The Council meets in Regular Session in the Municipal Offices this day at 5:04 p.m.


At the beginning of the Meeting all Members are present except Controller Hume and Councillors Bryant and Eagle.

Her Worship the Mayor presents the 2008 Queen Elizabeth Scholarships to the following recipients:

Leora Simon - H. B. Beal Secondary School (average 98.50%);
Erin Bezzina - Catholic Central High School (average 98.00%); and

Her Worship the Mayor recognizes the members of the London Majors baseball team for winning the 2008 Intercounty Baseball League Pennant.

Deputy Mayor Gosnell moves, seconded by Councillor Caranci, that pursuant to section 7.3 of the Council Procedure By-law, the order of business be changed to permit consideration of Clause 21 of the 23rd Report of the Board of Control at 5:00 p.m. CARRIED

**23RD REPORT OF THE BOARD OF CONTROL**

253. Deputy Mayor Gosnell presents the 23rd Report of the Board of Control.

Deputy Mayor Gosnell moves that clause 21 be adopted. CARRIED

Clause 21 reads as follows:

21. That the appropriate resolutions authorizing an amendment to the Shareholder’s Declaration as it relates to the term of appointment for Directors of London Hydro Inc. BE PLACED before the Annual General Meeting of the Shareholder for London Hydro Inc., to be held at a meeting of the Committee of the Whole as part of the Municipal Council meeting on August 18, 2008.

Councillor Bryant enters the meeting at 5:10 p.m.

Councillor Baechier moves, seconded by Councillor Van Meerbergen, that the Council rise and go into Committee of the Whole, for the purpose of holding the 2007 Annual General Meeting of the Shareholder for the London Hydro Inc. CARRIED

Council rises and goes into the Committee of the Whole at 5:14 p.m., with Mayor DeCicco-Best in the Chair and all Members present except Controller Hume and Councillor Eagle.

The Committee rises and Council resumes in regular session at 5:56 p.m., with Mayor DeCicco-Best in the Chair and all Members present, except Controller Hume and Councillor Eagle.

**24TH REPORT OF THE COMMITTEE OF THE WHOLE**

254. PRESENT: Mayor A. M. DeCicco-Best, Deputy Mayor T.C. Gosnell, Controllers G. Barber and W. J. Polhill and Councillors R. Caranci, W. J. Armstrong, B. R. MacDonald, S.
YOUR COMMITTEE OF THE WHOLE RECOMMENDS:

1. That the 2007 Annual Report of London Hydro Inc. and the presentation by B. Watts, Chief Executive Officer and P. Johnson, Chair, Board of Directors of London Hydro Inc. RE RECEIVED.

2. That, on the recommendation of the City Solicitor, the attached by-law (Attachment "A") BE INTRODUCED at the Municipal Council meeting to be held August 18, 2008 to:

(a) ratify and confirm the Resolution of the Shareholder attached as Schedule "1" to the By-law; and

(b) authorize the Mayor and Clerk to execute the Resolution of the Shareholder attached as Schedule "1" to the By-law.

Deputy Mayor Gosnell presents the 24th Report of the Committee of the Whole.

Deputy Mayor Gosnell moves that clause 1 be adopted. CARRIED Clause 1 reads as follows:

1. That the 2007 Annual Report of London Hydro Inc. and the presentation by B. Watts, Chief Executive Officer and P. Johnson, Chair, Board of Directors of London Hydro Inc. RE RECEIVED.

Deputy Mayor Gosnell moves that clause 2 be adopted. CARRIED on a recorded vote, the Members voting as follows:

YEAS: Mayor DeCicco-Best, Deputy Mayor Gosnell, Controller Polhill and Councillors Winninger, MacDonald, Usher, Van Meerbergen, Caranci, Orser, Lonc, Baechler, Hubert and Miller. (13)

NAYS: Controller Barber and Councillors Armstrong, Branscombe and Bryant. (4)

Clause 2 reads as follows:

2. That, on the recommendation of the City Solicitor, the attached by-law (Attachment "A") BE INTRODUCED at the Municipal Council meeting to be held August 18, 2008 to:

(a) ratify and confirm the Resolution of the Shareholder attached as Schedule "1" to the By-law; and

(b) authorize the Mayor and Clerk to execute the Resolution of the Shareholder attached as Schedule "1" to the By-law.

DISCLOSURES OF PECUNIARY INTEREST

Councillor Bryant discloses a pecuniary interest in clause 1 of the 13th Report of the Community and Protective Services Committee (CPSC), having to do with agreements between the City of London and the South West Local Health Integration Network by indicating that her spouse sits on the Board of the Local Health Integration Network. Councillor Bryant further discloses a pecuniary interest in clause 5 of the 13th Report of the CPSC having to do with Annual Reconciliation Reports for the Dearnness Home - Day Program by indicating that her spouse sits on the Board of the Local Health Integration Network.
256. Deputy Mayor Gosnell discloses a pecuniary interest in clause 11 of the 21st Report of the Planning Committee having to do with the Ontario Municipal Board Decision No. PL061036 (Threshold of Significance for Woodlands) by indicating that he has clients with land that is contiguous to and/or part of, the subject lands.

257. Councillor Van Meerbergen discloses a pecuniary interest in clause 30 of the 21st Report of the Planning Committee, the related clause 1 of the 22nd Report of the Planning Committee and associated Bill No. 410, having to do with the Site Plan Approval Application for 1663 Richmond Street, by indicating that his brother is a Vice-President with the company that currently owns the property.

MINUTES

258. Councillor Miller moves, seconded by Councillor Winninger, that the Minutes of the Fifteenth Meeting held on July 21 and 22, 2008 be adopted. CARRIED

CONFIDENTIAL MATTERS TO BE CONSIDERED IN PUBLIC

259. The Council reviews the confidential matters listed for consideration at this meeting and determines that none should be considered in public.

COMMUNICATIONS

260. The Chair directs that the actions suggested by the City Clerk with respect to Communication No.'s 1 to 9, inclusive, as identified on the Orders of the Day and on the Added and Added, Added Communications be taken.

ADDED REPORTS

261. The City Clerk submits the 22nd Report of the Planning Committee and the 24th Report of the Committee of the Whole. (See Reports attached.)

The Chair directs that the order of business be changed to permit consideration of clause 6 of the 13th Report of the Environment and Transportation Committee.

REPORTS

13TH REPORT OF THE ENVIRONMENT AND TRANSPORTATION COMMITTEE


Councillor Miller moves that clause 6 be adopted. CARRIED on a recorded vote, the Members voting as follows:

YEAS: Mayor DeCicco-Best, Controller Barber and Councillors Winninger, MacDonald, Armstrong, Usher, Caracol, Branscombe, Bryant, Orser, Lorne, Baechler, Hubert, and Miller. (14)

NAYS: Deputy Mayor Gosnell, Controller Polhill and Councillor Van Meerbergen. (3)

Clause 6 reads as follows:

6. That, on the recommendation of the Acting General Manager of Environmental & Engineering Services & City Engineer, the following actions be taken with respect to the purchase and sale of single-use bottled water at City facilities:

(a) Municipal Council APPROVE a resolution stating the following:

WHEREAS The Corporation of the City of London operates and maintains a highly regulated and sophisticated water distribution system that meets some of
the most stringent water quality requirements in the world;

WHEREAS the regulatory requirements for monitoring water quality contained in bottled water are not as stringent as those that must be met by The Corporation of the City of London;

WHEREAS The Corporation of the City of London delivers water to its residents and businesses that translates, on average, to about 1/8th of a cent per litre;

WHEREAS single-use bottled water sold in London is 230 to 3,000 times more expensive than water from the tap in London, even though estimates suggest that between 10% and 25% of the bottled water originates from municipal water systems;

WHEREAS resource extraction, packaging and distribution of single-use bottled water creates unnecessary air quality and climate change impacts and consumes unnecessary resources such as oil in the manufacture of plastic bottles and in the fuel used in the transportation of bottled water to the consumer;

WHEREAS single-use plastic bottles, although easily recycled through the City of London recycling program, approximately 60 percent are captured in the Blue Box Program and the rest end up in the garbage bag and ultimately delivered to the City’s landfill site taking up unnecessary space without any further contribution to society;

WHEREAS single-use plastic bottles that are not recycled in the Blue Box Program or placed in the garbage become litter in London’s streets, parks and boulevards;

WHEREAS the cost of managing single-use plastic bottles along with other recyclable materials in the Blue Box program, after material revenue has been removed, is currently 35% paid by industry stewards and 65% paid by London taxpayers and when the single-use plastic bottles and other recyclable materials are sent to landfill industry stewards do not pay any of the costs;

WHEREAS City of London tap water is safe, healthy and accessible to Londoners and visitors, and substantially more environmentally sustainable than single-use bottled water;

WHEREAS City of London tap water is readily available at most indoor public facilities, either in the form of a faucet in a bathroom or drinking fountain and, where it is not readily available a plan be put in motion to increase access to municipal water subject to water quality and safety requirements, budget and other considerations;

WHEREAS a priority of London Municipal Council remains that where easy access to municipal tap water does not exist, the availability of bottled water is a very appropriate alternative;

WHEREAS the City Council wishes to set a positive example to the London community on environmental matters;

THEREFORE BE IT RESOLVED THAT:

(i) single-use bottled water will no longer be sold in the City Hall cafeteria, from City-owned or City-administered concessions and vending machines in public facilities where easy access to municipal tap water exists;

(ii) single-use bottled water will no longer be purchased and provided at meetings where easy access to municipal tap water exists;

(iii) the availability of water jugs with municipal tap water will be increased, where required;

(iv) a City staff and public awareness campaign be developed to support the rationale for these important changes, including the need for Londoners to do their part; and
the following implementation schedule be followed, subject to an assessment that tap water is readily accessible at these locations:

<table>
<thead>
<tr>
<th>Phase</th>
<th>Locations/Equipment/Item</th>
<th>Target Dates</th>
<th>Implementation Dates</th>
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</thead>
<tbody>
<tr>
<td>1</td>
<td>• City Hall Cafeteria</td>
<td></td>
<td>September 1, 2008</td>
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<td></td>
<td>• City Hall Catering Services</td>
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<td></td>
<td>• Market Tower Building</td>
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<td>• A J Tyler Building</td>
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<tr>
<td>2</td>
<td>Vending Machines and Contracted Food Services</td>
<td>To be determined</td>
<td>(this may be phased in during 2008 and 2009)</td>
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<td></td>
<td>• various locations including arenas and community centres</td>
<td></td>
<td></td>
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<tr>
<td>3a</td>
<td>Municipal Drinking Water Awareness Strategy</td>
<td>To be determined</td>
<td>- late 2008 or early 2009 is current target</td>
</tr>
<tr>
<td>3b</td>
<td>1st Update Report to ETC</td>
<td>To be determined</td>
<td>- late 2008 or early 2009 is current target</td>
</tr>
<tr>
<td>4</td>
<td>• Golf Courses</td>
<td></td>
<td>Spring 2009</td>
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<td></td>
<td>• Storybook Gardens</td>
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<td></td>
<td>• any City-operated concessions</td>
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<tr>
<td>5</td>
<td>2nd Update Report to ETC</td>
<td></td>
<td>September 2009</td>
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</tbody>
</table>

(b) the Civic Administration BE DIRECTED to form a working group with officials from the Middlesex-London Health Unit to ensure that progress is examined from different perspectives including health, safety, environmental, operational and financial;

c) the Civic Administration BE DIRECTED to update the details in the report titled "Environmental Statement on the Need to Reduce Consumption of Single-use Bottled Water" to ensure that new information from industry has been included in the document and that the revised document be the one made publicly available;

d) the Civic Administration BE DIRECTED to ensure that the future Municipal Drinking Water Awareness Strategy includes the cost and maintenance of public water fountains and refill stations and related infrastructure requirements;

e) the Civic Administration BE DIRECTED to include a specific section in the upcoming discussions on maximizing waste diversion that focuses on litter prevention and recycling, noting that improvements in these areas must come from partnerships across all sectors including local government, businesses and the community or taxes;

(f) Boards and Commissions BE ASKED to review their bottled water practices with a view to reducing the use of single-use bottled water;

(g) the Civic Administration BE ASKED to ensure that the appropriate signage is posted to identify the location of water fountains; and

(h) the City Solicitor BE ASKED to review whether or not the City of London has the jurisdiction to ask the John Labatt Centre to not sell single-use bottled water;

It being noted that the Environment and Transportation Committee (ETC) reviewed and received written communications from the following individuals with respect to this matter:

- a Municipal Council resolution adopted at its meeting held on June 9, 2008;
- a report dated August 11, 2008 from the Acting General Manager of Environmental and Engineering Services & City Engineer;
- a communication dated June 9, 2008 from A. Innes, Financial Analyst, Columbia Sportswear Canada, Inc.;
- a communication dated June 9, 2008 from R. Guthrie;
- a communication dated July 30, 2008 from T. Rutten;
- a communication dated July 30, 2008 from R. Bird, Water Protection Committee, Council of Canadians, London Chapter;
a communication dated August 11, 2008 from J. Reffle, Director, Environmental Health and Chronic Disease Prevention Services; and

the attached communication dated August 11, 2008 from K. Sawchuck, Chair, Health Protection Committee, Council of Canadians, London Chapter;

It being also noted that at the public participation meeting associated with this matter, the following individuals made an oral submission in connection therewith:

• T. Rutten, 25-589 Talbot Street – expressing support for the recommendation; praising London for being part of a grassroots initiative; indicating that municipal water must meet higher standards than bottled water; encouraging the City to look at banning bottled water at all of its facilities; advising that London should not be in the business of promoting bottled water; advising that it would help London reach the Provincial standard of 60% waste diversion;
• J. Sherwood, Refreshments Canada – see attached presentation;
• G. Cosman, President, Nestle Waters Canada – see attached presentation;
• K. Lomack, 25 Beattie Avenue – see attached presentation;
• M. MacDonald, Waste Free World – see attached presentation;
• R. Bird, Council of Canadians, London Chapter – see attached presentation;
• E. Griswold, Executive Director, Canadian Bottled Water Association – advising that the Canadian Bottled Water Association has never said that London tap water is not safe and that they don’t advertise against tap water; advising that when the Town of Walkerton had a tap water contamination, that their Association donated 1.5 million litres of water and they also donated 200,000 litres of water to Vancouver when it experienced flooding; and enquiring as to why people should purchase any beverages at City facilities when tap water is available;

It being pointed out that the ETC did not hear presentations from J. Chalinor, Nestle Waters Canada and M. Walker. (2008-W13-00)

Deputy Mayor Gosnell moves, seconded by Councillor Miller, that Council recess. CARRIED

The Council recesses at 6:32 p.m. and reconvenes at 7:30 p.m. with Mayor DeCicco-Best in the Chair, and all Members present except Controllers Barber, Hume and Polhill, and Councillors Branscombe, Eagle, Macdonald and Usher.

23RD REPORT OF THE BOARD OF CONTROL (continued)

263. Deputy Mayor Gosnell presents the 23rd Report of the Board of Control.

Controller Barber enters the meeting at 7:31 p.m.

Deputy Mayor Gosnell moves that clauses 1 to 3, inclusive, be adopted. CARRIED

Clauses 1 to 3 read as follows:

1. That, on the recommendation of the General Manager of Planning and Development, with the concurrence of the City Treasurer, the following actions be taken:

(a) the contract awarded to Ekum Sekum, o/a Brantco Construction, for Tender 08-24, Supply & Installation of Pathways & Parking Lots in City Parks, BE CANCELLED without penalty recognizing that on-going labour issues are preventing Brantco Construction from fulfilling their contract obligations;

(b) the contract awarded to N. Piccoli Construction Ltd for Tender 08-27, Supply & Installation of Playgrounds, Pathways, Parking Lot and Site Amenities in City Parks, BE AMENDED to include supplemental items, based on their tendered unit prices for Tender 08-24, Supply & Installation of Pathways & Parking Lots in City Parks; it being pointed out that N. Piccoli Construction Ltd submitted the next lowest bid;

(c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this recommendation; and

(d) the approval given herein BE CONDITIONAL upon the Corporation entering into a formal contract relating to this matter. (S07-00)
2. That, on the recommendation of the Administrator, Community Services/Long Term Care, the following actions be taken with respect to the supply, delivery and installation of dietary equipment (Project No. SS1152), namely:

(a) the bid submitted by Russell Food Equipment Limited, 517 Bathurst Street, London, at its tendered price of $85,793.04 (including PST exclusive of GST) for the supply, delivery and installation of nine (9) steam tables and five (5) dietary carts, BE ACCEPTED;

(b) the offer negotiated with Longo Foodservice Equipment Incorporated, 812 Dundas Street, London, for the supply, delivery and installation of the one (1) Combi Oven, at its price of $41,034.60 (including PST, exclusive of GST), BE ACCEPTED;

(c) the funding for these purchases BE APPROVED as set out in the Sources of Financing Report attached hereto as Appendix "A";

(d) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project; and

(e) the approval given herein BE CONDITIONAL upon the Corporation entering into a formal contract or issuing a purchase order for the material to be supplied and the work to be done relating to this project (Tender 08-45). (C11-00)

3. That, on the recommendation of the Director of Roads and Transportation, the following actions be taken with respect to Winter Maintenance Equipment with Operators, namely:

(a) the bids received for Winter Maintenance Equipment with Operators – Trucks with Sander/Salter Bodies, BE ACCEPTED, as follows:

Sander/Salter Units:

- JLC Landscape, 2005 Killaly Road, London ON N5V 4Z5
- Prentice Trucking, 31510 Thomson Line, Iona Station ON N0L 1P0
- Dave McRorie Trucking, 3 Tecumseh Street, St. Thomas ON N5P 2E2
- Soucie Trucking Inc., 1866 Green Gables Road, London ON N6M 0A4
- 1564242 Ontario Limited, P.O. Box 805, Mt. Brydges ON N0L 1W0
- A.C. Hunter Trucking Ltd., Unit 1, RR#2, Belmont ON N0L 1B0
- Technivel, Unit 1, P.O. Box 8092, Station 41, London ON N6G 260
- John Wonnacott, Unit 2, 15058 8 Mile Road, Arva ON N0M 1C0
- Truck Off, 915 Wellingsboro Road, London ON N5E 1N4

Sander/Salter Units with Plow:

- E&W Blane, Unit 1, RR#1, Lucan ON N0M 2JO
- E&W Blane, Unit 2, RR#1, Lucan ON N0M 2J0
- Earl Blane, Unit 1, RR#1, Lucan ON N0M 2J0
- W. Carsey Trucking Inc., 2768 Catharine Street, Dorchester N0L 1G4
- John Wonnacott, Unit 1, 15058 8 Mile Road, Arva ON N0M 1C0
- Roy Wonnacott Trucking Inc., Unit 1, RR#3, Ilderton ON N0M 2A0
- Roy Wonnacott Trucking Inc., Unit 2, RR#3, Ilderton ON N0M 2A0
- BLR Contracting & Excavating, 256 West Street, Belmont ON N0L 1B0

(b) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this contract; and

(c) the approval given herein BE CONDITIONAL upon the Corporation entering into a formal contract relating to this matter (Tender 08-59). (S08-00)

Deputy Mayor Gosnell moves that clauses 4 to 8, inclusive, be adopted. CARRIED

Clauses 4 to 8 read as follows:

4. That, on the recommendation of the Director of Roads & Transportation, the following actions be taken with respect to the 2008 Bridge Deck Waterproofing Initiative (Project Nos. TS1542 & TS1761), namely:

(a) the bid submitted by TCG Asphalt & Construction, at its tendered price of
$419,634 (exclusive of GST), BE ACCEPTED; it being pointed out that this bid was the lowest of three (3) bids received and 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 attached hereto as Appendix 'A';

(c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project; and

(d) the approval given herein BE CONDITIONAL upon the Corporation entering into a formal contract or issuing a purchase order relating to this matter (Tender No. 08-62). (S08-00)

5. That, on the recommendation of the Director of Roads and Transportation, the following actions be taken with respect to the supply, mixing and stockpiling of winter sand, namely:

(a) the bid submitted by Demar Aggregates Ltd., at its total annual price of $216,324 (PST included, GST extra), BE ACCEPTED for a two year period; it being pointed out that the bid submitted by Demar Aggregates was the lower of two (2) bids received and meets the City's specifications and requirements in all areas;

(b) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this purchase; and

(c) the approval given herein BE CONDITIONAL upon the Corporation entering into a formal contract or issuing a purchase order relating to this matter (Tender 08-65). (S08-00)

6. That, on the recommendation of the Acting General Manager of Environmental & Engineering Services & City Engineer, the following actions be taken with respect to the Arva Water Pumping Station electrical upgrades (Project No. EW3526), namely:

(a) the bid submitted by Selectra Incorporated, 925 Mornington Street, Stratford, at a cost of $1,412,762.05 (GST extra), BE ACCEPTED; it being noted that the bid submitted by Selectra Incorporated was the lowest bid and meets all of the City’s terms, conditions and specifications;

(b) the funding for this project BE APPROVED as set out in the Sources of Financing Report attached hereto as Appendix "A"; and

(c) the approval given herein BE CONDITIONAL upon the Corporation entering into a formal contract or issuing a purchase order relating to this matter. (W07-00)

7. That, on the recommendation of the General Manager of Planning & Development and the Director, Fleet, Facilities & Departmental Resources, the following actions be taken with respect to the Springbank Pumphouse Restoration (Project No. PD2322), namely:

(a) the bid submitted by Mycon Construction, 1615 North Routledge Pk, #9, London, at its tendered price of $136,890 (GST excluded), BE ACCEPTED; it being pointed out that the bid submitted by Mycon Construction was the lowest bid received and 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 attached hereto as Appendix "A"; it being noted that there is no increase or decrease in the annual operating costs of this facility as a result of this work;

(c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts which are necessary in connection with this project; and

(d) the approval given herein BE CONDITIONAL upon the Corporation entering into a formal contract with the contractor for the work (Tender 08-68). (W07-00)

8. That, on the recommendation of the Director of Fleet, Facilities &
Departmental Resources, with the concurrence of the City Treasurer, the following actions be taken with respect to renovations to 707 Exeter Road, namely:

(a) the process to complete the required renovation work at the Exeter Road Operations Centre (EROC) with the Civic Administration operating as the general contractor, utilizing contractors currently under contract with the City, BE APPROVED; and

(b) the Civic Administration BE REQUESTED to report back on total spending, by contractor, upon completion of the project;

It being noted that the works need to be expedited in order to meet the time line for transfer of the Wonderland Road Operations Centre (WROC) to the London Transit Commission (LTC) by April 2009, and prior years' capital funding of $1,000,000 is in place to support the required works. (D11-06)

Deputy Mayor Gosnell moves that clauses 9 to 12, inclusive, be adopted.

Deputy Mayor Gosnell moves, seconded by Councillor Baechler, that clause 9 be amended by adding thereto the word “revised” after the word “attached” and by deleting therefrom all the words after the word “London” in the sixth line. CARRIED

The motion to adopt clause 9, as amended, and clauses 10 to 12 is put and CARRIED.

Clause 9, as amended, and clauses 10 to 12 read as follows:

9. That, on the recommendation of the General Manager of Planning and Development, the attached revised proposed by-law BE INTRODUCED at the Municipal Council meeting on August 18, 2008 to authorize the Mayor and the City Clerk to execute an updated and revised Agreement with the Upper Thames River Conservation Authority for the management of Environmentally Significant Areas in the City of London. (E07-00)

10. That, on the recommendation of the General Manager of Finance and Corporate Services, savings from positions vacated since May 14, 2008 BE CONTRIBUTED to the appropriate vacancy management reserve that has been established for each rate supported fund; it being noted that the purpose of these funds is to provide a one time funding source as recommended by the Corporate Management Team; it being further noted that the Corporation has realized total corporate savings to date in 2008 of $771,744 ($700,468 -general; $59,137 - wastewater; and $12,139 - water). During the same period in 2007, total corporate savings were $853,652 ($750,682 - general; $88,798 - wastewater; $14,172 - water). (F03-00)

11. That, on the recommendation of the City Treasurer, the following actions be taken with respect to the properties which have not yet been disposed of from the June 21, 2007 tax sale, namely:

(a) proceeding with Requests for Expressions of Interest for the following properties by the Civic Administration BE APPROVED:

(i) 030.290.026.00 – 1781 Oxford Street East
(ii) 030.290.038.00 – Oxford Street East
(iii) 030.290.040.00 – 1835 Oxford Street East
(iv) 030.290.042.00 – 1845 Oxford Street East; and

(b) vesting of the following properties by the Civic Administration BE APPROVED SUBJECT TO the City Solicitor confirming that there are not any adverse possession issues which would preclude vesting:

(i) 010.231.047.00 – Maurice Street, North Side
(ii) 040.550.054.00 – 190 Egerton Street, East Side
(iii) 040.655.690.00 – Shelborne Street
(iv) 050.660.240.18 – North Pond
(v) 070.090.287.00 – Euston Street South Side. (F16-00)

12. That, on the recommendation of the Director of Intergovernmental and Community Liaison, the following actions be taken with respect to the Southwest
Economic Alliance (SWEA):

(a) a sponsorship contribution of $10,000 to the annual meeting of the Southwest Economic Alliance (SWEA) BE APPROVED; it being noted that the London Economic Development Corporation (LEDC) has also agreed to contribute a $10,000 sponsorship towards the SWEA meeting;

(b) the City of London apply for membership in SWEA, and that payment of the membership fee of $10,000 BE AUTHORIZED; and

(c) the Civic Administration BE REQUESTED to consult with LEDC and report back at the next Board of Control meeting on September 10, 2008 with a recommendation regarding the voting membership and contribution strategy for a City of London SWEA Membership Zone. (M16-00)

Councillor Branscombe enters the meeting at 7:32 p.m.

Deputy Mayor Gosnell moves that clauses 13 to 16, inclusive, be adopted.

Pursuant to section 17.2 of the Council Procedure By-law, Councillor Van Meerbergen calls for a separate vote on clause 15.

The motion to adopt clauses 13, 14 and 16, all inclusive, is put and CARRIED.

The motion to adopt clause 15 is put and CARRIED.

Clauses 13 to 16 read as follows:

13. That, on the recommendation of the Director of Intergovernmental and Community Liaison, the following measures BE ADOPTED with respect to High-Speed Rail:

(a) the City of London endorse the concept of a High-Speed Rail service in the Quebec City-Windsor Corridor;

(b) the City of London endorse the updating of High-Speed Rail feasibility studies by the Governments of Ontario, Quebec and Canada; and

(c) the Leaders of the Governments of Ontario, Quebec and Canada and their relevant Ministers BE REQUESTED to recognize the importance of consulting municipal governments on a potential High-Speed Rail service between Quebec City and Windsor. (S05-00)

14. That, on the recommendation of the General Manager of Finance and Corporate Services, the proposed by-law attached as Appendix A to amend By-law C.P.-1440-167 to extend the area of exemption from residential development charges as depicted in Schedule 2 to Appendix A BE INTRODUCED at the Council meeting on August 18, 2008; it being pointed out that there were no oral submissions made at the public participation meeting held in connection with this matter. (D07-00)

15. That, on the recommendation of the Chief Administrative Officer, in consultation with the Chief Executive Officer for the London Economic Development Corporation, the following actions be taken with respect to an Agreement between The Corporation of the City of London and the London Economic Development Corporation for the oversight of the funding for Ambassador London:

(a) the attached proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on August 18, 2008 to:

(i) approve the Agreement, attached as Schedule "A", between The Corporation of the City of London and the London Economic Development Corporation for the oversight of City of London funding for Ambassador London;

(ii) authorize the Mayor and the City Clerk to execute the Agreement noted in (a)(i), above; and
(b) the attached Agreement between Ambassador London and London Economic Development Corporation BE RECEIVED for information; it being noted that the Board of Control heard a brief verbal overview from the Chief Administrative Officer with respect to this matter. (F05-00) (See attached.)

16. That, on the recommendation of the City Treasurer:

(a) the following recommendation BE DEFERRED until the September 10, 2008 Board of Control meeting:

"That, on the recommendation of the City Treasurer, the attached proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on September 15, 2008 to authorize the Mayor and the City Treasurer to execute the Letter of Agreement on behalf of the City of London with respect to the funding provided by the Province of Ontario under the Ontario Bus Replacement Program;"

(b) the Civic Administration and London Transit staff BE INSTRUCTED to review clauses 9 and 10 of the Letter of Agreement with the responsible parties at the Ministry of Transportation and to seek amendments which would respect the long-term nature of the City's and the Province's commitments under this program; and

(c) the Civic Administration BE REQUESTED to report back on the budget impact of this new funding mechanism. (S11-00) (See attached.)

Councillor Usher enters the meeting at 7:33 p.m.

Controller Polhill enters the meeting at 7:34 p.m.

Deputy Mayor Gosnell moves that clause 17(a) be adopted. CARRIED

Deputy Mayor Gosnell moves that clause 17(b) be adopted.

Councillor Baechler moves, seconded by Controller Barber, that clause 17 be amended in 17(b) in the second "AND WHEREAS" paragraph by removing therefrom the words "and hotel/motel" after the words "to market tourism." CARRIED

Councillor Baechler moves, seconded by Deputy Mayor Gosnell, that clause 17 be further amended in 17(b) in the "BE IT RESOLVED" paragraph, by adding thereto after the words "promotion of tourism", the words "and culture". CARRIED

The motion to adopt clause 17(b), as amended, is put and CARRIED. Clause 17, as amended, reads as follows:

17. That, on the recommendation of the Director of Intergovernmental and Community Liaison, the following actions be taken with respect to a hotel/motel room tax:

(a) clause 14 of the 9th Report of the Board of Control, adopted at the Municipal Council meeting on March 3, 2008 with respect to a hotel/motel room tax BE RECONSIDERED for the purpose of adopting a position that can be supported by the Large Urban Mayors Caucus of Ontario; it being noted that clause 14 of the 9th Report of the Board of Control reads as follows:

"WHEREAS the tourism and hotel industry creates economic activity for the City of London which is of value to the City, but at the same time creates new infrastructure and servicing for the City of London;

AND WHEREAS this increased economic activity does not generate much in the way of new income to the City because of PST, GST and corporate taxes which result from tourism and hotel/motel activity are not available to the City, as only the property tax is available to the City;"
AND WHEREAS additional revenue to the City from tourism and hotel/motel activity will assist in marketing tourism and hotel/motel activity in the City and will augment City funding of Tourism London and cultural activities;

BE IT RESOLVED that the Council of The Corporation of the City of London petition the Province of Ontario to provide municipalities with the authority through enabling legislation to levy a hotel/motel room tax not to exceed 3% and that the enabling legislation dedicate the funding for use for the promotion of tourism and cultural activities;

BE IT FURTHER RESOLVED that this resolution be forwarded to the Large Urban Mayors Caucus of Ontario (LUMCO) and the Association of Municipalities of Ontario (AMO) for support and distribution to their members; and,

(b) subject to the approval of (a), above, the following resolution BE ADOPTED:

"WHEREAS the tourism and hospitality sector demonstrates significant employment generation and direct and related economic activity in communities which invest in tourism promotion and development;

AND WHEREAS this increased economic activity does not generate significant new income to the municipality in which the industry operates because most taxes which result from tourism and hotel/motel activity benefit the federal and provincial governments, while only property taxes are available to the municipality;

AND WHEREAS additional revenue to municipalities from tourism and hotel/motel activity will augment existing municipal core funding to market tourism activity in those municipalities;

BE IT RESOLVED that the Council of The Corporation of the City of London petition the Province of Ontario to provide municipalities with the authority through enabling legislation to levy a hotel/motel room tax not to exceed 3% and that the enabling legislation dedicate the revenue from the proposed levy to augment the promotion of tourism and culture in those municipalities;

BE IT FURTHER RESOLVED that this resolution be forwarded to the Large Urban Mayors Caucus of Ontario (LUMCO) and the Association of Municipalities of Ontario (AMO) for support."

Councillor MacDonald enters the meeting at 7:35 p.m.

Deputy Mayor Gosnell moves that clauses 18 to 23, inclusive, be adopted.

Pursuant to section 17.2 of the Council Procedure By-law, Councillor Van Meerbergen calls for a separate vote on clause 20.

The motion to adopt clause 20 is put and CARRIED.

The motion to adopt clauses 18, 19, 22 and 23, is put and CARRIED. Clauses 18 to 20 and clauses 22 and 23 read as follows:

18. That, on the recommendation of the Board of Directors of the London Convention Centre Corporation (LCC), an increase in the operating reserve from a cap of 10% of annual revenue to a maximum of the lower of $500,000 or 20% of annual revenue BE APPROVED; noting that annually excess operational surplus will be brought forward to the Board of Control for approval to transfer to the capital reserve. (F14-00)

19. That the communication dated July 10, 2008 from the London Convention Centre (LCC) Board of Directors, requesting the extension of the terms of Michael Crowley and Gerry Higgins, BE REFERRED to the Civic Administration for report back at a future meeting of the Board of Control. (G03-00)
20. That, on the recommendation of the Creative City Committee, and of the Director, Corporate Management Support, the following actions be taken with respect to the City of London Creative City Fund:

(a) the City of London Creative City Fund (CCF) revised and amended Terms of Reference, attached hereto as Appendix "A", BE APPROVED; and

(b) the City of London Culture Office BE REQUESTED to issue another call for proposals for the Creative City Fund in the Fall of 2008 to allocate the remaining funding of $49,000 from this fund.

22. That the following actions be taken with respect to the communication dated July 25, 2008 from Controller Hume with respect to “BizPaL” and with respect to the formation of a committee to deal with the decommissioning of the South Street Hospital:

(a) the communication BE REFERRED to the City Clerk to report back at a future meeting of the Board of Control with respect to “BizPaL”; it being noted that the Deputy City Clerk advised that work is already under way with respect to this initiative; and,

(b) the communication BE REFERRED to the General Manager of Finance and Corporate Services to report back at a future meeting of the Board of Control with respect to the status of the decommissioning of the South Street Hospital. (P10-00)

23. That the communication dated July 28, 2008 from T. Freeman, Chair/Chief Family Medicine, Schulich School of Medicine and Dentistry, London Hospitals, BE REFERRED to the City Clerk for response. (C07-00)

The Chair directs that clauses 24 to 39, inclusive, of Section II be noted. Clauses 24 to 39 read as follows:

24. That the Board of Control received and noted an information report from the General Manager of Finance and Corporate Services with respect to the Adult Live Entertainment Parlour Licence Fee. (P10-06)

25. That the Board of Control referred a report dated August 13, 2008 from the City Clerk, with respect to the Council Procedure By-law, back to the City Clerk for report back at a future meeting of the Board of Control. (G05-00)

26. That the Board of Control received and noted an information report from the Director of Corporate Management Support with respect to statements of claim naming the City of London as a defendant for the period April 1, 2008 to July 31, 2008. (L05-00)

27. That the Board of Control received and noted a communication dated August 6, 2008 from Murray and Ruth Willits with respect to storm sewer charges. (W10-00)

28. That the Board of Control received and noted a copy of a communication dated June 27, 2008 from the Campaign Manager, SARI Therapeutic Riding, expressing SARI’s appreciation for the City of London’s 2008 Capital Grant. (F12-00)

29. That the Board of Control received and noted a copy of a communication dated July 14, 2008 from the Interim Campaign Manager, The Palace Theatre, expressing the Palace Theatre’s appreciation for the City of London’s 2008 capital grant. (F12-00)

30. That the Board of Control received and noted clauses 2 to 16, inclusive, of the 3rd Report of the Creative City Committee from its meeting held on August 6, 2008. (See Report attached.)

31. That the Board of Control received and noted the 3rd Report of the Downtown Parking Working Group from its meeting held on July 23, 2008. (See Report attached.)
32. That the Board of Control (BC) received a copy of a communication from Jo Deslippe resigning her appointment to the London Public Library Board of Directors. The BC accepted the resignation with regret and asked the Mayor to forward a letter of appreciation to Ms. Deslippe. The BC also asked the City Clerk to determine if there are any applications on file for this body and to take the necessary steps to fill the vacancy. (G03-00)

33. That the Board of Control (BC) received a copy of a communication from Michelle Young resigning her appointment to the London Diversity and Race Relations Advisory Committee. The BC accepted the resignation with regret and asked the Mayor to forward a letter of appreciation to Ms. Young. The BC also asked the City Clerk to determine if there are any applications on file for this body and to take the necessary steps to fill the vacancy. (G03-00)

34. That the Board of Control (BC) received a communication dated April 29, 2008 from representatives of CAW Local 222 and Local 598/CAW requesting support for a motion to legislate changes governing harassment and violence in the workplace. The BC referred the communication to the Chief Administrative Officer for report back at a future meeting of the Board of Control with respect to where the Province stands with respect to this type of legislation. (G13-00)

35. That the Board of Control (BC) received a copy of a communication dated August 5, 2008 from Colleen Wake requesting information on the City of London's Buy Canadian policies. The BC referred the communication to the City Treasurer for report back concurrent with the Purchasing By-law update. (M01-00)

36. That the Board of Control received and noted the attached information report from the General Manager of Planning and Development with respect to the financial impact analysis for the Sun Life Financial development proposal. (D18-00)

37. Controller Barber enquired as to why the Board of Control (BC) made an appointment to an Advisory Committee without consultation with the Advisory Committee Chair. While it was noted that the BC did not do anything outside of established process or authority, the Board Secretary was requested to remind the BC in those instances that the BC chooses to amend the recommendation of the Nominating Committee established for appointments to Advisory Committees, that the BC may wish to consider consulting with the relevant Advisory Committee Chair.

38. That Controller Barber enquired about the status of the Trade Investment and Labour Mobility Agreement (TILMA) and the Ontario-Quebec Economic Partnership Agreement. The Director of Intergovernmental and Community Liaison provided a brief verbal update, noting that the Ontario-Quebec Economic Partnership Agreement has not yet been signed and that the Association of Municipalities of Ontario is closely monitoring these matters.

39. That the Board of Control passed the following resolution prior to moving in camera from 10:50 a.m. to 11:14 a.m.:

That the Board of Control move in camera to consider the following matters:

(a) a matter pertaining to litigation affecting the municipality which is currently before the Ontario Superior Court, Files No. 42443 and 42865; and advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

(b) a matter to be considered for the purpose of instructions and directions to officers and employees of the Corporation pertaining to the 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 the 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 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; and

c) a matter to be considered for the purpose of instructions and directions to officers and employees of the Corporation pertaining to a proposed acquisition of land; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; reports or advice or recommendations of officers and employees of the Corporation pertaining to a proposed acquisition of land; commercial and financial information supplied in confidence pertaining to the proposed acquisition the disclosure of which could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of the Corporation, result in similar information no longer being supplied to the Corporation where it is in the public interest that similar information continue to be so supplied, and result in undue loss or gain to any person, group, committee or financial institution or agency; 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 or its competitive position; and instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the Corporation concerning the proposed acquisition;

and that the BC is submitting a confidential report to the Municipal Council regarding these matters. (See Confidential Appendix to the 23rd Report of the Board of Control enclosed for Council Members only.)

Councillor Baechler moves, seconded by Councillor Miller, that pursuant to section 7.3 of the Council Procedure By-law, the order of business be changed to permit the consideration of the clause 20 of the 21st Report of the Planning Committee and clause 1 of the 22nd Report of the Planning Committee. CARRIED

21ST REPORT OF THE PLANNING COMMITTEE


Councillor Bryant moves that clause 20 be adopted.

Councillor Bryant moves, seconded by Councillor Baechler, that clause 20 be amended by adding thereto a new part (e) as follows:

"(e) the Urban Design issues with respect to the streetscape as noted for Riverside Drive, also BE ADDRESSED for Oakridge Drive." CARRIED

The motion to adopt clause 20, as amended, is put and CARRIED. Clause 20, as amended, reads as follows:

20. That, on the recommendation of the General Manager of Planning and Development, based on the application of 1691848 Ontario Inc. relating to the property located at 495 Oakridge Drive:

(a) the attached revised proposed by-law BE INTRODUCED at the Municipal Council meeting on August 18, 2008 to amend Zoning By-law No. Z-1 in conformity with the Official Plan to change the zoning of the subject lands FROM a Residential R1 (R1-10) Zone which permits single detached dwellings on lots with a minimum lot frontage of 22 m and a minimum lot area of 925 sqm TO a Residential R6 (R6-2( )) Special Provision Zone which permits residential development in the form of seven (7) cluster single detached dwellings at a maximum height of 10.5 metres and a Holding Residential R6 (h_ _ R6-2( )) Special Provision Zone. The Special Provision Zone is being proposed to recognize the deficient lot frontage on
Oakridge Drive (16.0 metres whereas 22.0 metres is required) and the maximum of seven (7) single detached dwellings units; and the new holding provision is to address the interface of this development with Riverside Drive;

(b) the Approval Authority BE ADVISED that at the public meeting with respect to the application for draft plan of vacant land condominium relating to the property located at 495 Oakridge Drive concerns were raised with respect to the density of the development, the height of the houses due to the slope of the grade, increased traffic, the lack of sensitivity to the existing neighbourhood, the small size of the proposed lot frontage and garbage and snow removal and that development is taking precedence over compatibility;

(c) the Approval Authority BE DIRECTED to utilize (if possible) one agreement (in place of a separate development agreement, condominium agreement and servicing agreement) to address the development of this site;

(d) a public participation meeting of the Planning Committee BE HELD for the consideration of the Site Plan associated with this application; and

(e) the Urban Design issues with respect to the streetscape as noted for Riverside Drive, also BE ADDRESSED for Oakridge Drive.

It being noted that the applicant will be required, as part of the Site Plan review process, to provide a noise study to address the impacts of vehicular noise from Riverside Drive; the applicant must provide a privacy fence between this development and existing low density residential uses, garbage and snow removal, the potential for tree preservation around the perimeter of this site must be considered and incorporate the abutting public lane into the condominium proposal;

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

- S. Allen, representing the applicant and expressing support for the staff recommendation; noting that while there are many forms of housing that the development could take on this site they would prefer to build single family style homes in order to mesh with the existing neighbourhood, but further noting they also need to build something that is economically viable.
- A. VanderMeulen, 494 Oakridge Drive – representing a number of neighbours in the area who have signed a petition included in the Planning Committee agenda noting that they are not opposed to development in general but are opposed to this development given its density and lack of sensitivity to and compatibility with the existing neighbourhood, and expressing concerns relating to the lack of compliance with infill guidelines, the small lot frontages, the lack of details with respect to the size of the houses, increased traffic, drainage from grading changes, and snow and garbage removal. (2008-D08-00/D11-06)

22ND REPORT OF THE PLANNING COMMITTEE

265. Councillor Bryant presents the 22nd Report of the Planning Committee.

Councillor Bryant moves that clause 1 be adopted.

Councillor Baechler moves, seconded by Councillor Polhill, that clause 1 be amended by adding thereto a new part (c) and (d) as follows:

“(c) the Civic Administration BE REQUESTED to arrange a Public Site Plan Meeting at a future meeting date of the Planning Committee; and

(d) the Mayor’s office BE ASKED to assist in communication with the property owner, facilitated by the Planning & Development Department, with respect to the history of commitments that were made at the time of the original site development.” CARRIED

The motion to adopt clause 1, as amended, is put and CARRIED on a recorded vote, the Members voting as follows:
1. That the following actions be taken with respect to an application for site plan approval submitted by an agent for Canada Trust Co. and a delegation from G. Lightfoot, President of the Old Masonville Ratepayers Association and B. Card, also representing the Association at the August 11, 2008 meeting of the Planning Committee:

(a) the attached By-law for the revocation of the delegated Approval Authority for Site Plans Approval insofar as it applies to the property at 1663 Richmond Street, BE INTRODUCED at the August 18, 2008 meeting of the Municipal Council;

(b) the report from the General Manager of Planning and Development BE RECEIVED for information;

(c) the Civic Administration BE REQUESTED to arrange a Public Site Plan Meeting at a future meeting date of the Planning Committee; and

(d) the Mayor's office BE ASKED to assist in communication with the property owner, facilitated by the Planning & Development Department, with respect to the history of commitments that were made at the time of the original site development.

It being noted the Planning Committee heard a delegation from A. Patton, Patton Cormier and Associates, representing Southside Construction Management Limited, requesting that the normal procedure of the delegated approval authority take place with respect to this application, and providing the attached information with respect to the historical zoning of the subject site;

It being further noted the Planning Committee received and noted a communication dated August 15, 2008 from D. Rycroft, Senior Counsel, TD Bank Financial Group clarifying the proponent of the proposed development.

13TH REPORT OF THE
COMMUNITY AND PROTECTIVE SERVICES COMMITTEE

266. Councillor Usher presents the 13th Report of the Community and Protective Services Committee.

Councillor Usher moves that clauses 1 to 8, inclusive, be adopted. CARRIED Clauses 1 to 8 read as follows:

1. That, on the recommendation of the General Manager of Community Services, the attached proposed by-law (Appendix "A") BE INTRODUCED at the Municipal Council meeting being held on August 18, 2008 to:

(a) delegate to the General Manager of Community Services the authority to approve any agreements between The Corporation of the City of London and the South West Local Health Integration network with respect to funding for the Dearness Home, subject to the limitations set out in the by-law; and

(b) authorize the Mayor and City Clerk to execute the agreements so approved in (a) above. (2008-F12-00)

It being noted that an electronic communication from D. Buchanan, Director of Financial Policy, Ontario Association of Non-Profit Homes and Services for Seniors was received and reviewed.

2. That, on the recommendation of the London Diversity & Race Relations Advisory Committee (LDRRAC), the vacancy created on the LDRRAC by the resignation of M. Young, noted in clause 3(c) of the 8th Report of the LDRRAC, BE FILLED by a candidate already considered by the Nominating Committee during its last selection
process; it being noted that the said candidate is Michelle Edwards; it being further noted that a verbal presentation was heard from J. Olawuyi, Chair, London Diversity and Race Relations Advisory Committee with respect to this matter.

3. That the following actions be taken with respect to the North London Community Centre project:

(a) the Civic Administration **BE AUTHORIZED** to amend the scope of work for Capital Project #RC2762, North London Community Centre to exclude provision for an Early Learning and Child Care space;

it being noted that:
- it was anticipated that construction of this space was to be funded by 100% Provincial Best Start capital funding;
- no Provincial funding programs are in place at this time;
- there will be no reduction in City funding as a result of this decision;
- a decision is needed now in order to continue the design process; and,
- the Stoney Creek neighbourhood, for whom the Centre was to serve, remains one of ten priority neighbourhoods for Early Learning & Child Care development as part of the Best Start Plan (2008-A09-00);

(b) a letter **BE PREPARED** by the General Manager of Community Services, for issuance to the Minister of Children and Youth Services, with copies to all local Members of the Legislative Assembly of Ontario, expressing the Municipal Council’s concern with the lack of provincial funding for the Early Learning and Child Care space at the North London Community Centre; and

(c) the matter of the increasing gap in provincial funding for child care spaces within the City of London **BE PLACED** on an upcoming Board of Control agenda for discussion with Local Members of the Legislative Assembly of Ontario.

4. That, on the recommendation of the General Manager of Community Services, the attached proposed by-law (Appendix “A”) **BE INTRODUCED** at the Municipal Council meeting being held on August 18, 2008 to:

(a) express the City of London’s willingness and desire to invite the Vancouver Organizing Committee for the 2010 Olympic and Paralympic Winter Games (VANOC) to route the Olympic Torch Relay through the City of London, and host a celebration in honour of the arrival of the Olympic Flame and the 2010 Olympic Winter Games;

(b) delegate authority to the General Manager of Community Services to negotiate and approve any necessary agreements with VANOC, subject to certain conditions set out in the by-law, if VANOC accepts the City of London’s invitation; and

(c) authorize the Mayor and Clerk to execute any agreements approved in accordance with (b), above. (2008-M09-00)

5. That, on the recommendation of the General Manager of Community Services, the following actions be taken with respect to the 2007-08 Annual Reconciliation Reports for the Dearness Home – Day Program:

(a) the 2007-08 Annual Reconciliation Reports for the Dearness Home – Day Program **BE APPROVED** for submission to the Ministry of Health and Long-Term Care and the South West Local Health Integration Network as per legislation; and

(b) the Mayor **BE AUTHORIZED** to sign the Reports noted in (a), above;

it being noted that:
- the Day Program operated at a deficit for the fiscal year 2007-08;
- the Program is funded by Provincial dollars and client fees;
- the standard report form from MOHLTC does not recognize the primacy of City Council for the operation of the Dearness Home; and
- the Civic Administration have made manual edits to the form to accommodate a signature by the Mayor, upon approval by City Council. (2008-C11-00)
6. That, on the recommendation of the London Diversity and Race Relations Advisory Committee (LDRRAC) permission BE GIVEN to Members of the LDRRAC to work with Communications Division staff to prepare an article for the media with respect to its forthcoming Open House to be held at the London Convention Centre; it being noted that the Community and Protective Services Committee requested that any cost associated with the above be accommodated within the LDRRAC's budget for the Open House event; it being further noted that a verbal presentation was heard from J. Olawuyi, Chair, London Diversity and Race Relations Advisory Committee with respect to this matter.

7. That the Civic Administration BE ASKED to, review, in liaison with the London Transit Commission, and report back on the matter of free public transit for seniors and other innovative public transportation programs provided by municipalities, including those in the City of Ottawa and the Town of Milton, such report to address any potential Human Rights considerations; it being noted that the Community and Protective Services Committee reviewed and received a communication and heard a verbal presentation from H. McLellan, B. Sexsmith, and J. Mahon, The London and District Labour Council, with respect to the matter of free ridership for seniors; being further noted that H. Sexsmith provided the Secretary with information on the programs in Ottawa and Milton, a copy of which is available in the Clerk's Office. (2008-S10-00).

8. That clauses 3 to 10, inclusive, of the 8th Report of the London Diversity and Race Relations Advisory Committee from its meeting held on July 31, 2008 BE NOTED AND FILED. (See Report attached.)

The Chair directs that clauses 9 to 16, inclusive, of Section II be noted. Clauses 9 to 16 read as follows:

9. That the Community and Protective Services Committee (CPSC) reviewed and received a copy of the "Dearness Home Community Newsletter" for the month of August 2008. (2008-C10-00)

10. That the Community and Protective Services Committee reviewed and received an information report from the General Manager of Community Services with respect to the annual review of the Ontario Senior Games – Actifest 2008 status report. (2008-M09-00)

11. That the Community and Protective Services Committee (CPSC) reviewed and received an information report from the City Solicitor with respect to smoking in motor vehicles, as well as a communication dated August 11, 2008 from L. Marshall, Solicitor II, providing the CPSC with an update on the Smoke-Free Ontario Act. (2008-C09-00)

12. That the Community and Protective Services Committee reviewed and received a communication dated July 7, 2008 from the Honourable J. Watson, Minister, Ministry of Municipal Affairs and Housing, with respect to key changes to the Homeownership component of the Canada-Ontario Affordable Housing Program (AHP). (2008-C03-00)

13. That the Community and Protective Services Committee reviewed and received a communication dated July 25, 2008 from the Honourable D. Matthews, Minister of Children and Youth Services, with respect to enhanced funding for child care fee subsidies.

14. That the Community and Protective Services Committee reviewed and received a letter of thanks from A. Hare, Graffiti Program Coordinator, Neighbourhood Watch London with respect to the City of London's corporate sponsorship of the 2008 Graffiti Eradication Program. (2008-P07-00)

15. That the Community and Protective Services Committee referred a communication from A. Morell, Chairperson, Thames Valley Parent Involvement Committee with respect to an invitation to participate in an Exhibitors' Display and Trade Show at the Parent Learning Forum being held on October 25, 2008 to the Civic Administration for consideration. (2008-C08-00)
16. That the Community and Protective Services Committee reviewed and received a communication dated August 6, 2008 from P. Shantz, City of Stratford, with respect to an invitation to the Meth Summit 2008 being held on October 6 and October 7, 2008 at the Stratford Rotary Complex. (2008-CO6-00)

21ST REPORT OF THE PLANNING COMMITTEE (continued)


Councillor Bryant moves that clauses 1 to 9, inclusive, be adopted.

Councillor MacDonald moves, seconded by Councillor Baechler, that clause 3 be amended by adding thereto the word "revised" after the word "proposed" and by deleting therefrom after the word "attached" the words "hereto as Appendix ‘A’". CARRIED

Councillor MacDonald moves, seconded by Councillor Baechler, that clause 6 be amended by deleting therefrom the words "the Municipal Council meeting on August 18, 2008" and substituting therefor the words "a future Municipal Council meeting" and by deleting therefrom the words "it being noted that should the applicant not enter into a development agreement with the City prior to the Council meeting staff will bring forward a revision to this recommendation." CARRIED

The motion to adopt clauses 1, 2, 3, as amended, and 4, 5, 6, as amended, and 7 to 9, all inclusive, is put and CARRIED. Clauses 1, 2, 3, as amended, and 4, 5, 6, as amended, and 7 to 9 read as follows:

1. That, on the recommendation of the General Manager of Planning and Development, the following actions be taken with respect to entering into a subdivision agreement between The Corporation of the City of London and Cedar Hollow Developments Inc. for the subdivision of land over Part of Lots 9, 10, 11, 12, 13, 14, 17, 18 and 18 and Part of an unnamed roadway on Registered Plan No. 120(C), City of London, County of Middlesex, situated east of Highbury Avenue North, south of Fanshawe Park Road East, and being on the north side of Killarney Road:

(a) the attached Special Provisions to be contained in a Subdivision Agreement between The Corporation of the City of London and Cedar Hollow Developments Inc. for the Cedarhollow Subdivision, Phase 2, (39T-03518) BE APPROVED;

(b) the Mayor and the City Clerk BE AUTHORIZED to execute this Agreement and all documents required to fulfill its conditions; and

(c) the applicant BE ADVISED that the Acting General Manager of Environmental & Engineering Services & City Engineer has estimated the following Revenues and Claims:

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<th>IMPACT OF SUBDIVISION ON RESERVE FUNDS AND CAPITAL WORKS BUDGET UNDER CURRENT FUNDING PRINCIPLES</th>
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<td>Estimated Revenue</td>
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<td>Catholic School Board Charge</td>
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<td>Capital Works Budget</td>
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ESTIMATED REVENUES ARE CALCULATED USING CURRENT RATES AND THE INFORMATION IS REPORTED IN ACCORDANCE WITH THE DEVELOPMENT CHARGES BY-LAW (IE. C.P.-1440-167), AND ANY AMENDMENTS THERETO. ANY CLAIM PAYMENT FROM THE URBAN WORKS RESERVE FUND WILL BE IN ACCORDANCE WITH BY-LAW NO. C.P.-1440-167 AND AS APPROVED BY THE CITY ENGINEER.

ESTIMATES ARE BASED ON INFORMATION PROVIDED BY THE APPLICANT AND REVIEWED BY THE CITY ENGINEER'S DEPARTMENT. ESTIMATES ARE PROVIDED FOR INFORMATION PURPOSES ONLY. THEY DO NOT CONSTITUTE ANY COMMITMENTS ON BEHALF OF THE CITY OF LONDON. ACTUAL CLAIMS WILL BE DETERMINED IN CONJUNCTION WITH THE SUBDIVISION AGREEMENT AND THE BY-LAWS. ACTUAL REVENUES ARE DETERMINED IN CONJUNCTION WITH BUILDING PERMITS AND THE DEVELOPMENT CHARGE RATES AT THAT TIME.

THE OWNER SHOULD TAKE NOTE THAT THERE ARE CURRENTLY SIGNIFICANT DELAYS IN PAYMENT OF CLAIMS FROM THE URBAN WORKS RESERVE FUND.

* REFERS TO ROAD, SEWER (SANITARY & STORM), STORMWATER FACILITIES & WATER SERVICES.

### IMPACT OF SUBDIVISION ON RESERVE FUNDS AND CAPITAL WORKS BUDGET

#### UNDER FUTURE FUNDING PRINCIPLES – approved in principle through report to Committee of the Whole January 9, 2008

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<tr>
<th>Alternative Threshold #1: (Using 1050 mm storm sewer oversizing)</th>
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<td><strong>Industrial Oversizing Reserve Fund</strong></td>
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<th><strong>Urban Works Reserve Fund</strong></th>
<th>Estimated Revenue</th>
<th>Estimated Claims</th>
<th>Net Impact</th>
<th>Estimated Year Of Payment</th>
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<th><strong>City Services Reserve Fund</strong></th>
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| **Catholic School Board Charge** | $26,909 |
| **Capital Works Budget** | Nil | Nil |

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<tr>
<th><strong>Industrial Oversizing Reserve Fund</strong></th>
<th>Estimated Revenue</th>
<th>Estimated Claims</th>
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<td><strong>Owners Total Cost of Development</strong></td>
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### IMPACT OF SUBDIVISION ON RESERVE FUNDS AND CAPITAL WORKS BUDGET

#### UNDER FUTURE FUNDING PRINCIPLES– approved in principle through report to Committee of the Whole January 9, 2008

<table>
<thead>
<tr>
<th>Alternative threshold #2: (Using 750 mm storm sewer oversizing)</th>
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<tbody>
<tr>
<td><strong>Industrial Oversizing Reserve Fund</strong></td>
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<td><strong>Owners Total Share</strong></td>
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<th>Estimated Claims</th>
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<tr>
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<td>$334,746</td>
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<td>($99,792)</td>
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**NOTE:**

1. ESTIMATED REVENUES ARE CALCULATED USING CURRENT RATES. CLAIMS ARE CALCULATED UNDER THE NEW COST SHARING FRAMEWORK AND USING ONE OF 2 ALTERNATIVE METHODS FOR COST SHARING UNDER CONSIDERATION. ESTIMATED CLAIMS FROM THE URBAN WORKS RESERVE FUND WILL BE IN ACCORDANCE WITH THE NEW COST SHARING FRAMEWORK APPROVED BY COUNCIL IN PRINCIPLE ON JANUARY 9, 2008.

2. ESTIMATES ARE BASED ON INFORMATION PROVIDED BY THE APPLICANT AND REVIEWED BY THE CITY ENGINEER'S DEPARTMENT. ESTIMATES ARE PROVIDED FOR INFORMATION PURPOSES ONLY. THEY DO NOT CONSTITUTE ANY COMMITMENTS ON BEHALF OF THE CITY OF LONDON. ACTUAL CLAIMS WILL BE DETERMINED IN CONJUNCTION WITH THE SUBDIVISION AGREEMENT AND THE BY-LAWS. ACTUAL REVENUES ARE DETERMINED IN CONJUNCTION WITH BUILDING PERMITS AND THE DEVELOPMENT CHARGE RATES AT THAT TIME.

3. * REFERS TO ROAD, SEWER (SANITARY & STORM), STORMWATER FACILITIES & WATER SERVICES.
REVENUES ARE CALCULATED USING CURRENT RATES. CLAIMS ARE CALCULATED UNDER THE NEW COST SHARING FRAMEWORK AND USING ONE OF 2 ALTERNATIVE METHODS FOR COST SHARING UNDER CONSIDERATION. ESTIMATED CLAIMS FROM THE URBAN WORKS RESERVE FUND WILL BE IN ACCORDANCE WITH THE NEW COST SHARING FRAMEWORK APPROVED BY COUNCIL IN PRINCIPLE ON JANUARY 9, 2008.

ESTIMATES ARE BASED ON INFORMATION PROVIDED BY THE APPLICANT AND ARE REVIEWED BY THE CITY ENGINEER’S DEPARTMENT. ESTIMATES DO NOT CONSTITUTE ANY COMMITMENTS ON BEHALF OF THE CITY OF LONDON. ACTUAL CLAIMS WILL BE DETERMINED IN CONJUNCTION WITH THE SUBDIVISION AGREEMENT AND THE BY-LAWS. ACTUAL REVENUES ARE DETERMINED IN CONJUNCTION WITH BUILDING PERMITS AND THE DEVELOPMENT CHARGE RATES AT THAT TIME.

* REFERENCES TO ROAD, SEWER (SANITARY & STORM), STORMWATER FACILITIES & WATER SERVICES. (2008-D26-01)

That, on the recommendation of the General Manager of Planning and Development, based on the application of Speyside East Corporation, relating to the property located at 3126 Colonel Talbot Road, the Municipal Council SUPPORTS the Approval Authority issuing a further two year extension of the Draft Plan of Subdivision Approval granted on August 22, 2005, submitted by Speyside East Corporation, prepared by Zelinka Priamo Limited, dated February 8, 2005, certified by Bruce Baker, Archibald Gray & McKay Ltd File No. 39T-00514, drawing No. DP 2 which shows a total of 171 single detached dwelling lots, 12 low density residential blocks, 2 future residential blocks, 1 commercial block, 2 institutional blocks, 3 mixed use residential/commercial blocks, 3 park blocks, 2 stormwater management block/open space, 2 open space blocks, and 1 future road block, served by several new secondary collector roads and new local public streets, SUBJECT TO conditions contained in the attached Appendix “39T-00514-1”. (2008-D26-05)

That, on the recommendation of the General Manager of Planning and Development, based on the application of Legend Developments Limited, 39T-02502 (Phase 2A) relating to the parcel of land located on the north side of Emilycarr Lane, east of Legendary Drive being east of Wharncliffe Road South for the removal of the Holding Provision, the proposed revised by-law ATTACHED BE INTRODUCED at the Municipal Council meeting on August 18, 2008 to amend Zoning By-law No. Z-1, in conformity with the Official Plan, to change the zoning of the subject lands located on the north side of Emilycarr Lane, east of Legendary Drive being east of Wharncliffe Road South FROM a Holding Residential R1 (h. R1-3) Zone, TO a Residential R1 (R1-3) Zone. (2008-D26-04)

That, on the advice of the General Manager of Planning and Development, the report relating to the status of the Heritage Property Tax Rebate Pilot Project BE RECEIVED and the following changes to the Heritage Property Tax Rebate Program BE APPROVED for the second year of the program:

a) the manner of selecting successful applicants BE CHANGED to a random draw of eligible applicants up to the maximum amount of funds available from a first come, first served basis; and

b) the amount of money retained for newly designated properties BE DECREASED from 25 % to 10%. (2008-F16-00/D13-00)
5. That, on the recommendation of the General Manager of Planning and Development, with the advice of the Heritage Planner, notice of Council's intention to designate the property located at 1603 Hamilton Road to be of cultural heritage value or interest BE GIVEN for the reasons under the provisions of subsection 29(3) of the Ontario Heritage Act, R.S.O. 1990, c. O.18; it being noted that the London Advisory Committee on Heritage has concurred in the recommendation to designate this property for these reasons. (2008-D13-00)

6. That, on the recommendation of the General Manager of Planning and Development, based on the application of Paul Needham relating to the property located at 1490 Highbury Avenue North and 1395 and 1409 Kilally Road, the attached proposed by-law BE INTRODUCED at a future Municipal Council meeting, 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 Restricted Office Special Provision (h*R20(20)) Zone TO a Restricted Office Special Provision (R20(20)) Zone to remove the holding provisions. (2008-D11-06)

7. That, on the recommendation of the General Manager of Planning and Development, based on the application of Chris Choi relating to the property located at 638 Talbot Street, the attached proposed by-law BE INTRODUCED at the Municipal Council meeting on August 18, 2008 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 R3 Special Provision (h*R3-1(14)) Zone TO a Residential R3 Special Provision (R3-1(14)) Zone to remove the holding provision. (2008-D11-06)

8. That, on the recommendation of the General Manager of Planning and Development, based on the application of Chris Choi relating to the property located at 132-134 Commissioners Road West, the attached proposed by-law BE INTRODUCED at the Municipal Council meeting on August 18, 2008, 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 Convenience Commercial Special Provision (h*C2(17)) Zone TO a Convenience Commercial Special Provision (C2(17)) Zone to remove the holding provision. (2008-D11-02)

9. That, on the recommendation of the General Manager of Planning and Development, based on the application of Fanshawe Gates Inc. relating to the property located at 1461 - 1465 Oxford Street East and 613 – 629 First Street, the attached proposed by-law BE INTRODUCED at a future meeting of the Municipal Council to amend Zoning By-law No. Z-1, in conformity with the Official Plan, to change the zoning of the subject lands FROM a Holding Residential R10 (h*R10-1(140)) Zone TO a Residential R7-1 (R7-1(140)) Zone to remove the holding provision;

   it being noted that the City Clerk's Office will be requested to bring forward the proposed by-law for the removal of the holding provision at a future meeting of the Municipal Council once a mock-up of the materials to be used on the exterior of the building has been received to the satisfaction of the General Manager of Planning and Development, and the development agreement has been entered into with the City. (2008-D11-03)

Councillor Bryant moves that clauses 10 to 16, inclusive, be adopted.

The motion to adopt clause 11 is put and CARRIED.

The motion to adopt clauses 10, and 12 to 16, all inclusive, is put and CARRIED. Clauses 10 to 16 read as follows:

10. That the application by D. Dencev for the demolition of the building located at 331-335 Talbot Street (The Brunswick Hotel) BE REFERRED to a Special Meeting of the Planning Committee (PC) to be held on Monday, August 18, 2008 at which time Mr. Dencev will be given the opportunity to provide the PC with information relating to his future plans for this site; (2008-D10-00)

   it being noted the Planning Committee heard a verbal delegation and received a written submission from B. Wells, 408-190 Cherryhill Circle, and a verbal delegation from O. Hobson, 45 Evergreen Avenue, expressing their opposition to the application;

   it being further noted the PC heard a verbal report from the Vice-Chair of the London Advisory Committee on Heritage, noting that the LACH has not taken a position on the demolition application but has asked that the priority of the property be changed from at
Priority 1 listing to a Priority 2 listing in the 2006 Inventory of Heritage Resources.

11. That, on the recommendation of the General Manager of Planning and Development, the City Solicitor’s Office **BE DIRECTED** to take all necessary steps to respond to the Motion to the Ontario Superior Court of Justice, Divisional Court, commenced by the London Development Institute et al for an order to leave to appeal a Decision of the Ontario Municipal Board (OMB), Decision No. PL061036, regarding Official Plan Amendment 403 to the City of London Official Plan; it being noted the Planning Committee also received and noted an information report from the General Manager of Planning and Development with respect to the July 24, 2008 Decision of the OMB relating to this matter. (2008-L04-00)

12. That clause 1 of the 8th Report of the London Advisory Committee on Heritage requesting the Mayor to send the Minister of Culture the attached letter with respect to the demolition of provincially-owned heritage properties **BE REFERRED** to staff to review and incorporate into a letter already being developed for this purpose by staff.

13. That clause 2 of the 8th Report of the London Advisory Committee on Heritage requesting the Civic Administration to provide additional information relating to applications for demolition permits **BE REFERRED** to staff for review.

14. That clause 3 of the 8th Report of the London Advisory Committee on Heritage relating to a request for the Heritage Planner to meet with representatives of the London Police Services, London Fire Services and By-law Enforcement staff to develop a protocol for procedures relating to matters that affect the City of London’s heritage buildings **BE REFERRED** to staff for review.

15. That, on the recommendation of the London Advisory Committee on Heritage, the house located at 292 Victoria Street **BE ADDED** to the Reasons for Designation as a Priority 1 listing in the 2006 Inventory of Heritage Resources.

16. That clause 5 of the 8th Report of the London Advisory Committee on Heritage with respect to the Heritage Alteration Permit of P. Kiriakakos for the property located at 338 St. James Street **BE DELETED**; it being noted this matter was considered through clause 35 of the 18th Report of the Planning Committee.

Councillor Bryant moves that clauses 17 to 23, excluding clause 20, be adopted. **CARRIED** Clauses 17 to 19 and 21 to 23 read as follows:

17. That clause 18 of the 8th Report of the London Advisory Committee on Heritage **BE AMENDED** by deleting reference to the LACH not objecting to the demolition of the building located at 331-335 Talbot Street (The Brunswick Hotel); it being noted the LACH has indicated it discussed changing the priority level of this property but not its position on the demolition.

18. That, on the recommendation of the General Manager of Planning and Development, the following actions be taken with respect to the application for a street renaming by Sifton Properties Limited:

   (a) **Balnagowan Road** be renamed to **Delacourt Road effective November 1, 2008**;

   (b) **124 Balnagowan Road BE RENUMBERED 345 Delacourt Road effective November 1, 2008**;

   (c) pending the approval of the street name change, the affected property owner on **Balnagowan Road BE REIMBURSED** in the amount of $50.00 for the costs associated with the street name change identified in part (a) above; and

   (d) on approval of the street name change, the City Clerk **BE REQUESTED** to introduce a By-law to re-name Balnagowan Road to Delacourt Road;

It being noted that there may be additional surveying costs associated with this name change and that Sifton Properties Limited has agreed to bear these costs;

It being pointed out that at the public participation meeting associated with this matter, the following individual made an oral submission in connection therewith:
19. That, on the recommendation of the General Manager of Planning and Development, based on the application by Jason Jackson relating to the property located at 1680 Bradley Avenue, the proposed by-law **BE INTRODUCED** at the Municipal Council meeting on August 18, 2008 to amend Zoning By-law No. Z-1 to change the zoning of the subject lands **FROM** a Holding Residential R9 (h-R9-7-H40) Zone which permits apartment buildings and senior citizens apartment building to a maximum height of 40 metres (131.23 feet) and a maximum density of 150 uph (60 upa) and lodging houses **TO** a Holding Residential R6/R8 (h-11-R6-5/R8-4) Zone which permits single detached dwellings, cluster semi-detached dwellings, and cluster townhouse dwellings to a maximum height of 12 metres (39.4 feet) and a maximum density of 35 uph (14 upa) and apartment building to a maximum height of 13 metres (42.6 feet) and a maximum density of 75 uph (30 upa). Holding Provision h-11 permits existing uses until a development agreement has been entered into containing access arrangements to the satisfaction of Council;

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

- J. Jackson, applicant – expressing support for the staff recommendation. (2008-D11-04)

21. That, at the request of the applicant's agent, the application of Sanskriti Furniture relating to the property located at 761 Fanshawe Park Road West **BE DEFERRED** to a future meeting of the Planning Committee; it being noted that staff will be reviewing, with the applicant, an application for another parcel of land that may eliminate the need for this current application;

It being pointed out that there were no oral submissions made at the public participation meeting held in connection with this matter. (2008-D11-07)

22. That, on the recommendation of the General Manager of Planning and Development, based on the application of Southside Group relating to the properties located at 3165 - 3205 Wonderland Road South, and following Council's deferral of the application on July 16, 2007, and following submission of the applicant's appeal to the Ontario Municipal Board on May 16, 2008:

(a) **stated** that London City Council has reviewed the application by the Southside Group for the properties located at 3165-3205 Wonderland Road South to rezone from an Urban Reserve (UR1) Zone to an Associated Shopping Area Commercial (ASA5/ASA8) Zone to permit a broad range of retail, office, restaurant, and automotive uses, and has reviewed the appeal by Southside Group to the Ontario Municipal Board and requests the Ontario Municipal Board:

i) for an order that the application as submitted **BE REFUSED** because it is not in conformity with the boundaries of the Commercial Policy Area designation specified in Section 4.7.1.4 of the Official Plan, is not in conformity with the Urban Reserve-Community Growth and Environmental Review designations on a portion of the lands and is not in conformity with the Provincial Policy Statement regarding protection of future transportation corridors;

ii) for an order that the **attached** by-law, which amends Zoning By-law No. Z-1 (in conformity with the Official Plan), to change the zoning on a portion of the subject lands north of the proposed Bradley Avenue extension (approximately 3 hectares in size) **FROM** an Urban Reserve (UR1) Zone which permits existing uses and non-intensive agricultural uses on existing lots **TO** a Holding Associated Shopping Area Commercial (h-11.h-25.ASA5/ASA8) Zone to permit a broad range of retail, office, restaurant, and automotive uses **BE APPROVED** by the Ontario Municipal Board, it being noted that holding provisions require municipal services, an access management plan and evaluation of design using the Council approved Commercial Urban Design Guidelines;

It being further noted that currently adequate conveyance capacity and treatment capacity is not available to service the subject property;
It being pointed out that at the public participation meeting associated with this matter, the following individuals made an oral submission in connection therewith:

- A. Patton, Patton Cormier and Associates – representing the applicant and expressing opposition to the staff recommendation; noting that all these lands are part of a commercial policy area and that staff are attempting to stop development on these lands for the purpose of retaining a portion of it required for the future Bradley Avenue extension, that the holding provision relating to urban design is unnecessary as the applicant owns the lands to the north, and east of Southdale Road West to the future extension of Bradley Avenue and has no intention of deviating from the design standards already in place, that there is no justification for holding provisions for sanitary sewers as there is also no servicing in place on the lands already developed east of Wonderland Road South and that the proposed development would also have an internal servicing plan, ultimately to go north and hook up to Southdale Road West; further noting that traffic concerns are unwarranted given there is a left turn lane into the site at the signalized intersection to the north and rights in and out on Wonderland Road South.

- D. Heap, 85 Forward Avenue – representing the London Coalition for Sustainable Cities and expressing support for the staff recommendations noting that the holding provisions are reasonable, and inquiring as to whether any site plan approval for this site would be subject to a public participation meeting.

(2008-D11-07)

23. That, should there be a requirement for a site plan for the property located at 3165-3205 Wonderland Road South, the Civic Administration BE REQUESTED to hold a public participation meeting of the Planning Committee for its consideration.

Councillor Bryant moves that clause 24 be adopted. CARRIED Clause 24 reads as follows:

24. That the following actions be taken in response to delegations from G. Lightfoot, President, Old Masonville Ratepayers Association and B. Card, representing the Association, both expressing opposition to the site plan approval application with respect to the property located at 1663 Richmond Street:

(a) the General Manager of Planning and Development BE REQUESTED to bring forward a report and by-law for consideration at a Special Meeting of the Planning Committee to be held on Monday, August 18, 2008 which will revoke the delegation of authority from the Municipal Council to appointed Staff to approve a site plan under the Site Plan Control Area By-law for the property located at 1663 Richmond Street; and

(b) staff BE REQUESTED to undertake discussions with the applicant, TD Canada Trust, and to report back with respect to the applicant’s position on this matter the Special Meeting;

it being noted the Planning Committee (PC) received and noted communications included on the PC Added Agenda relating to this matter from the following:

- R. Zelinka, Principal Planner, Zelinka Priamo Ltd.
- Councillor W. Lonc
- S. Turner, Chair, Urban League;

it being further noted the PC received and noted the communications from the following:

- a petition signed by approximately 107 people
- D. Evans
- J. Evans, Masonville Home and School Association
- L. Freeman, Neighbourhood Watch
- J. Lesaux
- H. and J. Hobrzanski
- S. Poole
- S. Empringham
- M. McDermid
- A. Mackenzie
- I. and J. Beaton
27. That, on the recommendation of the General Manager of Planning and Development, the application of Rembrandt Developments (London) Inc. for a variance from the regulations of the Sign and Canopy By-law to permit the construction of 24.0 square metre directional information construction signs to be located at 1010 Fanshawe Park Road East, the construction of a 30.0 square metre directional information construction signs to be located at 1370 Fanshawe Park Road East, and the construction of a 30.0 square metre directional information construction sign to be located west of the property known as 1370 Fanshawe Park Road East at a height of 12 metres 

REFUSED: it being noted the Planning Committee heard a delegation from L. Brigder representing the applicant and requesting permission for 2 temporary signs to assist with directing traffic into their site to view the model homes available. (2008-D24-00)

Councillor Bryant moves that clauses 25 to 34, inclusive, be adopted.

Councillor Bryant moves, seconded by Councillor Caracci, that clause 26 be referred to staff for additional information and report back to the Planning Committee. CARRIED

Clause 26, as referred to staff for additional information and report back to the Planning Committee reads as follows:

26. That, on the recommendation of the General Manager of Planning and Development, the application of Rembrandt Developments (London) Inc. for a variance from the regulations of the Sign and Canopy By-law to permit the construction of 24.0 square metre directional information construction signs to be located at 1010 Fanshawe Park Road East, the construction of a 30.0 square metre directional information construction signs to be located at 1370 Fanshawe Park Road East, and the construction of a 30.0 square metre directional information construction sign to be located west of the property known as 1370 Fanshawe Park Road East at a height of 12 metres BE REFUSED; it being noted the Planning Committee heard a delegation from L. Brigder representing the applicant and requesting permission for 2 temporary signs to assist with directing traffic into their site to view the model homes available. (2008-D24-00)

Councillor Baechler moves, seconded by Councillor Hubert, that clause 30 be referred back to the Planning Committee in order to permit further discussions between the applicant and the North Park Community Church. CARRIED

Clause 30, as referred back to the Planning Committee in order to permit further discussions between the applicant and the North Park Community Church, reads as follows:

30. That, on the recommendation of the General Manager of Planning and Development, the following actions be taken with respect to the plan of subdivision application of Sifton Properties Limited relating to the property located on lands legally described as Part of Lot 8, Concession 5, (Geographic Township of London) and shown on draft approved plan 39T-01509 as Block 132 (draft municipal address 1551 Blackwell Boulevard) and the City of London initiated Zoning Review:

(a) the Approval Authority BE ADVISED that at the public meeting with respect to the application for draft plan of subdivision by Sifton Properties Limited relating to the property located at 1551 Blackwell Boulevard issues were raised relating to stormwater management, sanitary sewer servicing, access from the North Park Community Church property through the subject site, privacy fencing, grading issues and the timing of various components of the project;

(b) Council SUPPORTS the Approval Authority issuing draft approval to the proposed plan of residential subdivision, as submitted by Sifton Properties Limited (File No. 39T-08504), prepared by Stantec Consulting Ltd. (certified by Robert Sterling, OLS, dated January 30, 2008), as red-line revised, SUBJECT TO the conditions contained in the attached Appendix “39T-08504” and subject to clauses (e) and (f)
the proposed by-law attached hereto as Appendix "A" BE INTRODUCED at the Municipal Council meeting on August 18, 2008 to amend Zoning By-law No. 2-1 (in conformity with the Official Plan, to change the zoning of the subject lands FROM a Holding Residential R1/Residential R7/ Neighbourhood Facility (h. h-45 R1-4/R7 D75 H13/NF1) Zone which permits single detached dwellings on lots with a minimum frontage of 12 m (39.4 ft); seniors housing to a density of 75 units per hectare (30 units per acre) and a height of 13 m (42.6ft); and churches, elementary schools, day care centres and community centres TO a Holding Residential (h. h-45 R1-4) Zone. The h holding provision shall not be removed until a subdivision agreement or site plan agreement has been entered into with the City of London and the h-45 holding provision shall not be removed until the recommendations of the accepted noise and dust study have been implemented to the satisfaction of the City of London; and

(d) the applicant BE ADVISED that the Acting General Manager of Environmental & Engineering Services & City Engineer has projected the following claims and revenues information:

**IMPACT OF SUBDIVISION ON RESERVE FUNDS AND CAPITAL WORKS BUDGET UNDER FUTURE FUNDING PRINCIPLES – approved in principle through report to Committee of the Whole January 9, 2008**

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<thead>
<tr>
<th></th>
<th>Estimated Revenue</th>
<th>Estimated Claims</th>
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<td>City Services Reserve Fund</td>
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<td>Catholic School Board Charge</td>
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<td>Capital Works Budget</td>
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<td>Industrial Oversizing Reserve Fund</td>
<td>Nil</td>
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<tr>
<td>Owners New Costs</td>
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<tr>
<td>Owners Total Cost of Development</td>
<td>$11,370.00</td>
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<td></td>
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</tbody>
</table>

* Refers to Road, Sewer (Sanitary & Storm), Stormwater Management Facilities and Water Services

NOTE:

1) ESTIMATED REVENUES ARE CALCULATED USING CURRENT RATES. CLAIMS ARE CALCULATED UNDER THE NEW COST SHARING FRAMEWORK AND USING ONE OF 2 ALTERNATIVE METHODS FOR COST SHARING UNDER CONSIDERATION. ESTIMATED CLAIMS FROM THE URBAN WORKS RESERVE FUND WILL BE IN ACCORDANCE WITH THE NEW COST SHARING FRAMEWORK APPROVED BY COUNCIL IN PRINCIPLE ON JANUARY 9, 2008.

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Should Urban Works Reserve Fund changes not take effect, the following will apply:

**IMPACT OF SUBDIVISION ON RESERVE FUNDS AND CAPITAL WORKS BUDGET UNDER CURRENT FUNDING PRINCIPLES**

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<tr>
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<th>Estimated Revenue</th>
<th>Estimated Claims</th>
<th>Net Impact</th>
<th>Estimated Year Of Payment</th>
</tr>
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<tbody>
<tr>
<td>Urban Works Reserve Fund</td>
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</table>
Refers to Road, Sewer (Sanitary & Storm), Stormwater Management Facilities and Water Services

<table>
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<tr>
<td>Capital Works Budget</td>
<td>Nil</td>
<td></td>
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</tr>
<tr>
<td>Industrial Oversizing Reserve Fund</td>
<td>Nil</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Owners Total Share</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* Refers to Road, Sewer (Sanitary & Storm), Stormwater Management Facilities and Water Services

**NOTE:**
1) ESTIMATES ARE CALCULATED USING CURRENT RATES AND THE INFORMATION IS REPORTED ALL IN ACCORDANCE WITH THE DEVELOPMENT CHARGES AND URBAN WORKS FUND BY-LAW (IE. C.P.-1440-167), AND ANY AMENDMENTS THERETO. ANY CLAIM PAYMENT FROM THE URBAN WORKS RESERVE FUND WILL BE IN ACCORDANCE WITH BY-LAW NO. C.P.-1440-167 AND AS APPROVED BY THE CITY ENGINEER.

2) ESTIMATES ARE BASED ON INFORMATION PROVIDED BY THE APPLICANT AND ARE PROVIDED FOR INFORMATION PURPOSES ONLY. THEY DO NOT CONSTITUTE ANY COMMITMENTS ON BEHALF OF THE CITY OF LONDON. ACTUAL CLAIMS WILL BE DETERMINED IN CONJUNCTION WITH THE SUBDIVISION AGREEMENT AND THE BY-LAWS. ACTUAL REVENUES ARE DETERMINED IN CONJUNCTION WITH BUILDING PERMITS AND THE BY-LAWS AT THAT TIME.

3) THE OWNER SHOULD TAKE NOTE THAT THERE ARE CURRENTLY SIGNIFICANT DELAYS IN PAYMENT OF CLAIMS FROM THE URBAN WORKS RESERVE FUND.

4) THE ABOVE CLAIMS/REVENUES ARE BASED ON ESTIMATES USING CURRENT UWWF RULES. FURTHER ESTIMATED CLAIMS/REVENUES BASED ON ANTICIPATED FUTURE RULES MAY VARY SUBSTANTIALLY.

(e) staff BE REQUESTED to consider any further consultation between Sifton Properties Limited and North Park Community Church with respect to mutual drainage issues during their review of relevant conditions of draft approval; and

(f) the temporary easement on the subject lands to allow for North Park Community Church to have temporary servicing BE DELETED from the conditions of draft approval when the ultimate solution of permanent servicing to Fanshawe Park Road East becomes available;

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

- **M. Zunti**, Sifton Properties Limited – representing the applicant and noting that while they are in general agreement with the staff recommendation, they do not support condition 24 requiring the construction and conveyance of a walkway from the development through to the North Park Community Church property as that location poses numerous public safety concerns and that construction of a walkway should be delayed until such time the northern portion of the Church’s property has been further developed, that costs associated with the temporary easement for sanitary servicing of North Park Community Church should be the responsibility of the Church, that drainage conditions should be improved through the regrading and development of the site, and expressing opposition to any consideration of a vehicular access through the proposed development to the North Park Community Church property given the potential for detrimental effects on the residential neighbourhood including cut-through traffic from Fanshawe Park Road East.

- **J. Bekkers**, Executive Pastor, North Park Community Church, 1510 Fanshawe Park Road East – representing the Church and expressing a number of concerns with respect to stormwater management due to significant flooding on their property, sanitary servicing for the present and future, privacy fencing, grading issues, timing of various components and concerns relating to access; noting that there are several examples of similar property uses in the area that are accessed through local collector streets and that the provision of a vehicular access through
the proposed development to Blackwell Boulevard rather than a pedestrian walkway would alleviate safety concerns with minimal trip generation, and requesting a referral of the application back to staff so that additional discussions can take place with the applicant relating to these matters.

- B. Broadbent – indicating that placemaking principles should be given important consideration during the review of this application.
- V. Arnold, Chair, Board of Directors, North Park Community Church – noting that the Church and the Board of Directors are in support of the points presented by Pastor Bekkers and indicating they would like to engage in further discussions with staff and the applicant with respect to this application.
- M. Wilson – expressing concerns that the walkway will result in unnecessary travel around the Church site and that it would be more productive to have a vehicular access.
- A. Robertson, 15 Jacksway Crescent – noting that the flooding issues on the North Park Community Church site create a problem for parking and present a serious danger to children. (2008-D26-05)

The motion to adopt clause 25, clauses 27 to 29 and clauses 31 to 34 is put and CARRIED. Clause 25, clauses 27 to 29 and clauses 31 to 34 read as follows:

25. That, in response to a delegation and written submissions from R. Knutson, Knutson Planning Inc. with respect to the registration of the final phase of Gainsborough Place Inc. Phase 3, NO ACTION BE TAKEN; it being noted the Planning Committee received and noted additional communications from the L. Burgess, Division Manager, Development Services with respect to this matter. (2008-D26-02)

27. That, on the recommendation of the General Manager of Planning and Development, the application of 3M Canada Inc. at 300 Tartan Drive for a variance from the regulations of the Sign and Canopy By-law to permit the display of 88.2 square metres on the west façade and 245.7 square metres on the south façade of temporary non-accessory signs and to display the signs 29 months prior to the event, whereas the by-law permits 1 such sign per premises per street frontage; not to have a sign face area greater than 6.0 square metres and not to be erected sooner than 6 weeks prior to the event BE APPROVED on the condition the sign is removed by December 31, 2010; it being noted that the Planning Committee received and noted a communication from P. Waeland, 3M Canada Company and a verbal delegation from C. Summers, 3M Canada Company expressing support for the staff recommendation. (2008-D24-00)

28. That, on the recommendation of the General Manager of Planning and Development, the application of 3M Canada Inc. at 1840 Oxford Street East for a variance from the regulations of the Sign and Canopy By-law to permit the display of 66.2 square metres of a temporary non-accessory sign on the west façade, and to display the signs 29 months prior to the event, whereas the by-law permits 1 such sign per premises per street frontage; not to have a sign face area greater than 6.0 square metres and not to be erected sooner than 6 weeks prior to the event BE APPROVED on the condition that the sign is removed by December 31, 2010; it being noted that the Planning Committee received and noted a communication from P. Waeland, 3M Canada Company and a verbal delegation from C. Summers, 3M Canada Company expressing support for the staff recommendation. (2008-D24-00)

29. That, on the recommendation of the General Manager of Planning and Development, the following actions be taken with respect to the site plan approval application of York Management Limited relating to the property located at 625 First Street (formerly 613 to 629 First Street and 1461 to 1465 Oxford Street East):

1. the attached site plan, landscape plan, building elevations and development agreement clauses for a 14 storey apartment with 129 units BE APPROVED, subject to the removal of the holding provisions, to the approval of the site servicing and grading plans, and subject to the acceptance of the detailed building elevations, and

2. the applicant BE ADVISED of the following claims and revenues information:

<table>
<thead>
<tr>
<th>Estimated Revenue</th>
<th>Estimated Claims</th>
</tr>
</thead>
<tbody>
<tr>
<td>Urban Works Reserve Fund</td>
<td>$608,751.00</td>
</tr>
</tbody>
</table>
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. Soufan, Applicant – expressing support for the staff recommendation. (2008-D25-00)

31. That a demolition permit **BE ISSUED** to R. Lush to demolish the residential building located at 509 Nelson Street. (2008-D10-00)

32. That a demolition permit **BE ISSUED** to Skyline Reit to demolish the residential building located at 114 Grand Avenue. (2008-D10-00)

33. That a demolition permit **BE ISSUED** to the Bank of Nova Scotia to demolish the residential building located at 117 Clarence Street. (2008-D10-00)

34. That a demolition permit **BE ISSUED** to Stoney Creek Baptist Church to demolish the residential building located at 2185 Highbury Avenue North. (2008-D10-00)

Councillor Bryant moves that clauses 35 to 40, inclusive, be adopted.

Councillor Bryant moves, seconded by Councillor Baechler, that clause 35 be amended by adding thereto a new part (c) as follows:

“(c) the General Manager of Planning and Development **BE REQUESTED** to review the report on deer management prepared by Ryan Fequet and Bonnie Bergsma, dated August 7, 2007”. CARRIED

Councillor Hubert moves, seconded by Deputy Mayor Gosnell, that clause 35 be further amended by adding thereto a new part (d) as follows:

“(d) the General Manager of Planning and Development **BE REQUESTED** to review all past reports regarding deer management, in consultation with the Upper Thames River Conservation Authority, and report back to the Planning Committee with options for an action plan for a deer management strategy.” CARRIED

Councillor Bryant moves, seconded by Councillor Branscombe, that clause 40 be amended to read, “That the application submitted by Ivan and Ann Kovac and Louisa Golf relating to the property located at 168 Meadowlilly Road South **BE CONSIDERED** at a public participation meeting of the Planning Committee to be held at 5:00 p.m. on Tuesday, September 30 at Centennial Hall.” CARRIED

The motion to adopt clause 35, as amended, clauses 36 to 39 and clause 40, as amended, is put and CARRIED. Clause 35, as amended, clauses 36 to 39 and clause 40, as amended, read as follows:

35. That the following actions be taken with respect to White-Tailed Deer Management and the Byron Bog Deer Population:

(a) a communication dated June 23, 2008 from L. Thompson and a communication dated August 5, 2008 from Councillor P. Hubert with respect to the Byron Bog Deer Population **BE RECEIVED AND NOTED**;

(b) the information report from the General Manager of Planning and Development relating to White-Tailed Deer Management in the City of London **BE RECEIVED**;

(c) the General Manager of Planning and Development **BE REQUESTED** to review the report on deer management prepared by Ryan Fequet and Bonnie Bergsma,
dated August 7, 2007; and

(d) the General Manager of Planning and Development **BE REQUESTED** to review all past reports regarding deer management, in consultation with the Upper Thames River Conservation Authority, and report back to the Planning Committee with options for an action plan for a deer management strategy. (2008-P04-00)

36. That, on the recommendation of the General Manager of Planning and Development, the report relating to an Ontario Municipal Board Appeal with respect to Official Plan Amendment 20, Township of Middlesex Centre, **BE RECEIVED** for information, and that the General Manager of Planning and Development **BE DIRECTED** to advise the Ontario Municipal Board that the City of London has no interest in the appeal by Wicketthorn Farms Inc. to Official Plan Amendment 20, Township of Middlesex Centre. (2008-D11-09)

37. That the report from the General Manager of Planning and Development relating to Special Provisions for Jackson Land Corp. with respect to Summerside Subdivision, Phase 12B, 39T-07508 **BE REFERRED** to a Special Meeting of the Planning Committee to be held on Monday, August 18, 2008.

38. That the report from the General Manager of Planning and Development relating to Special Provisions for 2154067 Ontario Inc. with respect to Cleardale Ravine Subdivision, 39T-02508 **BE REFERRED** to a Special Meeting of the Planning Committee to be held on Monday, August 18, 2008.

39. That the communication dated August 11, 2008 from R. Knutson, President, Knutson Planning Inc. relating to the Van Horik Woodlot **BE REFERRED** to staff to arrange a public participation meeting with respect to this matter at the September 22, 2008 meeting of the Planning Committee.

40. That the application submitted by Ivan and Ann Kovac and Louisa Golf relating to the property located at 168 Meadowlily Road South **BE CONSIDERED** at a public participation meeting of the Planning Committee to be held at 5:00 p.m. on Tuesday, September 30 at Centennial Hall.

The Chair directs that clauses 41 to 46, inclusive, of Section II be noted. Clauses 41 to 46 read as follows:

41. That the Planning Committee received and noted an information report from the General Manager of Planning and Development with respect to proposed road closures and re-alignments in Springbank Park. (2008-S06-00)

42. That the Planning Committee received and noted the 8th Report of the Environmental and Ecological Planning Advisory Committee from its meeting held on July 17, 2008. (See Report [attached].)

43. That the Planning Committee received and noted a Municipal Council resolution from its meeting held on July 21, 2008 with respect to the Class Environmental Study Report for the Veterans Memorial Parkway Long-Term Plan.

44. That the Planning Committee received and noted clauses 6 through 15 and 17 through 22, inclusive, of the 8th Report of the London Advisory Committee on Heritage from its meeting held on July 9, 2008. (See Report [attached].)

45. That the Planning Committee heard a verbal report from G. Barrett, Manager, Land Use Planning – Policy with respect to a brochure produced for public information by the Planning and Development Department and the Communications Division with respect to land use planning and development policies; it being noted copies have been provided to all Members of Council and will be distributed to all Advisory Committees and other organizations.

46. That the Planning Committee passed the following resolution prior to moving in camera from 10:35 p.m. to 10:36 p.m.:

“That the Planning Committee move in camera to consider a matter pertaining to personal matters about identifiable individuals, including municipal or local board employees relating to the 2009 Mayor’s New Year’s Honour List.”
The PC is submitting a confidential report to the Municipal Council regarding this matter. (See Confidential Appendix to the 21st Report of Planning Committee enclosed for Council Members only.)

22ND REPORT OF THE PLANNING COMMITTEE (continued)

268. Councillor Bryant moves that clauses 2 to 4, inclusive, be adopted. CARRIED Clauses 2 to 4 read as follows:

That, on the recommendation of the General Manager of Planning and Development, the following actions be taken with respect to entering into a subdivision agreement between The Corporation of the City of London and 2154067 Ontario Inc. for the subdivision of land over all of Part of 30, Concession 2, (Geographic Township of Westminster), City of London, County of Middlesex, situated on the east side of White Oaks Side Road, south of Southdale Road East:

(a) the attached Special Provisions to be contained in a Subdivision Agreement between The Corporation of the City of London and 2154067 Ontario Inc. for the Cleardale Ravine Subdivision (39T-02508) BE APPROVED;

(b) the Mayor and the City Clerk BE AUTHORIZED to execute this Agreement and all documents required to fulfill its conditions; and

(c) the applicant BE ADVISED that the Acting General Manager of Environmental & Engineering Services & City Engineer has estimated the following Revenues and Claims:

IMPACT OF SUBDIVISION ON RESERVE FUNDS AND CAPITAL WORKS BUDGET UNDER CURRENT FUNDING PRINCIPLES

<table>
<thead>
<tr>
<th></th>
<th>Estimated Revenue</th>
<th>Estimated Claims</th>
<th>Net Impact</th>
<th>Estimated Year Of Payment</th>
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<tr>
<td>General</td>
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</tr>
<tr>
<td>Stormwater Management</td>
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<tr>
<td>Subtotal</td>
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<td>City Services Reserve Fund</td>
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<td>$518,366</td>
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<td>Engineering Services</td>
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</tr>
<tr>
<td>City Services Reserve Fund</td>
<td>Other Growth works</td>
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<td></td>
</tr>
<tr>
<td>Capital Works Reserve Fund</td>
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<td></td>
</tr>
<tr>
<td>Industrial Overzoning Reserve Fund</td>
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<tr>
<td>Owners Total Share</td>
<td></td>
<td></td>
<td>$1,609,781</td>
<td></td>
</tr>
</tbody>
</table>

NOTE:

(1) ESTIMATED REVENUES ARE CALCULATED USING CURRENT RATES AND THE INFORMATION IS REPORTED IN ACCORDANCE WITH THE DEVELOPMENT CHARGES BY-LAW (IE. C.P.-1440-167) AND ANY AMENDMENTS THERETO. ANY CLAIM PAYMENT FROM THE URBAN WORKS RESERVE FUND WILL BE IN ACCORDANCE WITH BY-LAW NO. C.P.-1440-167 AND AS APPROVED BY THE CITY ENGINEER.

(2) ESTIMATES ARE BASED ON INFORMATION PROVIDED BY THE APPLICANT AND REVIEWED BY THE CITY ENGINEER'S DEPARTMENT. ESTIMATES ARE PROVIDED FOR INFORMATION PURPOSES ONLY. THEY DO NOT CONSTITUTE ANY COMMITMENTS ON BEHALF OF THE CITY OF LONDON. ACTUAL CLAIMS WILL BE DETERMINED IN CONJUNCTION WITH THE SUBDIVISION AGREEMENT AND THE BY-LAWS. ACTUAL REVENUES ARE DETERMINED IN CONJUNCTION WITH BUILDING PERMITS AND THE DEVELOPMENT CHARGE RATES AT THAT TIME.

(3) THE OWNER SHOULD TAKE NOTE THAT THERE ARE CURRENTLY SIGNIFICANT DELAYS IN PAYMENT OF CLAIMS FROM THE URBAN WORKS RESERVE FUND.

(4) * REFERS TO ROAD, SEWER (SANITARY & STORM), STORMWATER MANAGEMENT FACILITIES & WATER SREVEICES
ESTIMATED URBAN WORKS RESERVE FUND CLAIMS FOR THIS SITE, INCLUDING SWM, EXCEED THE ESTIMATED REVENUES BY $48,628. THE URBAN WORKS RESERVE FUND IS CURRENTLY EXPERIENCING A SERIOUS BACKLOG REGARDING PAYMENT OF CLAIMS RESULTING IN SUBSTANTIAL WAITING TIMES. THE ENVIRONMENTAL AND ENGINEERING SERVICES DEPARTMENT ADVISES THAT PROGRESSING THIS PROJECT AT THIS TIME WILL FURTHER AGGRAVATE THE BACKLOG STATUS OF THE URBAN WORKS RESERVE FUND.

IMPACT OF SUBDIVISION ON RESERVE FUNDS AND CAPITAL WORKS BUDGET UNDER FUTURE FUNDING PRINCIPLES – approved in principle through report to Committee of the Whole January 9, 2008

Alternative Threshold #1: (Using 300mm sanitary sewer and 1050mm storm sewer oversizing)

<table>
<thead>
<tr>
<th></th>
<th>Estimated Revenue</th>
<th>Estimated Claims</th>
<th>Net Impact</th>
<th>Estimated Year Of Payment</th>
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</thead>
<tbody>
<tr>
<td>Urban Works Reserve Fund</td>
<td>$315,889</td>
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<td>$170,889</td>
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<tr>
<td>Stormwater Management</td>
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<tr>
<td>City Services Reserve Fund</td>
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<td></td>
</tr>
<tr>
<td>Engineering Services</td>
<td>$518,366</td>
<td>($145,000)</td>
<td>$373,366</td>
<td>20??</td>
</tr>
<tr>
<td>City Services Reserve Fund</td>
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</tr>
<tr>
<td>Other Growth works</td>
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<tr>
<td>Capital Works Budget</td>
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<td>Nil</td>
<td></td>
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<tr>
<td>Industrial Oversizing Reserve Fund</td>
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<tr>
<td>Owners New Costs</td>
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<td>$1,728,781</td>
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</tbody>
</table>

NOTE:
(1) ESTIMATED REVENUES ARE CALCULATED USING CURRENT RATES. CLAIMS ARE CALCULATED UNDER THE NEW COST SHARING FRAMEWORK AND USING ONE OF 2 ALTERNATIVE METHODS FOR COST SHARING UNDER CONSIDERATION. ESTIMATED CLAIMS FROM THE URBAN WORKS RESERVE FUND WILL BE IN ACCORDANCE WITH THE NEW COST SHARING FRAMEWORK APPROVED BY COUNCIL IN PRINCIPLE ON JANUARY 9, 2008.
(2) ESTIMATES ARE BASED ON INFORMATION PROVIDED BY THE APPLICANT AND REVIEWED BY THE CITY ENGINEER'S DEPARTMENT. ESTIMATES ARE PROVIDED FOR INFORMATION PURPOSES ONLY. THEY DO NOT CONSTITUTE ANY COMMITMENTS ON BEHALF OF THE CITY OF LONDON. ACTUAL CLAIMS WILL BE DETERMINED IN CONJUNCTION WITH THE SUBDIVISION AGREEMENT AND THE BY-LAWS. ACTUAL REVENUES ARE DETERMINED IN CONJUNCTION WITH BUILDING PERMITS AND THE DEVELOPMENT CHARGE RATES AT THAT TIME.
(3) * REFERS TO ROAD, SEWER (SANITARY & STORM), STORMWATER MANAGEMENT FACILITIES & WATER SERVICES.

IMPACT OF SUBDIVISION ON RESERVE FUNDS AND CAPITAL WORKS BUDGET UNDER FUTURE FUNDING PRINCIPLES – approved in principle through report to Committee of the Whole January 9, 2008

Alternative threshold #2: (Using 250mm sanitary sewer and 750mm storm sewer oversizing)

<table>
<thead>
<tr>
<th></th>
<th>Estimated Revenue</th>
<th>Estimated Claims</th>
<th>Net Impact</th>
<th>Estimated Year Of Payment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Urban Works Reserve Fund</td>
<td>$315,889</td>
<td>($195,000)</td>
<td>$120,889</td>
<td></td>
</tr>
<tr>
<td>Stormwater Management</td>
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<tr>
<td>Engineering Services</td>
<td>$518,366</td>
<td>($145,000)</td>
<td>$373,366</td>
<td>20??</td>
</tr>
</tbody>
</table>
WE:

REVENUES ARE CALCULATED USING CURRENT RATES. CLAIMS ARE CALCULATED UNDER THE NEW COST SHARING FRAMEWORK AND USING ONE OF 2 ALTERNATIVE METHODS FOR COST SHARING UNDER CONSIDERATION. ESTIMATED CLAIMS FROM THE URBAN WORKS RESERVE FUND WILL BE IN ACCORDANCE WITH THE NEW COST SHARING FRAMEWORK APPROVED BY COUNCIL IN PRINCIPLE ON JANUARY 9, 2008.

ESTIMATES ARE BASED ON INFORMATION PROVIDED BY THE APPLICANT AND ARE REVIEWED BY THE CITY ENGINEERS DEPARTMENT. ESTIMATES DO NOT CONSTITUTE ANY COMMITMENTS ON BEHALF OF THE CITY OF LONDON. ACTUAL CLAIMS WILL BE DETERMINED IN CONJUNCTION WITH THE SUBDIVISION AGREEMENT AND THE BY-LAWS. ACTUAL REVENUES ARE DETERMINED IN CONJUNCTION WITH BUILDING PERMITS AND THE DEVELOPMENT CHARGE RATES AT THAT TIME.

* REFERS TO ROAD, SEWER (SANITARY & STORM), STORMWATER MANAGEMENT FACILITIES & WATER SERVICES.

(2008-D26-06)

3. That, on the recommendation of the General Manager of Planning and Development, the following actions be taken with respect to entering into a subdivision agreement between The Corporation of the City of London and Jackson Land Corp. for the subdivision of land over Part of Lots 13 and 14, of Concession 1 and Part of Block 16 and All of Lots 60 to 73, both inclusive 113 and 114 on Plan 33M-533, (Geographic Township of Westminster), City of London, County of Middlesex, situated on the north side of Bradley Avenue and west of Jackson Road:

(a) the attached Special Provisions to be contained in a Subdivision Agreement between The Corporation of the City of London and Jackson Land Corp. for the Summerside Subdivision, Phase 12B, (39T-07508) BE APPROVED;

(b) the Mayor and the City Clerk BE AUTHORIZED to execute this Agreement and all documents required to fulfill its conditions; and

(c) the applicant BE ADVISED that the Acting General Manager of Environmental & Engineering Services & City Engineer has estimated the following Revenues and Claims:

IMPACT OF SUBDIVISION ON RESERVE FUNDS AND CAPITAL WORKS BUDGET UNDER CURRENT FUNDING PRINCIPLES

<table>
<thead>
<tr>
<th>City Services Reserve Fund</th>
<th>Other Growth works</th>
<th>Revenue</th>
<th>Claims</th>
<th>Net Impact</th>
<th>Year Of Payment</th>
</tr>
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<tbody>
<tr>
<td>Catholic School Board Charge</td>
<td></td>
<td>$25,393</td>
<td></td>
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<tr>
<td>Capital Works Budget</td>
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<tr>
<td>Owners New Costs</td>
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<td>Owners Total Cost of Development</td>
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NOTE:

(1) REVENUES ARE CALCULATED USING CURRENT RATES. CLAIMS ARE CALCULATED UNDER THE NEW COST SHARING FRAMEWORK AND USING ONE OF 2 ALTERNATIVE METHODS FOR COST SHARING UNDER CONSIDERATION. ESTIMATED CLAIMS FROM THE URBAN WORKS RESERVE FUND WILL BE IN ACCORDANCE WITH THE NEW COST SHARING FRAMEWORK APPROVED BY COUNCIL IN PRINCIPLE ON JANUARY 9, 2008.

(2) ESTIMATES ARE BASED ON INFORMATION PROVIDED BY THE APPLICANT AND ARE REVIEWED BY THE CITY ENGINEERS DEPARTMENT. ESTIMATES DO NOT CONSTITUTE ANY COMMITMENTS ON BEHALF OF THE CITY OF LONDON. ACTUAL CLAIMS WILL BE DETERMINED IN CONJUNCTION WITH THE SUBDIVISION AGREEMENT AND THE BY-LAWS. ACTUAL REVENUES ARE DETERMINED IN CONJUNCTION WITH BUILDING PERMITS AND THE DEVELOPMENT CHARGE RATES AT THAT TIME.

(3) * REFERS TO ROAD, SEWER (SANITARY & STORM), STORMWATER MANAGEMENT FACILITIES & WATER SERVICES.
5. That the Planning Committee was unable to reach a majority decision with respect to the application by D. Dencev for the demolition of the building located at 331-335 Talbot Street (The Brunswick Hotel), and pursuant to Section 17.6 of the Council Procedure By-law is hereby submitting the matter to the Municipal Council for its disposition; it being noted the report from the General Manager of Planning and Development dated August 18, 2008 and a communication from K. Dunklee, 3 Bellevue Avenue relating to this matter are attached for reference; it being noted the Planning Committee (PC) heard a delegation from D. Dencev noting that it is his intention to continue to operate the business as a bar until such time as a partner is found to re-develop the site, that a heritage designation would make it difficult to find such a partner, and that the upper floors are not fit for human habitation and are only used for storage or band practice; further noting however the space has not been examined by a structural engineer;
it being further noted the PC also heard a delegation from J. O’Neil, Chair, London Advisory Committee on Heritage (LACH) noting that the LACH would reluctantly agree that the property be demolished but that discussions should take place with the LACH, the applicant and Fanshawe Pioneer Village to determine whether the building could be moved to the Village. (2008-D10-00)

6. That the Planning Committee received and noted the attached information report from the General Manager of Planning and Development with respect to the proposed renumbering of 210 and 212 Huron Street.

7. That the Planning Committee heard a delegation from M. Zunti, Sifton Properties Limited noting that they have met with representatives of North Park Community Church relating to conditions of draft plan 39T-01509 and that while they would like to continue with respect to these discussions, they do want to see approval proceed with respect to this plan;

It being further noted the PC heard a delegation from L. Culford, 1086 Lawson Road, representing North Park Community Church and noting that while they have met with Sifton Properties Limited and are encouraged by discussions, they would like to see this item referred back while discussions continue.

13TH REPORT OF THE ENVIRONMENT AND TRANSPORTATION COMMITTEE (continued)

269. Councillor Miller moves that clauses 1 to 3, inclusive, be adopted.

Councillor Baechler moves, seconded by Councillor Branscombe, that clause 3 be amended in item (d) by adding thereto after the words “Waterloo Street” the words “and further shall consult with Kings University College to confirm a cost sharing agreement with respect to the installation of a sidewalk and bike path, and shall report back, if necessary, to the Environment and Transportation Committee.” CARRIED, on a recorded vote, with the Members voting as follows:

YEAS: Mayor DeCicco-Best, Deputy Mayor Gosnell, Controller Barber and Councillors Winninger, MacDonald, Armstrong, Usher, Van Meerbergen, Branscombe, Bryant, Orser, Lonc, Baechler and Hubert. (14)

NAYS: Controller Polhill and Councillors Caranci and Miller. (3)

The motion to adopt clauses 1, 2 and 3, as amended, is put and CARRIED. Clauses 1, 2 and 3, as amended, read as follows:

1. That, on the recommendation of the General Manager of Finance and Corporate Services, the Civic Administration BE DIRECTED to arrange a public participation meeting at the Environment and Transportation Committee meeting to be held on September 8, 2008 to consider amendments to the City’s Taxicab Licensing By-law, By-law No. L-126-256 to increase cab, accessible cab, limousine and group transportation tariff rates. (2008-P10-02)

2. That, on the recommendation of the Acting General Manager of Environmental and Engineering Services & City Engineer, the proposed amending by-law, attached as Appendix ‘A’, to amend By-law A-6123-196, entitled “A By-law to provide for a Lead Service Extension Replacement Loan Program Pilot Project for owner-occupied dwellings of three or less dwelling units” BE INTRODUCED at the Municipal Council meeting to be held on August 18, 2008 to extend the Program application deadline and the expiry date for the Program. (2008-W13-00)

3. That, on the recommendation of the Director of Roads and Transportation, the following actions be taken with respect to the Pilot Residential Parking Pass Program:

(a) the attached proposed by-law, Appendix ‘A’, BE INTRODUCED at the Municipal Council meeting to be held on August 18, 2008 for the purpose of revising the Residential Parking Pass Program and repealing By-law A-6109-147 entitled “A by-law to implement a new Council Policy related to creating a Residential
the attached and amended proposed by-law, Appendix 'B', BE INTRODUCED at the Municipal Council meeting to be held on August 18, 2008 for the purpose of grandfathering the Residential Parking Pass fees included in the Various Fees and Charges By-law (By-law A-29);

(c) the attached proposed by-law, Appendix 'C', BE INTRODUCED at the Municipal Council meeting to be held on August 18, 2008 for the purpose of amending the Traffic and Parking By-law (PS-111) relating to on-street parking on the east side of Waterloo Street, north of Huron Street; and

(d) the Civic Administration BE DIRECTED to install a sidewalk and a bike path on the east side of Waterloo Street and further shall consult with Kings University College to confirm a cost sharing agreement with respect to the installation of a sidewalk and bike path, and shall report back, if necessary, to the Environment and Transportation Committee;

it being noted that the Environment and Transportation Committee (ETC) heard verbal presentations from:

- S. Boersen, 310 Huron Street (see attached presentation);
- M. Blosh, 43 Mayfair Drive – indicating that the Pilot Residential Parking Pass Program needs to be fair to the entire neighbourhood, not one area; advising that new parking lots will be built on Epworth Avenue and Epworth Place; advising that the houses on Waterloo Street are set well back from the road;
- A. Rostas, Vice-President, Broughdale Community Association – expressing support of the Staff recommendation; recommending a balanced approach; advising that he has lived in the Broughdale area for 30 years; advising that when he first moved to the neighbourhood, Waterloo Street residents had parking on the their side of the street;
- R. Gauss, Liaison Officer, Kings University College – expressing support for the Staff recommendation; advising that he believes that allowing parking on the east side of Waterloo Street is beneficial; indicating that people need to stop the “Anti-Student” attitude; indicating that King’s University College has been in the neighbourhood for 54 years; and advising that King’s University College has worked with the Broughdale Community Association, the Mayor and the Civic Administration to improve relationships; and
- M. Tattersall, Director of Physical Plant, Kings University College – advising that the property owner is amenable to allowing parking on the east side of Waterloo Street; expressing support for the Staff recommendation; and advising that residents on Waterloo Street have been encouraged to park on Waterloo Street so that there is less parking for the students;

it being also noted that the ETC reviewed and received an information report from the Director of Roads and Transportation with respect to the Pilot Residential Parking Pass Program. (2008-S04-00)

Councillor Miller moves that clauses 4, 5 and 7 to 11, all inclusive, be adopted.

Councillor Branscombe moves, seconded by Councillor Bryant, that clause 5 be amended in item (e) by removing therefrom the words “consideration BE GIVEN to accelerating the commencement of the project into 2008, should surpluses become available within the 2008 Operation Budget” and by substituting therefor the words, “the Civic Administration BE DIRECTED to allocate funding from the 2008 Operating Budget to permit the commencement of the London Transportation Master Plan update, as soon as possible in 2008”. CARRIED

The motion to adopt clauses 4, 5, as amended, and 7 to 11 is put and CARRIED. Clauses 4, 5, as amended, and 7 to 11 read as follows:

4. That, on the recommendation of the Director of Roads and Transportation, the attached proposed by-law, Appendix 'A', BE INTRODUCED at the Municipal Council meeting to be held on August 18, 2008 for the purpose of amending By-law PS-111, the Traffic and Parking By-law, to address traffic safety, operations and
5. That, on the recommendation of the Acting General Manager of Environmental and Engineering Services & City Engineer, the following actions be taken with respect to the London Transportation Master Plan:

(a) the following information BE RECEIVED in response to Council's direction of June 9, 2008:

(i) Appendix 'A' attached, outlining the preliminary work plan for the Transportation Master Plan update;
(ii) a Transportation Master Plan update would require 18 months to complete; and
(iii) a preliminary cost estimate anticipates a $500,000 cost for this project;

(b) a "London Transportation Master Plan Project Steering Committee" (The Steering Team) BE ESTABLISHED, comprised of representatives from the City of London Civic Administration and the London Transit Commission Administration;

(c) a corresponding project budget BE CONSIDERED, in conjunction with the Municipal Council's approval of the 2009 Capital Budget;

(d) the Project Steering Team BE ASKED to prepare a final "Work Plan" prior to the Municipal Council funding approval and project commencement to better define prospective project funding needs; and

(e) the Civic Administration BE DIRECTED to allocate funding from the 2008 Operating Budget to permit the commencement of the London Transportation Master Plan update, as soon as possible in 2008; it being noted that the London Transit Commission has approved a contribution from its 2008 capital budget for transit priority measures of $100,000 in order to facilitate an early start to the project. (2008-S11-00)

7. That, on the recommendation of the Trees and Forests Advisory Committee (TFAC), a "Tree Hero" Recognition Program BE APPROVED, IN PRINCIPLE, to recognize Londoner's who have made voluntary efforts toward helping the Urban Forest; it being noted that when the criteria for the "Tree Hero" Recognition Program is established, it BE FORWARDED to the Environment and Transportation Committee for approval.

8. That, on the recommendation of the Animal Welfare Advisory Committee (AWAC), the following actions be taken with respect to the terms of reference and the composition of the AWAC:

(a) the three (3) vacant categories as listed below, BE AMENDED as follows:

(i) Wildlife Rehabilitator – be expanded to include other education or experience with wildlife, including naturalists with either educational credentials or active involvement with wildlife through an organization, such as Mcllwraith Field Naturalists;
(ii) Veterinarian (non-domestic animals) – be expanded to include any veterinarian or veterinary technician;
(iii) Animal Behaviourist (with appropriate credentials) – be eliminated and the local group "Friends of Captive Animals" be added in its place; and,

(b) subject to the approval of part (a)(iii), above, V. Van Linden, who is currently a Member-at-Large with the AWAC, BE APPOINTED as the representative of the "Friends of Captive Animals", resulting in a vacancy for the Member-at-Large position;

it being noted that a verbal presentation was heard from M. Blosh, Chair, AWAC with respect to this matter.

9. That, clause 2 of the 5th Report of the Animal Welfare Advisory Committee (AWAC) BE REFERRED to the Director of Environmental Programs & Solid
Clause 2 of the 5th Report of the AWAC reads as follows:

"That, on the recommendation of the Animal Welfare Advisory Committee (AWAC), circuses or other live exhibitions with performing exotic and wild animals BE PROHIBITED within the municipal boundaries of the City of London; it being noted that the Animal Welfare Advisory Committee (AWAC) reviewed and received a communication dated July 14, 2008, heard a verbal delegation and viewed a short video from F. Morrison, London Animal Alliance, with respect to circuses and performing animals; it being also noted that a verbal presentation was heard from M. Blosh, Chair, AWAC with respect to this matter."

10. That, clause 3 of the 5th Report of the Animal Welfare Advisory Committee (AWAC) BE REFERRED to the Director of Environmental Programs & Solid Waste and the City Solicitor to work with the Chair of the AWAC and to report back to the AWAC by the end of September, 2008; it being noted that a verbal presentation was heard from M. Blosh, Chair, AWAC with respect to this matter.

Clause 3 of the 5th Report of the AWAC reads as follows:

"That, on the recommendation of the Animal Welfare Advisory Committee (AWAC), By-law PH-4, entitled "A by-law to provide for the regulation, restriction and prohibition of the keeping and the running at large of dogs in the City of London", BE AMENDED as follows:

(a) in cases where a foster home is operating under the supervision and guidance of a Rescue Group, the foster home be permitted to exceed the current three-dog limit;

(b) the Rescue Group, under which the foster home is supervised, shall determine the number of dogs an individual foster home can maintain in a healthy and safe environment for the dogs, the family and the community on a case-by-case basis, subject to the guidelines to be determined by the Rescue Group; and,

(c) the time limit for exceeding the number of dogs shall be flexible and determined by the Rescue Group in collaboration with the foster families, taking into consideration the location, finances, support of the entire family and the ability of the foster family to follow the guidelines of the Rescue Group responsible for that particular animal;

it being noted that the Animal Welfare Advisory Committee (AWAC) reviewed and received a communication dated July 22, 2008 from A. Papmehl and M. Shepherd, with respect to the AWAC position statement relating to amendments to By-law PH-4."

11. That, on the recommendation of the Director of Environmental Programs & Solid Waste, the following actions be taken with respect to City of London By-law PH-14 entitled "By-law to Regulate the Use of Pesticides" (Pesticide By-law):

(a) the Director of Environmental Programs and Solid Waste, in liaison with the City Solicitor and the Manager of By-law Enforcement, BE REQUESTED to review and report back to a public participation meeting to be held at the September 22, 2008 meeting of the Environment and Transportation Committee with respect to the following:

(i) a proposed by-law to amend the City of London's Pesticide By-law in the following general areas, necessitated by the enactment of the Provincial Cosmetic Pesticides Ban Act, 2008:

(A) IPM accreditation requirement for golf courses, playing fields and lawn bowling greens;

(B) implementation date for enforcement of the City's by-law at golf courses playing fields and lawn bowling greens in the interim until
(C) other related matters such as definitions and enforcement protocols;

(ii) details of the City's enforcement strategy for the regulated use of pesticides;

(iii) details of the City's public awareness strategy related to the use of pesticides after September 30, 2008;

(b) the following schedule for public notification of the public participation meeting and for the advanced circulation of the report noted in (a), above, BE APPROVED:

(i) August 22, 2008 – subject to Municipal Council approval of (a), above, notice of the September 22, 2008 public participation meeting be posted on the City’s website up to and including September 22, 2008;

(ii) September 6 & 13, 2008 – subject to Municipal Council approval of (a), above, notice of the September 22, 2008 public participation meeting be published in the London Free Press; it being noted that the deadline for public submissions for inclusion on the September 22, 2008 Environment and Transportation Committee agenda is 9:00 a.m. on Monday, September 15, 2008; and,

(iii) September 5, 2008 – subject to Municipal Council approval of (a), above, and taking into consideration the time that the Civic Administration will need to complete their report and receive pending details from the Province, copies of the report noted in (a), above, be made available to the public and to the Municipal Council on the City of London website or for pick up from the City Clerk’s Office, Room 308, London City Hall; it being noted that the report will also be posted to the City of London’s website when the agenda for the September 22, 2008 Environment and Transportation Committee meeting is posted to the website;

(c) notwithstanding the possible subsequent suppression of London’s Pesticide By-law, the Civic Administration BE DIRECTED to continue to provide services in the areas of education and enforcement to the full extent of its jurisdiction under the Municipal Act, RSO. 2001, section 10(1); and

(d) the City of London BE ASKED to join with those other municipalities who are investigating legal options to the provincial legislation if it is deemed less restrictive than their own by-law; it being noted that the Director of Environmental Programs & Solid Waste will report back to the Environment and Transportation Committee at its September 22, 2008 meeting with respect to this matter;

notwithstanding the possible subsequent suppression of London’s Pesticide By-law, the Civic Administration BE DIRECTED to continue to provide services in the areas of education and enforcement to the full extent of its jurisdiction under the Municipal Act, RSO. 2001, section 10(1); and

the City of London BE ASKED to join with those other municipalities who are investigating legal options to the provincial legislation if it is deemed less restrictive than their own by-law; it being noted that the Director of Environmental Programs & Solid Waste will report back to the Environment and Transportation Committee at its September 22, 2008 meeting with respect to this matter;

Councillor Miller moves that clauses 12 and 13 be adopted.

Councillor Miller moves, seconded by Councillor Baechler, that part (d) of clause 12 be amended to read, “the funding proposal from the London Middlesex Health Unit for funding from the Provincial Government for PCB testing BE SUPPORTED”, CARRIED

The motion to adopt clause 12, as amended, and clause 13 is put and CARRIED. Clause 12, as amended, and clause 13 read as follows:

12. That the following actions be taken with respect to PCB contamination in London:

(a) the Civic Administration and the Ministry of the Environment BE ASKED to ensure that there is full communication with the Municipal Council and the public during the entire PCB removal project, including a link from the City of London
website to the Ministry of the Environment website;

(b) the Civic Administration **BE ASKED** to report back on the proposal submitted by the Ministry of the Environment;

(c) the Civic Administration **BE ASKED** to report back on how the previous agreement was rolled out, and how the City of London keeps this from happening in the future; and

(d) the funding proposal from the London Middlesex Health Unit for funding from the Provincial Government for PCB testing **BE SUPPORTED**;

it being noted that the Environment and Transportation Committee (ETC) heard a verbal presentation and reviewed and received a communication from A. Haidar, 129 Culver Crescent, heard verbal presentations from R. Standish, Director, Wastewater and Treatment (see attached presentation) and M. Bushby, Division Manager, Departmental Resources, with respect to this matter. (2008-E02-00)

13. **That the following matters BE NOTED AND FILED:**

(a) a written communication dated July 9, 2008 from Councillor S. Orser with respect to truck traffic on Highbury Avenue; (2008-S09-00)

(b) a communication dated July 28, 2008 from L. Ducharme, General Manager, London Transit Commission and a Municipal Council resolution adopted at its meeting held on June 23, 2008, with respect to the London Transit Commission's ability to provide assistance during peak hours for accessible taxicabs; (2008-P10-02; 2008-C02-00)

(c) clauses 2 to 8, inclusive, of the 6th Report of the Trees and Forests Advisory Committee from its meeting held on July 23, 2008; (See Report attached) and

(d) clauses 4 to 12, inclusive, of the 5th Report of the Animal Welfare Advisory Committee from its meeting held on July 22, 2008. (See Report attached.)

The Chair directs that clauses 14 to 23, inclusive, of Section II be noted. Clauses 14 to 23 read as follows:

14. **That the Environment and Transportation Committee (ETC) received an information report from the Director of Roads and Transportation with respect to the repairs to the Gore Road Bridge. (2008-S08-00)**

15. **That the Environment and Transportation Committee (ETC) postponed consideration of the Acting General Manager of Environmental and Engineering Services & City Engineer's report, the Director of Roads and Transportation's report and the Municipal Council resolution adopted at its meeting held on July 21, 2008, relating to the Class Environmental Study Report for the Veterans Memorial Parkway Long-Term Plan to its September 8, 2008 meeting. (2008-E02-00)**

16. **That the Environment and Transportation Committee (ETC) heard a verbal presentation and reviewed and received a communication dated July 28, 2008 from Councillor R. Caranci with respect to the Hale / Trafalgar overpass project. The ETC asked the Director of Roads and Transportation to consider bundling the Hale Street / Trafalgar Road overpass project and the Adelaide Street North / CP grade separation as projects for the Building Canada Fund and to report back thereon at a future meeting of the ETC. (2008-S08-00; 2008-F05-00)**

17. **That the Environment and Transportation Committee (ETC) heard the attached presentation and reviewed and received a communication dated July 18, 2008 from D. Springer, 76 Chancot Crescent, with respect to traffic turning left at intersections. The ETC asked the Division Manager of Parking and Traffic Signals to determine the feasibility of whether left turns should be governed by the volume of traffic or the amount of time allotted for cars to turn left, to consider the placement and the use of loops, and to report back thereon at a future meeting of the ETC. (2008-S09-00)**
18. That the Environment and Transportation Committee (ETC) heard the attached presentation and reviewed and received a written communication dated July 7, 2008 from K. Al Tarhuni, President, London Taxi Drivers Association, with respect to ticketing taxicab drivers in the Downtown area after midnight; it being noted that a petition relating to this matter and signed by approximately 150 individuals is on file in the City Clerk’s Office. The ETC asked the Division Manager of Parking and Traffic Signals to work with the taxicab industry leaders, the London Police Services and the London Downtown Business Association, with respect to considering the advantages and disadvantages of increasing taxicab zones. (2008-S04-00)

19. That the Environment and Transportation Committee (ETC) reviewed and received a Municipal Council resolution adopted at its meeting held on July 21, 2008 with respect to traffic concerns raised by P. Palombo, 194 Commissioners Road East. The ETC referred the communication to the Director of Roads and Transportation to respond directly to Mr. Palombo.

20. That the Environment and Transportation Committee (ETC) reviewed and received the following written communications with respect to air quality and climate change as it relates to the impact of vehicle idling:

- a communication from the Acting Secretary outlining the actions of the Environment and Transportation Committee from its meeting held on July 14, 2008;
- a Municipal Council resolution adopted at its meeting held on July 21, 2008;
- an information report dated July 14, 2008 from the Director of Environmental Programs & Solid Waste;
- a communication dated July 14, 2008 from S. Trosow, on behalf of the London Coalition Against Pollution;
- a communication dated July 15, 2008 from C. Morningstar, Council of Canadians;
- a communication dated June 13, 2008 from the Council of Canadians; and
- a communication dated July 19, 2008 from the Council of Canadians.

The ETC referred the communications to the Director of Environmental Programs and Solid Waste to report back to the ETC in November, 2008. (2008-E02-01)

21. That the Environment and Transportation Committee (ETC) heard the presentation from D. A. Leckie, Director of Roads and Transportation and Stantec Consulting Limited, with respect to the 2007 Pavement Management. The ETC referred the communication to the next meeting of the Board of Control and the local members of the Legislative Assembly of Ontario.

22. That the Environment and Transportation Committee (ETC) heard the presentation from D. A. Leckie, Director of Roads and Transportation and B. Walker, Stantec Consulting Limited, with respect to the 2007 Pavement Management Summary. The ETC referred the communication to the next meeting of the Board of Control and the local members of the Legislative Assembly of Ontario.

23. That the Environment and Transportation Committee (ETC) heard the presentation from D. A. Leckie, Director of Roads and Transportation and J. Blevins, Earth Tech / AECOM, with respect to the 2007 Structure Inventory Summary. The ETC referred the communication to the next meeting of the Board of Control and the local members of the Legislative Assembly of Ontario.

EMERGENT MOTIONS

270. Councillor Hubert moves, seconded by Councillor Orser, that pursuant to section 18.2 of the Council Procedure By-law, leave be given for the introduction of an emergent motion with respect to propane and dangerous goods locations. CARRIED

Councillor Bryant moves, seconded by Councillor Branscombe, that the Civic Administration BE REQUESTED to prepare a report outlining the propane and dangerous goods locations in the City of London and that the report include any current violations cited by the Provincial Regulator. CARRIED

The Fire Chief provided Council with an interim verbal report with respect to this matter.
Councillor Baechler moves, seconded by Councillor Hubert, that the Council rise and go into Committee of the Whole, in camera, for the purpose of considering the following:

(a) a matter pertaining to litigation affecting the municipality which is currently before the Ontario Superior Court, Files No. 42443 and 42865; and advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

(b) a matter to be considered for the purpose of instructions and directions to officers and employees of the Corporation pertaining to the 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 the proposed acquisition of land; commercial and financial information supplied in confidence pertaining to the proposed acquisitions, 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 acquisitions that belongs to the Corporation that has monetary value or potential monetary value; information concerning the proposed acquisitions whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or its competitive position; information concerning the proposed acquisitions 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 acquisitions;

(c) a matter to be considered for the purpose of instructions and directions to officers and employees of the Corporation pertaining to a proposed acquisition of land; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; reports or advice or recommendations of officers and employees of the Corporation pertaining to a proposed acquisition of land; commercial and financial information supplied in confidence pertaining to the proposed acquisition the disclosure of which could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of the Corporation, result in similar information no longer being supplied to the Corporation where it is in the public interest that similar information continue to be so supplied, and result in undue loss or gain to any person, group, committee or financial institution or agency; 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 or its competitive position; 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;

(d) a matter pertaining to personal matters about identifiable individuals, including municipal or local board employees relating to the 2009 Mayor's New Year's Honour List. CARRIED

The Council rises and goes into the Committee of the Whole, in camera, at 9:45 p.m. with Deputy Mayor Gosnell in the Chair and all Members present except Controller Hume and Councillor Eagle.

The Committee rises and Council resumes in regular session at 10:03 p.m. with Mayor DeCicco-Best in the Chair and all Members present except Controller Hume and Councillor Eagle.
25TH REPORT OF THE COMMITTEE OF THE WHOLE


1 YOUR COMMITTEE OF THE WHOLE REPORTS:

1. That, as procedural matter pursuant to Section 239 (6) of the Municipal Act, 2001, the following recommendation be forwarded to City Council for deliberation and a vote in public session:

That, on the recommendation of the General Manager of Finance and Corporate Services, on the advice of the Manager of Realty Services and in accordance with the Municipal Council resolution dated July 21, 2008, the offer submitted by Chata Holdings Limited, dated July 30, 2008, to sell parcels of floodplain land containing approximately 9.66 acres located on the east bank of East Cove Pond, lying south of Springbank Drive and west of Orchard Street, for the sum of $204,000, including all costs, BE ACCEPTED; and that financing for this acquisition BE APPROVED as set out in the Sources of Financing Report attached as Appendix ‘A’.

Deputy Mayor Gosnell presents the 25th Report of the Committee of the Whole.

Councillor Baechler moves, seconded by Councillor Caranci, that pursuant to Section 17.4 of the Council Procedure By-law, leave be given for discussion and debate and the making of a substantive motion with respect to clause 1 of the 25th Report of the Committee of the Whole. CARRIED

Deputy Mayor Gosnell moves, seconded by Councillor Baechler, that the following recommendation be approved:

1. That, on the recommendation of the General Manager of Finance and Corporate Services, on the advice of the Manager of Realty Services and in accordance with the Municipal Council resolution dated July 21, 2008, the offer submitted by Chata Holdings Limited, dated July 30, 2008, to sell parcels of floodplain land containing approximately 9.66 acres located on the east bank of East Cove Pond, lying south of Springbank Drive and west of Orchard Street, for the sum of $204,000, including all costs, BE ACCEPTED; and that financing for this acquisition BE APPROVED as set out in the Sources of Financing Report attached as Appendix ‘A’. CARRIED

BY-LAWS

271. Councillor Baechler moves, seconded by Councillor Hubert, that the following Bill be introduced:

Bill No. 410
By-law No. C.P.-1471-291 A by-law with respect to an application by TD Canada Trust for site plan approval for a medical clinic. (2/22/PC)

CARRIED

First Reading:

Councillor Baechler moves, seconded by Councillor Lonc, that Bill No. 410 be read a first time. CARRIED

Second Reading:

Councillor Baechler moves, seconded by Councillor Orser, that Bill No. 410 be read a second time. CARRIED
Third Reading:

Councillor Usher moves, seconded by Councillor Orser, that Bill No. 410 be read a third time and be finally passed and enacted as by-laws of The Corporation of the City of London, namely:

Bill No. 410  
By-law No. C.P.-1471-291  
A by-law with respect to an application by TD Canada Trust for site plan approval for a medical clinic.  
(2/22/PC)  
CARRIED

Councillor Armstrong moves, seconded by Councillor Usher, that the following Bills be introduced:

Bill No. 391  
By-law No. A-29-08001  
A By-law to amend By-law No. A-29, entitled "A by-law to provide for Various Fees and Charges." (3/13/ETC)

Bill No. 392  
By-law No. A.-6123(b)-283  
A by-law to amend By-law No. A.6123-196, as amended, entitled "A By-law to provide for a Lead Service Extension Replacement Loan Program Pilot Project for owner-occupied dwellings of three or less dwelling units." (2/13/ETC)

Bill No. 393  
By-law No. A.-6249-284  
A by-law to express The Corporation of the City of London's willingness and desire to invite the Vancouver Organizing Committee for the 2010 Olympic and Paralympic winter Games to route the Olympic Torch Relay through the City of London. (4/13/CPSC)

Bill No. 394  
By-law No. A.-6250-285  
A by-law to implement a new Council Policy for a Residential Parking Pass Program and to repeal By-law No. A.-6109-147. (3/13/ETC)

Bill No. 395  
By-law No. A.-6251-286  
A by-law to approve agreements between The Corporation of the City of London and South West Local Health Integration network, or with Her Majesty the Queen in Right of Ontario (as represented by the Minister of health and Long-Term Care) in which funding is provided to the Dearness Home and to authorize the Mayor and the City Clerk to execute such agreements. (1/13/CPSC)

Bill No. 396  
By-law No. A.-6252-287  
A By-law to authorize an Agreement between The Corporation of the City of London and The Upper Thames River Conservation Authority; and to execute the Agreement. (9/23/BC)

Bill No. 397  
By-law No. A.-6253-288  
A By-law to authorize and approve an Agreement between The Corporation of the City of London and the London Economic Development Corporation regarding the management of the City funding for Ambassador London; and to authorize the Mayor and Clerk to execute the Agreement. (15/23/BC)

Bill No. 398  
By-law No. C.P.-1440-167  
A by-law to amend By-law No. C.P.-1440-167 entitled, "A by-law respecting Development Charges." (14/23/BC)

Bill No. 399  
By-law No. PS-111-08052  
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." (3/13/ETC)

Bill No. 400  
By-law No. PS-111-08053  
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." (4/13/ETC)
Bill No. 401
By-law No. Z.-1-081798
A by-law to amend By-law No. Z.-1 to rezone an area of land located on the north side of Emilycarr Lane east of Legendary drive being east of Wharncliffe Road South. (3/21/PC)

Bill No. 402
By-law No. DELETED
DELETED

Bill No. 403
By-law No. Z.-1-081800
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 638 Talbot Street. (7/21/PC)

Bill No. 404
By-law No. Z.-1-081801
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 132-134 Commissioners Road West. (8/21/PC)

Bill No. 405
By-law No. Z.-1-081802
A by-law to amend By-law No. Z.-1 to rezone an area of land located 1680 Bradley Avenue. (19/21/PC)

Bill No. 406
By-law No. Z.-1-081803
A by-law to amend By-law No. Z.-1 to rezone an area of land located 495 Oakridge Drive. (20/21/PC)

Bill No. 407
By-law No. DELETED
DELETED

Bill No. 408
By-law No. Z.-1-081805
A by-law to amend By-law No. Z.-1 to remove the holding provisions from the zoning for an area of land located at 1235 Fanshawe Park Road West. (8/12/PC)

Bill No. 409
By-law No. A.-6254-290
A by-law to ratify and confirm the Annual Resolution of the Shareholder of London Hydro Inc. (2/24/CW)

Bill No. 411
By-law No. A.-6255-292
A By-law to authorize an Agreement between The Corporation of the City of London and Chata Holdings Ltd. and to authorize the Mayor and City Clerk to execute the Agreement. (1/25/CW)

CARRIED

First Reading:

Councillor Usher moves, seconded by Councillor Hubert, that Bill No.'s 381 to 401, and 403 to 406, and 408, 409 and 411, inclusive, be read a first time. CARRIED

Second Reading:

Councillor Usher moves, seconded by Councillor Branscombe, that Bill No.'s 381 to 401, and 403 to 406, and 408, 409 and 411, inclusive, be read a second time. CARRIED

Third Reading:

Councillor Baechler moves, seconded by Councillor Usher, that Bill No.'s 381 to 401, and 403 to 406, and 408, 409 and 411, inclusive, be read a third time and be finally passed and enacted as by-laws of The Corporation of the City of London, namely:

Bill No. 381
By-law No. A.-6247-273
A By-law to confirm the proceedings of the Council Meeting held on the 18th day of August, 2008. (City Clerk)

Bill No. 382
By-law No. A.-6248-274
A By-law to establish the Long Term Care Equipment Renewal Program Reserve Fund. (City Treasurer)

Bill No. 383
By-law No. A.-5273(bm)-275
A By-law to amend By-law No. A.-5273-82 entitled, "A by-law to appoint Municipal Law Enforcement Officers for the City of London." (Manager of Parking)
| Bill No. 384 | By-law No. S.-5139-276 | A By-law to lay out, constitute, establish and assume lands in the City of London as public highway. (As widening to Huron Street, east of Clarke Road) (City Engineer) |
| Bill No. 385 | By-law No. S.-5140-277 | A By-law to lay out, constitute, establish and assume certain reserves in the City of London as public highway. (As part of Pelkey Road, north of Plane Tree Drive; and as part of Quarrier Road, north of Faircloth Road) (City Engineer) |
| Bill No. 388 | By-law No. W.-2032-280 | A By-law to authorize the Communications Infrastructure. (Project No. GG1055) (16/22/BC) |
| Bill No. 389 | By-law No. W.-2033-281 | A By-law to authorize the Radio Equipment (Fire Services). (Project No. PP1032) (16/22/BC) |
| Bill No. 390 | By-law No. W.-2034-282 | A By-law to authorize the 2006 Local Roadworks. (Project No.TS1250) (1/22/BC) |
| Bill No. 391 | By-law No. A-29-08001 | A By-law to amend By-law No. A-29, entitled "A by-law to provide for Various Fees and Charges." (3/13/ETC) |
| Bill No. 392 | By-law No. A.-6123(b)-283 | A by-law to amend By-law No. A.6123-196, as amended, entitled "A By-law to provide for a Lead Service Extension Replacement Loan Program Pilot Project for owner-occupied dwellings of three or less dwelling units." (2/13/ETC) |
| Bill No. 393 | By-law No. A.-6249-284 | A by-law to express The Corporation of the City of London's willingness and desire to invite the Vancouver Organizing Committee for the 2010 Olympic and Paralympic winter Games to route the Olympic Torch Relay through the City of London. (4/13/CPSC) |
| Bill No. 395 | By-law No. A.-6251-286 | A by-law to approve agreements between The Corporation of the City of London and South West Local Health Integration network, or with Her Majesty the Queen in Right of Ontario (as represented by the Minister of health and Long-Term Care) in which funding is provided to the Deerness Home and to authorize the Mayor and the City Clerk to execute such agreements. (1/13/CPSC) |
| Bill No. 396 | By-law No. A.-6252-287 | A By-law to authorize an Agreement between The Corporation of the City of London and The Upper Thames River Conservation Authority; and to execute the Agreement. (9/23/BC) |
| Bill No. 397 | By-law No. A.-6253-288 | A By-law to authorize and approve an Agreement between The Corporation of the City of London and the London Economic Development Corporation regarding the management of the City funding for Ambassador London; and to authorize the Mayor and Clerk to execute the Agreement. (15/23/BC) |
| Bill No. 398 | By-law No. C.P.-1440(g)-289 | A by-law to amend By-law No. C.P.-1440-167 entitled, “A by-law respecting Development Charges.” (14/23/BC) |
| Bill No. 399 | By-law No. PS-111-08052  | 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.” (3/13/ETC) |
| Bill No. 400 | By-law No. PS-111-08053  | 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.” (4/13/ETC) |
| Bill No. 401 | By-law No. Z.-1-081798  | A by-law to amend By-law No. Z.-1 to rezone an area of land located on the north side of Emily Carr Lane east of Legendary drive being east of Wharncliffe Road South. (3/21/PC) |
| Bill No. 402 | By-law No.                | DELETED |
| Bill No. 403 | By-law No. Z.-1-081800  | 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 638 Talbot Street. (7/21/PC) |
| Bill No. 404 | By-law No. Z.-1-081801  | 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 132-134 Commissioners Road West. (8/21/PC) |
| Bill No. 405 | By-law No. Z.-1-081802  | A by-law to amend By-law No. Z.-1 to rezone an area of land located 1680 Bradley Avenue. (19/21/PC) |
| Bill No. 406 | By-law No. Z.-1-081803  | A by-law to amend By-law No. Z.-1 to rezone an area of land located 495 Oarkridge Drive. (20/21/PC) |
| Bill No. 407 | By-law No.                | DELETED |
| Bill No. 408 | By-law No. Z.-1-081805  | A by-law to amend By-law No. Z.-1 to remove the holding provisions from the zoning for an area of land located at 1235 Fanshawe Park Road West. (8/12/PC) |
| Bill No. 409 | By-law No. A.-6254-290   | A by-law to ratify and confirm the Annual Resolution of the Shareholder of London Hydro Inc. (2/24/CW) |
| Bill No. 411 | By-law No. A.-6255-292   | A By-law to authorize an Agreement between The Corporation of the City of London and Chata Holdings Ltd. and to authorize the Mayor and City Clerk to execute the Agreement. (1/25/CW) |

CARRIED
ADJOURNMENT

272. Councillor Usher moves, seconded by Councillor Branscombe, that the Meeting adjourn. CARRIED

The Meeting adjourns at 10:05 p.m.

Anne Marie DeCicco-Best, Mayor

Kevin Bain, City Clerk