex.(4/25/PEC-2012)
Bill No. 339, By-law No. C.P.-____	A by-law to exempt from Part Lot Control, lands located on the west side of Ballymote Avenue, south of Springridge Drive and north of North Wenige Drive, legally described as Lots 88-94 in Plan 33M-631 and Lots 1-12 Plan 33M-632, in the City of London and County of Middlesex. (10/17/PEC)
Bill No. 340, By-law No. PS-111-____	A by-law to amend By-law PS-111 entitled, "A by-law to regulate traffic and the parking of motor vehicles in the City of London." (7/13/CWC)
Bill No. 341, By-law No. PS-111-____	A by-law to amend By-law PS-111 entitled, "A by-law to regulate traffic and the parking of motor vehicles in the City of London." (8/13/CWC)
Bill No. 342, By-law No. PS-111-____	A by-law to amend By-law PS-111 entitled, "A by-law to regulate traffic and the parking of motor vehicles in the City of London." (8/13/CWC)
Bill No. 343 , By-law No. S.-____	A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Southdale Road East, east of White Oak Road) (Chief Surveyor)
Bill No. 344, By-law No. S.-____	A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Hyde Park Road, north of Oxford Street West) (Chief Surveyor)
Bill No. 345 , By-law No. S.-____	A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Sunningdale Road East) (Chief Surveyor)
Bill No. 346, By-law No. S.-____	A by-law to lay out, constitute, establish and assume lands and reserves in the City of London as public highway. (as part of Sudbury Avenue and as part of Whitehall Drive) (Chief Surveyor)
Bill No. 347, By-law No. S.-____	A by-law to permit Western Fair Association to maintain and use an encroachment upon the road allowance for King Street, City of London. (City Solicitor)
Bill No. 348, By-law No. S.-____	A by-law to permit 600 Colborne Limited to maintain and use an encroachment upon the road allowance for Colborne Street, City of London. (City Solicitor)
Bill No. 349, By-law No. Z.-1-13____	A by-law to amend By-law No. Z.-1 to remove the holding provision from the zoning for an area of land located at 412-416 & 420-424 Rectory Street & 814-826 King Street. (5/17/PEC)

Bill No. 350, By-law No. Z.-1-13____	A by-law to amend By-law No. Z.-1 to remove the holding provision from the zoning on land located at 3592-3614 Isaac Court and 6951-6973 Clayton Walk. (6/17/PEC)
Bill No. 351, By-law No. Z.-1-13____	A by-law to amend By-law No. Z.-1 to remove the holding provision from the zoning on lands located at 1550 Highbury Avenue North. (7/17/PEC)
Bill No. 352, By-law No. Z.-1-13____	A by-law to amend By-law No. Z.-1 to remove the holding provision from the zoning for a portion of land located at 537 Crestwood Drive (8/17/PEC)
Bill No. 353, By-law No. Z.-1-13____	A by-law to amend By-law No. Z.-1 to remove the holding provisions from the zoning on lands located at 365 and 385 Sugar Creek Trail. (9/17/PEC)
Bill No. 354, By-law No. Z.-1-13____	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 1615 Northroutledge Park. (22/17/PEC)
Bill No. 355 , By-law No. Z.-1-13____	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 754 and 764 Waterloo Street and 354 Oxford Street East. (25/17/PEC)
Bill No. 356 By-law No. A.-7004-260	A By-law to authorize a Letter of Intent between The Corporation of the City of London and Farhi Holding Corporation, and to authorize the Mayor and City Clerk to execute the Letter of Intent. (C-1/21CSC)

XIV ADJOURNMENT

Motion made by Councillor J.L. Baechler and seconded by Councillor N. Branscombe to Adjourn.

Motion Passed

The meeting adjourns at 9:43 PM.

Joe Fontana, Mayor

Catharine Saunders, City Clerk