

22ND REPORT OF THE
CORPORATE SERVICES COMMITTEE

Meeting held on August 20, 2013, commencing at 1:01 PM, in Committee Room #5, Second Floor, London City Hall.

PRESENT: Acting Mayor P. Van Meerbergen (Chair), Councillors N. Branscombe, J.P. Bryant, B. Polhill and L. Rowe (Secretary).

ABSENT: Mayor J.F. Fontana and Councillor J.B. Swan.

ALSO PRESENT: Councillor S. Orser; S. Axford, J. Braam, R. Gasparetto, A. Hagan, J. Logan, J. Page, C. Saunders, J. Smout, M. Turner, B. Warner and B. Whitelaw.

I. DISCLOSURES OF PECUNIARY INTEREST

1. That it BE NOTED that no pecuniary interests were disclosed.

II. CONSENT ITEMS

2. Sherwood Forest Public School

Recommendation: That the Civic Administration BE DIRECTED to review and report back on the following matters related to the surplus school property known as Sherwood Forest Public School

- a) the potential acquisition of the subject property, on the basis that:
 - i) there is a municipal need for community green space for the adjacent neighbourhood; and
 - ii) the City of London's Parks and Recreation Master Plan identifies a need for amenities in the neighbourhood; and
- b) the potential severance and disposition of any portion of the subject property that might be declared surplus to the City of London's needs and disposed of in accordance with the City of London's Sale and Other Disposition of Land Policy, should Council decide to proceed with the acquisition of the subject property.

3. 1156 Dundas Street - REOI and RFQUAL 13-03 for the Purchase and Re-Adaptive Use of Former McCormick Building

Recommendation: That the following actions be taken with respect to the property located at 1156 Dundas Street, the former McCormick Building:

- a) the Request for Expression Of Interest/Request for Qualifications (REOI/RFQUAL) submissions by Sierra Construction (Woodstock) Limited and Allied Construction Corporation, BE RECEIVED;
- b) a Request for Proposals (RFP) with the two pre-qualified proponents submissions BE PROCEEDED with; and
- c) pursuant to section 13.7 of the Council Procedure By-law, the actions of the Municipal Council taken at its meeting of April 30, 2013, related to the adoption of clause 2 of the 9th Report of the Committee of the Whole, concerning 1156 Dundas Street, BE RECONSIDERED;
- d) investigations into potential municipal uses for the property if brought into municipal ownership, including partnership opportunities, BE PROCEEDED AND REPORTED BACK UPON to Council, if necessary, after the Municipal Council has had an opportunity to consider proposals from the proponents noted in b), above.

4. RFP 13-06 - Vote Tabulation System and Election Software

Recommendation: That, on the recommendation of the City Clerk, the following actions be taken with respect to the provision of Vote Tabulation System and Election Software:

- a) the proposal submitted by Election Systems & Software, 1885 Clements Road, Unit 207 Pickering ON L1W 3V4, at their proposed total cost of 267,584.94, including HST, BE ACCEPTED;
- b) the source of financing for this expenditure BE APPROVED as a drawdown from the Municipal Election Expense Reserve Fund:
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this purchase, and
- d) 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.

5. Amendment to Council Policy 3(8) - City of London Days

Recommendation: That, on the recommendation of the City Clerk, the proposed by-law (Appendix "A") appended to the staff report dated August 20, 2013 BE INTRODUCED at the Municipal Council meeting on August 27, 2013 to delete and replace Council Policy 3(8) entitled "City of London Days at the Budweiser Gardens" with a new Policy which reflects the Municipal Council's direction of July 30, 2013 to provide for use of City of London Days for local purposes and to also provide further clarity in terms of notification and eligibility for use of City of London Days in accordance with the City of London's agreement with the Budweiser Gardens.

6. Residential Tax By-law for New Affordable Housing Program – Project at 205 Commissioners Road West

Recommendation: That, on the recommendation of the Director of Municipal Housing, with the concurrence of the Managing Director Corporate Services and City Treasurer, Chief Financial Officer, the attached revised proposed by-law BE INTRODUCED at the Municipal Council meeting on August 27, 2013, to tax the affordable housing property at 205 Commissioners Road West at an effective tax rate equal to the residential tax rate; and the City Clerk BE DIRECTED to give written notice of the by-law to the Municipal Property Assessment Corporation and the secretary of all area school boards.

7. Residential Tax By-law for Investment in Affordable Housing Program - Project at 1461 Huron Street

Recommendation: That, on the recommendation of the Director of Municipal Housing, with the concurrence of the Managing Director Corporate Services and City Treasurer, Chief Financial Officer, the proposed by-law appended to the staff report dated August 20, 2013 BE INTRODUCED at the Municipal Council meeting on August 27, 2013, to tax the affordable housing property at 1461 Huron Street at an effective tax rate equal to the residential tax rate; and the City Clerk BE DIRECTED to give written notice of the by-law to the Municipal Property Assessment Corporation and the secretary of all area school boards.

III. SCHEDULED ITEMS

8. 75 Blackfriars Street

Recommendation: That the Municipal Council BE ADVISED that after convening as a Tribunal under section 26 of Part IV of By-law C.P.-1473-212 and pursuant to By-law A.-6361-177 that would delegate the hearing to the Corporation Services Committee from the Board of Control, to hear a complaint from Southside Construction Management Limited in respect of the development charge imposed by The Corporation of the City of London in

connection with development on the land known as 75 Blackfriars Street, the hearing adjourned to the Corporate Services Committee meeting being held at 1:00 PM on September 10, 2013, in order to permit the complainant and Civic Administration to provide the Tribunal with copies of relevant case law regarding the issues raised in this development charge complaint, as well as a full copy of the City of London's Development Charges By-law, with the relevant sections highlighted for the assistance of the Tribunal, for consideration in addition to the oral submissions that were made and the following Exhibits that were filed with the Tribunal at the hearing held on August 20, 2013:

- Exhibit #1: Notice of Hearing dated July 29, 2013
- Exhibit #2: Written complaint from Southside Construction Management Limited date stamped in the Mayor's Office on June 27, 2013
- Exhibit #3: Staff report dated August 20, 2013, from the Managing Director, Development and Compliance Services and Chief Building Official
- Exhibit #4: Undated submission under the letterhead of Patton Cormier & Associates, made at the Corporate Services Committee on August 20, 2013
- Exhibit #5: A PowerPoint presentation made at the Corporate Services Committee hearing on August 20, 2013, from the Deputy Chief Building Official in support of the City's imposition of development charges for the development.

IV. ITEMS FOR DIRECTION

9. Resignation from the London Diversity and Race Relations Advisory Committee

Recommendation: That the communication dated July 18, 2013 from Michelle Edwards, resigning her appointment to the London Diversity and Race Relations Advisory Committee, BE ACCEPTED and Ms. Edwards BE THANKED for participating on the Committee.

10. Resignation from the Environmental and Ecological Planning Advisory Committee

Recommendation: That the communication dated July 19, 2013 from Greg Vilks, resigning his appointment to the Environmental and Ecological Planning Advisory Committee, BE ACCEPTED and Dr. Vilks BE THANKED for participating on the Committee.

11. Resignation from the Environmental and Ecological Planning Advisory Committee

Recommendation: That the communication dated July 21, 2013 from Curtis Peterson, resigning his appointment to the Environmental and Ecological Planning Advisory Committee, BE ACCEPTED and Mr. Peterson BE THANKED for participating on the Committee.

V. DEFERRED MATTERS/ADDITIONAL BUSINESS

VI. CONFIDENTIAL (Confidential Appendix enclosed for Members only.)

(See Confidential Appendix to the 22nd Report of the Corporate Services Committee enclosed for Members only.)

The Corporate Services Committee convened in camera from 1:41 PM to 2:12 PM and 3:40 PM to 3:47 PM after having passed a motion to do so, with respect to the following matters:

- C-1. A matter pertaining to the purpose of instructions and directions to officers and employees of the Corporation pertaining to a proposed acquisition of land; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; reports or advice or recommendations of officers and employees of the Corporation

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

- C-2. A matter pertaining to proposed or pending acquisition of land by the municipality in connection with the Dingman Creek Erosion Control Facility project; litigation with the Ontario Municipal Board, File No. LC130020, with respect to the expropriation of part of properties municipally located on Dingman Drive, including matters before administrative tribunals, affecting the municipality or local board; advice that is subject to solicitor-client privilege, including communications necessary for that purpose, in connection with litigation with the Ontario Municipal Board, File No. LC130020, in respect of the expropriation of part of properties municipally located on Dingman Drive; and directions and instructions to officers and employees or agents of the municipality regarding conduct of litigation in connection with litigation at the Ontario Municipal Board, File No. LC130020 in respect of the expropriation of part of properties municipally located on Dingman Drive.
- C-3. A matter pertaining to proposed or pending acquisition of land by the municipality in connection with the Springbank Drive road widening project and related expropriations; litigation or potential litigation with respect to the expropriation of temporary easement on a property located at 339 Springbank Drive, including matters before administrative tribunals, affecting the municipality or local board; advice that is subject to solicitor-client privilege, including communications necessary for that purpose, in connection with the expropriation of temporary easement on a property located at 339 Springbank Drive; and directions and instructions to officers and employees or agents of the municipality regarding settlement negotiations and conduct of litigation in connection with the expropriation of temporary easement on a property located at 339 Springbank Drive.

VII. ADJOURNMENT

The meeting adjourned at 3:47 PM.