The Council meets in Regular Session in the Municipal Offices this day at 5:00 p.m.


At the beginning of the Meeting all Members are present except Councillor Van Meerbergen.

Her Worship the Mayor recognizes Forest City Secondary School Student Dylan Moore, Teacher Debbie Schell and Educators Michelle Gibbs and Anthony Farrugia at Central High School for their quick action to assist a Londoner in a time of distress.

Her Worship the Mayor accepts greetings from London Food Bank representatives Glen Pearson, Director, and Jane Roy, Assistant Director, and donations to the London Food Bank are collected from Members of Council and the Civic Administration.

Her Worship the Mayor accepts greetings from The Honourable Deb Matthews, Minister of Children and Youth Services and Minister Responsible for Women's Issues who announces the funding to be received by the City of London in 2009 under the Ontario Municipal Partnership Fund and the Ontario Disability Support Program.

The Chair directs that the Order of Business be changed to deal with the loan guarantee request of Orchestra London at 5:30 p.m.

DISCLOSURES OF PECUNIARY INTEREST

21. Councillor Miller discloses a pecuniary interest in clause 10 of the 1st Report of the Board of Control having to do with the proposed "Nuclear Cost Responsibility Act" by indicating that her spouse is employed by Hydro One and performs work at power stations.

22. Councillor Branscombe discloses a pecuniary interest in clause 8 of the 1st Report of the Board of Control having to do with the London International Airport by indicating that her spouse owns and operates a business on 8 acres of land adjacent to the Airport.

23. Councillor Baechler discloses a pecuniary interest in clause 3 of the Confidential Appendix to the 1st Report of the Board of Control having to do with a matter pertaining to litigation or potential litigation with respect to property located at 34 Debbie Lane, Block 1, Plan 33M-405, including matters before administrative tribunals, affecting the municipality or local board and advice that is subject to solicitor-client privilege, including communications, reports, advice or recommendations of officers and employees of the Corporation necessary for that purpose, by indicating that she resides in close proximity to the subject property.

24. Councillor Bryant discloses a pecuniary interest in clause 4 of the Community and Protective Services Committee having to do with the Dearness Home by indicating that her spouse sits on the Board of Directors of the Local Health Integration Network.

25. Councillor Eagle discloses a pecuniary interest in clause 7 of the 1st Report of the Planning Committee having to do with the Grenfell/South Ross Lands by indicating that a family member is employed by Drewlo Holdings Ltd.
MINUTES

26. Councillor Miller moves, seconded by Councillor Orser, that the Minutes of the First Meeting held on December 1, 2008 be adopted. CARRIED

CONFIDENTIAL MATTERS TO BE CONSIDERED IN PUBLIC

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

COMMUNICATIONS

28. The Chair directs that the actions suggested by the City Clerk with respect to Communication No.’s 1 to 8, inclusive, as identified on the Orders of the Day and on the Added and Added, Added Communications be taken.

Councillor Miller moves, seconded by Councillor Eagle, that pursuant to section 7.3 of the Council Procedure By-law, the order of business be changed to permit consideration of a motion for which notice was given pertaining to staff compensation after the in-camera session. CARRIED

REPORTS

1ST REPORT OF THE BOARD OF CONTROL

29. Controller Polhill presents the 1st Report of the Board of Control.

Controller Polhill moves that clauses 1 to 10, inclusive, be adopted.

Councillor Baechler moves, seconded by Controller Polhill, that clause 8 be amended by adding thereto at the end of part (c) the words “, as well as with details of the full costs associated with part (a)”.

The motion to adopt clauses 1, 2, 3, 4, 6, 7 and 9, inclusive, is put and CARRIED.

The motion to adopt clause 5 is put and LOST on a recorded vote, the Members voting as follows:

YEAS: Mayor DeCicco-Best, Deputy Mayor Gosnell, Controllers Polhill and Hume and Councillors MacDonald and Caranci. (6)

NAYS: Controller Barber and Councillors Armstrong, Winninger, Usher, Orser, Lonc, Eagle, Baechler, Branscombe, Miller, Bryant and Hubert. (12)

Controller Barber moves, seconded by Councillor Baechler, that a new clause 5 be adopted as follows:

“That the Municipal Council strike a Transparency and Accountability Committee, composed of three members of Council and two members of the public with appropriate expertise, to report back to the Board of Control by no later than December 2009 with an implementation plan for appointing an integrity commissioner.” CARRIED on a recorded vote, the Members voting as follows:

YEAS: Controller Barber and Councillors Armstrong, Winninger, Usher, Orser, Lonc, Eagle, Baechler, Branscombe, Miller, Bryant and Hubert. (12)

NAYS: Mayor DeCicco-Best, Deputy Mayor Gosnell, Controllers Polhill and Hume and Councillors MacDonald and Caranci. (6)

The motion to adopt clause 8, as amended, is put and CARRIED.

The motion to adopt clause 10 is put and LOST on a recorded vote, the Members voting as follows:
YEAS: Mayor DeCicco-Best, Deputy Mayor Gosnell, Controllers Polhill and Hume and Councillors MacDonald, Lonc and Hubert. (7)

NAYS: Controller Barber and Councillors Armstrong, Winninger, Usher, Orser, Eagle, Baechler, Branscombe, Bryant and Caranci. (10)

Councillor Winninger moves, seconded by Councillor Orser, that a new clause 10 be adopted as follows:

"That the Mayor BE DIRECTED to sign the Nuclear Cost Accountability Petition of the Ontario Clean Air Alliance, on behalf of London City Council." CARRIED

Councillors MacDonald, Lonc and Hubert. (7) Baechler, Branscombe, Bryant and Caranci. (10)

Clauses 1 to 4, 5 as amended, 6 and 7, clause 8, as amended, clause 9 and clause 10, as amended, read as follows:

1. That, on the recommendation of the Acting General Manager of Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the supply and delivery of miscellaneous pre-cast concrete products, namely:

   a) the bid submitted by M-Con Pipe & Products Inc., 2691 Greenfield Road, Box 1191, Ayr, at its total tendered price of $124,206.96 (PST and GST extra), BE ACCEPTED; it being pointed out that the bid submitted by M-Con Pipe & Products Inc. was the lowest of four (4) 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 or contract record relating to this matter (Tender 08-76). (W13-00)

2. That, on the recommendation of the Director of Wastewater and Treatment, the following actions be taken with respect to increasing the potential bonus payout applicable to the Greenway Pollution Control Centre Incinerator Refurbishment (Project No. ES5282), namely:

   a) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary to recognize the potential bonus payout of $7,500 per day (excluding GST) or penalty of $10,500 per day; it being noted that a previously-approved allowance of $300,000 is now to be increased to $450,000 and set aside at this time;

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

   c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project. (WO6-00)

3. That, on the recommendation of the Director of Wastewater and Treatment, the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary to pay a waste tipping fee of $88,175 (plus GST) to St. Marys Cement Inc. (Canada), 410 Waverley Road, Bowmanville, Ontario, for the disposal of 3,527 metric tonnes of incinerator ash from the Greenway incinerator. (W06-00)

4. That, on the recommendation of the Acting General Manager of Environmental and Engineering Services and City Engineer, the attached proposed by-law (Appendix A) BE INTRODUCED at the Municipal Council meeting on December 15, 2008:

   a) to approve the Service Level Agreement for the water meter reading, billing and collection of the City's water and sewer accounts by London Hydro Inc.; and

   b) to authorize the Mayor and the City Clerk to execute the Service Level Agreement for the water meter reading, billing and collection of the City's water and sewer accounts by London Hydro Inc. (W13-00)
5. That the Municipal Council strike a Transparency and Accountability Committee, composed of three members of Council and two members of the public with appropriate expertise, to report back to the Board of Control by no later than December 2009 with an implementation plan for appointing an integrity commissioner. (G06-00)

6. That, on the recommendation of the General Manager of Finance and Corporate Services and Acting City Treasurer, the revised proposed by-law to establish the remuneration for members of Council for 2009 BE INTRODUCED at the Municipal Council meeting to be held on December 15, 2008; it being noted that the revised proposed by-law reflects the intention that the reduction in remuneration does not apply to citizen appointments. (G06-00)

7. That, on the recommendation of the General Manager of Finance and Corporate Services and Acting City Treasurer, the following actions be taken with respect to the unopened road allowance located between 1600 and 1620 Highbury Avenue North, namely:

(a) the road allowance legally described as Registered Plan No. 91 (C), formerly in the Township of London, now in the City of London, more particularly described as Parts 1 to 5 and 7, Reference Plan 33R-17289, BE DECLARED SURPLUS and conveyed as follows:

(i) Parts 1 and 4, Reference Plan 33R-17289, to 1370828 Ontario Limited, subject to a permanent easement in favour of the City and London Hydro, with an area of approximately 0.17 acres (690.5 square metres) and subject to final grading of the abutting property, for a total consideration of $5,000;

(ii) Part 2, 3 and 5, Reference Plan 33R-17289, to Rembrandt Riverbend Inc., subject to a permanent easement in favour of the City and London Hydro with a total area of approximately 0.44 acres (1,792 square metres), for a total consideration of $7,500; and

(iii) Part 7, Reference Plan 33R-17289, to Drewlo Holdings Inc., with an area of approximately 0.08 acres (327 square metres), in exchange for parkland of an equal size;

(b) a temporary right-of-way over Part 6, Reference Plan 33R-17289, and the adjoining 1 foot reserve identified as Block 61, Plan 33M-443, BE GRANTED to Rembrandt Riverbend Inc. until such time as these parcels are declared a public street (extension of Purser Street); it being noted that the conveyance of Parts 1 and 4, Reference Plan 33R-17289, is conditional upon the agreement of 1370828 Ontario Limited, within 60 days of Council approval, to purchase these lands, failing which the lands shall be conveyed to Rembrandt Riverbend Inc. for the same consideration; it being further noted that Rembrandt Riverbend Inc. has acknowledged that there will not be a driveway entrance to Highbury Avenue over the lands conveyed as Parts 1 to 5, Plan 33R-17289; and

(c) a by-law BE INTRODUCED at a future Council meeting to approve this declaration and conveyance and to authorize the Mayor and the City Clerk to execute the Agreements of Purchase and Sale. (L15-01)

8. That, on the recommendation of the Director of Intergovernmental and Community Liaison, the following actions be taken in connection with London International Airport:

(a) Phase II of Skyway Industrial Park, currently budgeted for 2012 and 2013, BE CONSIDERED for inclusion on the City of London list of priority Building Canada Fund infrastructure projects;

(b) the initiatives in the attached London International Airport submission BE SUPPORTED, and the local MPs and MPPs and the Southwest Economic Alliance (SWEA) BE ADVISED of this action; and

(c) the Civic Administration BE REQUESTED to report back to the Board of Control with details as to how the request in part (a), above, fits within the priority list for BUILD Canada Funding that the City of London's Senior Administration has developed, as well as with details of the full costs associated with part (a);
it being noted that the Board of Control (BC) heard verbal presentations from the Chief Administrative Officer and S. Baker, President and CEO, London International Airport, with respect to this matter. (S02-00)

9. That, on the recommendation of the Board of Directors of the London Convention Centre Corporation (LCCC), the 2009 life cycle maintenance capital expenditure of $1,000,000 for the 2nd floor refurbishment and lighting project planned for June 27, 2009 to September 4, 2009 at the London Convention Centre, BE PRE-APPROVED; it being noted that this will not require new or additional tax dollars, but will be funded through operational surpluses being applied to the capital reserve. (F05-00)

10. That the Mayor BE DIRECTED to sign the Nuclear Cost Accountability Petition of the Ontario Clean Air Alliance, on behalf of London City Council. (W12-00)

Controller Hume moves, seconded by Controller Barber, that the following actions be taken with respect to a loan guarantee for Orchestra London (OL):

(a) a grant of $50,000 to OL BE APPROVED with the source of funding being from unspent 2008 funds in the Creative City initiative program; it being noted that there will be no new property tax supported funding required for this one time grant;

(b) a loan guarantee to OL of up to $450,000 BE APPROVED on the following conditions:

(i) the OL Board continuing to try to find community partners to assume some portion of the loan guarantee and, if so, the City's guarantee being reduced accordingly;

(ii) OL continuing to seek donations to fund the OL's cash flow shortage;

(iii) Jim Dunlop being assigned as OL's financial consultant, with direct monthly reporting to the Civic Administration;

(iv) an interim Financial Oversight Committee of up to five prominent citizens being established to assist the OL Board for 2009, with the Committee being composed of volunteers agreed upon by the OL Board and the Civic Administration;

(v) the new Business Plan presented by the Board of OL being implemented; and

(c) the attached proposed by-law to authorize the Mayor and City Clerk to execute a loan guarantee, in accordance with (b), above, and in a form satisfactory to the Acting City Treasurer, BE INTRODUCED at the Municipal Council meeting to be held on December 15, 2009.

At 5:45 p.m. Her Worship the Mayor places Deputy Mayor Gosnall in the Chair and takes a seat at the Council Board.

Councillor Lonc moves, seconded by Controller Hume, that clause 11 be amended in part (b)(iv) by deleting therefrom the year “2009” and by replacing it with the words “the life of the loan guarantee”. CARRIED

At 5:51 p.m. Her Worship the Mayor resumes the Chair, and Deputy Mayor Gosnall takes a seat at the Council Board.

Controller Polhill moves, seconded by Controller Hume, that clause 11 be further amended in part (b)(iii) by adding thereto at the end the words “and, in turn, with semi-annual reporting, or sooner should issues arise, from the Civic Administration to the Municipal Council.” CARRIED

Deputy Mayor Gosnall moves, seconded by Councillor Orser, that pursuant to section 9.6 of the Council Procedure By-law, Councillor Miller be permitted to speak longer than 5 minutes with respect to clause 11. CARRIED

The motion to adopt clause 11(a) is put and LOST on a tied recorded vote, the Members voting as follows:
a loan guarantee for OL of up to $500,000 BE APPROVED on the following conditions:

(i) the OL Board continuing to try to find community partners to assume some portion of the loan guarantee and, if so, the City's guarantee being reduced accordingly;

(ii) OL continuing to seek donations to fund OL's cash flow shortage;

(iii) Jim Dunlop being assigned as OL's financial consultant, with direct monthly reporting to the Civic Administration and, in turn, with semi-annual reporting, or sooner should issues arise, from the Civic Administration to the Municipal Council;

(iv) an interim Financial Oversight Committee of up to five prominent citizens being established to assist the OL Board for the life of the loan guarantee, with the Committee being composed of volunteers agreed upon by the OL Board and the Civic Administration;

(v) the new Business Plan presented by the OL Board being implemented; and,

(b) the attached revised proposed by-law to authorize the Mayor and City Clerk to execute a loan guarantee, in accordance with (a), above, and in a form satisfactory to the Acting City Treasurer, BE INTRODUCED at the Municipal Council meeting to be held on December 15, 2009."

Councillor Usher moves, seconded by Councillor Orser, that Council recess. CARRIED

The Council recesses at 7:00 p.m. and reconvenes at 7:39 p.m. with Mayor DeCicco-Best in the Chair and all Members present except Controller Barber and Councillors Caranci, Lonc, Van Meerbergen and Winnering.

The Chair directs that clauses 12 to 20, inclusive, of Section II be noted. Clauses 12 to 20 read as follows:

12. That the Board of Control (BC) received the Draft 2009 Operating, Capital, Water and Wastewater and Treatment Budgets and the attached budget presentation from the General Manager of Finance and Corporate Services and Acting City Treasurer and the Acting General Manager of Environmental and Engineering Services and City Engineer. The BC referred the Budgets to the Board of Control budget meetings for consideration and requested that the Civic Administration and the City of London's agencies, boards and commissions identify any anticipated energy cost savings arising from the recent drop in energy prices, or other potential adjustments, such as those related to recycling, that could affect the bottom line of the Budget, as presently submitted.
13. That the Board of Control reviewed and received an information report from the Chief Administrative Officer with respect to laying the foundation for identifying specific projects, should federal and provincial funding become available. (G10-00)

14. That the Board of Control reviewed and received an information report from the General Manager of Finance and Corporate Services and Acting City Treasurer with respect to Provincial Offences Act financial information. (F10-00)

15. That the Board of Control reviewed and received an information report from the Director of Intergovernmental and Community Liaison with respect to a review of the policies and practices of Canadian municipalities regarding International Sister City relationships; it being noted that the Civic Administration will report back on the development of a draft policy for Sister City Relationships in January 2009. (M16-00)

16. That the Board of Control reviewed and received a copy of a "Buy Canadian – Build Communities" resolution from Local 27 CAW Canada with respect to a Buy Canadian Policy for municipal purchases.

17. That the Board of Control received and noted the Minutes of the 1st Meeting of the County/City Liaison Committee from its meeting held on November 25, 2008. (See Minutes attached.)

18. That the Board of Control (BC) received a communication dated December 2, 2008 from Vern Eldridge resigning his appointment to the Community Safety and Crime Prevention Advisory Committee (CSCP). The BC accepted the resignation with regret and asked the Mayor to forward a letter of appreciation to Mr. Eldridge. 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)

19. That the Board of Control reviewed and received a summary of the meeting of the Federation of Canadian Municipalities (FCM) Board of Directors held November 19 - 22, 2008 in Ottawa, Ontario, from Councillors Caranci, Eagle, MacDonald and Usher. (A02-02)

20. That the Board of Control (BC) passed the following resolution prior to moving in camera from 1:27 p.m. to 2:17 p.m.:

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

(a) a matter pertaining to proposed or pending acquisition of land by the municipality in connection with the Springbank Road Widening project and related expropriation; litigation or potential litigation with respect to an expropriation of part of the lands at 282-284 Springbank Drive, including matters before administrative tribunals, affecting the municipality or local board; advice that is subject to solicitor-client privilege, including communications necessary for that purpose, in connection with an expropriation of part of the lands at 282-284 Springbank Drive; and directions and instructions to officers and employees or agents of the municipality regarding settlement negotiations and conduct of litigation in connection with an expropriation of part of the lands at 282-284 Springbank Drive;

(b) a matter pertaining to litigation affecting the municipality, specifically an outstanding motion by AAR-CON Enterprises Corporation and Sifton Properties Limited to the Ontario Municipal Board, File No. PL030543, for an Order extending draft plan approval for a further 3 years; and advice that is subject to solicitor-client privilege, including communications necessary for that purpose, relating to a motion presently before the Ontario Municipal Board for an Order extending draft plan approval for a further 3 years;

(c) a matter pertaining to litigation or potential litigation with respect to property located at 34 Debbie Lane, Block 1, Plan 33M-405, including matters before administrative tribunals, affecting the municipality or local board and advice that is subject to solicitor-client privilege, including communications, reports, advice or recommendations of officers and employees of the Corporation necessary for that purpose;

(d) a matter pertaining to personal matters involving identifiable individuals who are municipal employees with respect to an employment related matter;
(e) a matter pertaining to labour relations or employee negotiations regarding employment related matters with municipal employees including communications, advice, reports or recommendations of officers and employees of the Corporation necessary for that purpose;

(f) a matter pertaining to labour relations or employee negotiations regarding employment related matters with municipal employees including communications, advice, reports or recommendations of officers and employees of the Corporation necessary for that purpose;

and that the BC is submitting a confidential report to the Municipal Council regarding these matters. (See Confidential Appendix to the 1st Report of the Board of Control enclosed for Council Members only.)

1ST REPORT OF THE ENVIRONMENT AND TRANSPORTATION COMMITTEE


Councillor Hubert moves that clauses 1 to 6, inclusive, be adopted.

Councillor Van Meerbergen enters the meeting at 7:40 p.m.

Councillor Caranci enters the meeting at 7:42 p.m.

Controller Barber and Councillors Lonc and Winninger enter the meeting at 7:43 p.m.

Councillor Branscombe moves, seconded by Councillor Bryant, that clause 5 be amended by adding thereto a new part (c) as follows:

"(c) recognizing London's role as an Economic Centre in Southwestern Ontario, the London Civic Administration BE REQUESTED to work with other stakeholders to develop a "Long Term Strategic Economic and Transportation Master Plan" which incorporates road, rail and air, and the opportunities of free trade in preparation for the likely infusion of substantial infrastructure money from the Federal and Provincial Governments, so that the Municipal Council can deliberate and decide on its priorities." CARRIED

The motion to adopt clauses 1 to 4, clause 5, as amended, and clause 6, inclusive, is put and CARRIED. Clauses 1 to 4, clause 5, as amended, and clause 6 read as follows:

1. That the Board of Control BE REQUESTED to hold a public participation meeting on the potential establishment of a London Administrative Tribunal pursuant to Section 23 of the Municipal Act to hear appeals under various City by-laws; it being noted that it is proposed that the Administrative Tribunal would consist of three members of the public to be appointed for a term concurrent with the current Council; it being further noted that the Civic Administration will also consider and report back on the proposed rules of practice and procedure for the Administrative Tribunal, the proposed appointment process and the matter of a honorarium for the members of the Tribunal; it being pointed out that the Environment and Transportation Committee heard a verbal presentation from K. Bain, City Clerk with respect to this matter. (2008-G02-00)

2. That, on the recommendation of the Acting General Manager of Environmental and Engineering Services & City Engineer, the Operational Plan for the London-owned portion of the Elgin-Middlesex Pumping Station BE ENDORSED by the Municipal Council as per the requirements of O.Reg 188/07. (2008-W07-00)

3. That, on the recommendation of the Director, Roads and Transportation, the proposed by-law (Appendix "A") BE INTRODUCED at the Municipal Council meeting to be held on December 15, 2008 for the purpose of amending the Traffic and Parking By-law (PS-111) to address traffic safety, operations and parking concerns relating to Bradshaw Crescent, Briar Court, Sugarcreek Trail, Empress Street and Mountsfield Drive and the general provision of angle parking. (2008-S09-00)
4. That, on the recommendation of the Director, Roads and Transportation, a posted speed limit increase to 60 km/h **BE APPROVED** for Springbank Drive from the Coves easterly to 50m east of Wharncliffe Road; it being noted that this change will be included in the next Streets and Parking By-law Amendment. (2008-S09-00)

5. That, notwithstanding the recommendation of the Director, Roads and Transportation, the following actions be taken with respect to initiating the London 2030 Transportation Master Plan:

(a) the Civic Administration **BE DIRECTED** to initiate a consultant selection process pursuant to Council Policy 7(9) which states “assignments for complex projects, or projects with estimated consulting fees greater than $500,000 may be awarded based on a 2-stage process with the first stage being an open, publicly-advertised expression of interest/prequalification stage, and the second being a request for proposal of the short-listed firms, of which there shall be a minimum of three qualified firms stating their approach to the proposed project and their experience and knowledge of projects similar in nature”;

(b) the **attached** Request for Qualifications **BE APPROVED** and **BE DISTRIBUTED** to qualified consultants together with a copy of the City of London’s Placemaking Guidelines; and

(c) recognizing London’s role as an Economic Centre in Southwestern Ontario, the London Civic Administration **BE REQUESTED** to work with other stakeholders to develop a “Long Term Strategic Economic and Transportation Master Plan” which incorporates road, rail and air, and the opportunities of free trade in preparation for the likely infusion of substantial infrastructure money from the Federal and Provincial Governments, so that the Municipal Council can deliberate and decide on its priorities. (2008-SI 1-00)

6. That, on the recommendation of the Director of Environmental Programs & Solid Waste, the following actions be taken with respect to Update #4 relating to Mario proposal for a Provincial ban on the cosmetic use of pesticides and a City of London Pesticide By-law update:

(a) the **attached** revised Report from the Director of Environmental Programs & Solid Waste dated December 8, 2008 with respect to Update #4 – Ontario Proposal for a Provincial ban on the cosmetic use of pesticides and a City of London Pesticide By-law update **BE ENDORSED** and **BE SUBMITTED** by the Municipal Council, in its entirety, to the Ministry of the Environment’s Environmental Bill of Rights Registry posting (#010-5080, November 07, 2008) which outlines the Provincial Government’s Cosmetic Pesticides Ban Act, 2008 (formerly Bill 64), passed in the Ontario Legislature on June 18, 2008; it being noted that the Act amends the Pesticides Act (1990) to prohibit the use and sale of pesticides that may be used for cosmetic purposes; it being also noted that the due date for comments is December 22, 2008; and

(b) the Director of Environmental Programs and Solid Waste **BE ASKED** to review and report back to the Environment and Transportation Committee on the number and type of complaints deemed to be frivolous that have been received to date by Environmental and Engineering Services Department Staff with respect to the City of London Pesticide By-law. (2008-E02-02)

Councillor Hubert moves that clauses 7 to 13, inclusive, be adopted.

Councillor Hubert moves, seconded by Councillor Caranci, that clause 10 be amended in part (a) by deleting therefrom all words after the words “Sifton Bog”. **CARRIED**

Councillor Caranci moves, seconded by Councillor Hubert, that clause 12 be referred back to the Environment and Transportation Committee (ETC) for further consideration when J. Ryan appears before the ETC as a delegation on this matter. **CARRIED**

The motion to adopt clauses 7 to 9, inclusive, clause 10, as amended, and clauses 11 and 13 is put and **CARRIED**.
7. The following actions be taken with respect to the fees and charges associated with private drain connections:

(a) the Director of Wastewater and Treatment BE DIRECTED to prepare any proposed draft by-laws necessary to effect changes to the fees and charges associated with private drain connections in accordance with the following:

<table>
<thead>
<tr>
<th>Private Drain Connection installed during a construction project</th>
<th>Proposed fee, with road restoration</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td></td>
</tr>
<tr>
<td>50% of the cost of a new or replacement residential service when a storm or sanitary sewer is being reconstructed</td>
<td>2,000</td>
</tr>
<tr>
<td>50% of the cost of a new or replacement residential service with excavation below the road structure, but not involving construction of the sewer main.</td>
<td>2,400</td>
</tr>
<tr>
<td>Non-Residential</td>
<td></td>
</tr>
<tr>
<td>100% of the cost of a new or replacement non-residential service when a storm or sanitary sewer is being reconstructed</td>
<td>4,000</td>
</tr>
<tr>
<td>100% of the cost of a new or replacement non-residential service with excavation below the road structure, but not involving construction of the sewer main.</td>
<td>5,000</td>
</tr>
</tbody>
</table>

(b) a public participation meeting be held in January 2009 for the purpose of seeking public input and comment on the proposed by-laws to effect changes to the fees and charges for private drain connections, as noted in (a) above. (2008-W05-00)

8. That, on the recommendation of the Director, Wastewater and Treatment, the following actions be taken with respect to Storm/Drainage and Stormwater Management (SWM) Servicing Design Standards and Requirements for Permanent Private Systems:

(a) the proposed Storm/Drainage and SWM Servicing Design Standards and Requirements for Permanent Private Systems BE CIRCULATED to the development community, London Consulting Engineers Ontario, and the Urban League for comment;

(b) a public meeting regarding this proposed Design Standards and Requirements BE HELD in the first quarter of 2009; and

(c) prior to formal implementation, any developers who are interested in voluntarily implementing these Design Standards and Requirements BE PERMITTED to apply the permanent private storm/drainage and SWM systems in keeping with the general principles of this guideline as part of their development approval process. (2008-W05-05)

9. That, on the recommendation of the Director, Roads and Transportation, the following actions be taken with respect to an update on the Richmond Street on-street parking pilot project from Pall Mall Street to Dufferin Avenue:

(a) the Richmond Street pilot parking program BE EXPANDED to include paid parking from 10:00 a.m. to 3:00 p.m., Monday to Friday, for an additional one-year period to evaluate and assess any impacts on all stakeholders; and

(b) the attached and revised proposed by-law (Appendix "A") BE INTRODUCED at the Municipal Council meeting to be held on December 15, 2008 for the purpose of amending the Traffic and Parking By-law (PS-111) related to on-street parking on the west side of Richmond Street between Dufferin Avenue and Mill Street;
it being noted that future growth in traffic and/or future undertakings as recommended by the London 2010 Transportation Master Plan may lead to the removal of the above-noted parking on Richmond Street; it being also noted that communications dated December 1, November 30 and December 7, 2008, respectively, were received from W. Kinghorn, Chair, The Woodfield Community Association, A. Woodson, Executive Director, Piccadilly Area Neighbourhood Association and J. Hurwitz, 1-674 Dufferin Avenue respectively; it being further noted that verbal presentations were heard from B. Scrinko and L. Zack, Co-Chairs, Richmond Row Association, with respect to this matter; it being pointed out that the attached petition from B. Scrinko and L. Zack, Co-Chairs, Richmond Row Association, containing approximately 107 signatures supporting the extended parking pilot project is on file in the City Clerk's Office. (2008-SO4-00)

10. That, notwithstanding the recommendation of the Animal Welfare Advisory Committee (AWAC), the following actions be taken with respect to the management of the deer population in the City of London, including the Sifton Bog:

(a) the Municipal Council BE ASKED to continue to investigate all non-lethal forms of managing the deer population in the City of London, including the Sifton Bog;

(b) the matter of managing the deer population in the Sifton Bog BE REFERRED pending the submission of the Sifton Bog Conservation Master Plan 2009-2019 on this issue, which is currently being prepared;

it being noted that the Environment and Transportation Committee heard verbal presentations from M. Blosh, Chair, AWAC, and B. Bergsma, Ecologist Planner, with respect to this matter.

11. That, on the recommendation of the Trees and Forests Advisory Committee (TFAC), the Corporate Communications Department BE REQUESTED to work in conjunction with the TFAC to develop a communication strategy that will detail the steps and activities necessary to launch the tree watering alerts to the public; it being noted that TFAC reviewed and received a Municipal Council resolution adopted at its meeting held on October 20, 2008 with respect to tree watering notification magnets for use on City-owned vehicles.

12. That, on the recommendation of the Trees and Forests Advisory Committee, the Civic Administration BE REQUESTED to review the attached communication dated November 26, 2008 from J. Ryan, with respect to suggested changes to the Tree Planting Guidelines, with a report back to the TFAC on the feasibility of implementing the proposed changes.

13. 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 Water Meter and Meter Reading Strategy related to Project EW1628 (Meter Replacement Program) and a staffing request included in the 2009 Water Budget:

(a) meter replacement BE CONDUCTED on a consumption based frequency to minimize loss of revenue due to aging meters and ineffective billing process (Environmental and Engineering Services Department Strategic Initiative C-26);

(b) the number of replacements and new installations BE INCREASED to target 10,000 metres annually; it being noted that this effectively replaces all meters within a 10 year period; and

(c) all new meter installations and replacements BE UPGRADED to Electronic Radio Transmitters (ERTs) to automatically read meters which improves customer service and minimizes billing errors and estimating reads;

it being noted that the Environment and Transportation Committee received the attached presentation from the Acting General Manager of Environmental and Engineering Services & City Engineer with respect to this matter. (2008-W13-00)

The Chair directs that clauses 14 to 24, inclusive, of Section II be noted. Clauses 14 to 24 read as follows:
14. That the Environment and Transportation Committee elected Councillor R. Caranci as its Vice-Chair for the term ending November 30, 2009.

15. That the Environment and Transportation Committee (ETC) noted and filed a Municipal Council resolution adopted at its meeting held on November 17, 2008 with respect to the composition of the ETC for the term ending November 30, 2009.

16. That the Environment and Transportation Committee (ETC) received an information report from the Acting General Manager of Environmental and Engineering Services & City Engineer with respect to the wet weather event of January 8 and 9, 2008. The ETC asked the Civic Administration to add to the City of London Website the basement flooding pamphlet that has been developed by the Wastewater and Drainage Engineering Division, with input from Public Service and Sewer Operations. (2008- W10-00)

17. That the Environment and Transportation Committee (ETC) received a communication dated November 14, 2008 from C. Bailey, 9682 Charlton Drive, with respect to the storage of municipal biosludge in Middlesex County. (2008- W03-00)

18. That the Environment and Transportation Committee (ETC) received and reviewed a communication dated November 17, 2008 from F. Sandu, 35 Westwinds Drive, with respect to excessive noise concerns. The ETC asked the Manager of Licensing and Elections, in consultation with the City Solicitor, to report back prior to the Municipal Council meeting to be held on Monday, December 15, 2008, with respect to the City’s authority to require the business owner of the automotive garage adjacent to the property on Westwinds Drive to relocate the compressor equipment to the front of the building in order that noise concerns may be alleviated; it being noted that the ETC heard verbal presentations from F. Sandu, 35 Westwinds Drive, B. Stein, Manager of Licensing and Elections and O. Katolyk, Manager of By-law Enforcement, with respect to this matter. (2008-P07-00)

19. That the Environment and Transportation Committee (ETC) received and noted clauses 2 to 12 of the 9th Report of the Animal Welfare Advisory Committee from its meeting held on November 25, 2008. (See Report attached.)

20. That the Environment and Transportation Committee received and noted clauses 3 to 8 of the 9th Report of the Trees and Forests Advisory Committee from its meeting held on November 26, 2008. (See Report attached.)

21. That the Environment and Transportation Committee (ETC) reviewed its Deferred Matters List, as of November 28, 2008.
31. Councillor Usher presents the 1st Report of the Community and Protective Services Committee.

Councillor Usher moves that clauses 1 and 2 be adopted.

The Chair directs that clause 16 be considered in conjunction with clause 1.

Councillor Usher moves, seconded by Councillor Winninger, that clause 1 be amended to include approval of the fee increases for Storybook Gardens, as originally recommended by the Civic Administration. CARRIED on a recorded vote, the Members voting as follows:

YEAS: Mayor DeCicco-Best, Controller Barber and Councillors Armstrong, Winninger, Usher, Orser, Eagle, Baechler, Branscombe and Bryant. (10)

NAYS: Deputy Mayor Gosnell, Controllers Polhill and Hume and Councillors Van Meerbergen, MacDonald, Lonc, Miller, Caranci and Hubert. (9)

The motion to adopt clause 1, as amended, and clause 2 is put and CARRIED.

Clause 1, as amended, and clause 2 read as follows:

1. That the proposed, revised amendment to By-law A-28 attached as Appendix "A" to provide for various Community Services Department fees and charges BE INTRODUCED at the Municipal Council meeting to be held on December 15, 2008, to implement the aforementioned user fees and charges; it being noted that many fees need to be approved for publication or business reasons prior to the end of 2008;

   it being pointed out that no submissions were made at the public participation meeting associated with this matter. (2008-F17-00)

2. That Civic Administration BE DIRECTED to investigate and report back to the Community and Protective Services Committee with respect to potential options and the feasibility of family season passes and/or family multi-use passes for Storybook Gardens, with the focus being additional discount admissions for the park.

Councillor Usher moves that clauses 3 and 4 be adopted.

Pursuant to section 17.2 of the Council Procedure By-law, Councillor Bryant calls for a separate vote on clause 4.

The motion to adopt clause 3 is put and CARRIED.

The motion to adopt clause 4 is put and CARRIED.

Clauses 3 and 4 read as follows:

3. That, on the recommendation of the General Manager of Community Services, the following actions be taken with respect to the London 2008 Ontario Senior Games – Actifest:

(a) the Executive Summary from the London 2008 Ontario Senior Games – Actifest, Games Organizing Committee, attached as Attachment "A", BE RECEIVED, with appreciation to BE EXTENDED to the Co-Chairs Barry Fay and Fran Eberhard for the enormous amount of time and effort they and their team spent organizing the Games on behalf of the City of London;

(b) with the concurrence of the Acting Deputy City Treasurer, the Financial statement, attached as Attachment "B", BE ENDORSED it being noted that the financial surplus is $71,775.09;
INTRODUCED at the Municipal Council meeting being held on December 15, 2008; and

(d) thanks be extended to the entire Actifest 2008 Committee and volunteers for a tremendous event;

it being noted that a copy of the complete final report of the London 2008 Ontario Senior Games - Actifest is on file in the City Clerk’s office for viewing. (2008-M09-00)

4. Services, the attached Community Annual Planning Submission for the Dearness Home Adult Day Program and Homemaking Program BE APPROVED for submission to the South West Local Health Integration Network (LHIN);

it being noted that:

- it is a requirement of the LHIN that the Planning Submission be approved by the Board of Directors of the Home (City Council);
- given that the tight timelines between the LHIN’s notice of requirement to file and its deadline to file did not coincide with Council’s meeting schedule, the Administrator sought and received permission to submit the Plan prior to the LHIN deadline on the understanding that notice of Council approval would follow;
- if and when the LHIN approves the Plan, the City will be required to enter into a formal Multi-Sectoral Service Accountability Agreement with the Province;
- these programs provide vital services to frail elderly citizens still residing in the community;
- these programs are non-mandatory with the Homemaking Program cost shared on an 80-20 basis with the Province and the Adult Day Program fully funded by the Province and users, with the City covering any operating deficits. (2008-C11-00)

Councillor Usher moves that clauses 5 to 8, inclusive, be adopted.

Councillor Usher moves, seconded by Councillor Miller, that clause 5 be amended in line 1 of part (b) by adding thereto after the words “development funding” the words “for staffing and resources in the amount of $47,200”. CARRIED

Councillor Eagle moves, seconded by Councillor Usher, that clause 5 be further amended in clause 5 by adding a new part (d) as follows:

“(d) the Westminster Park Optimist Centre BE CONSIDERED during the update of the Parks and Recreation Master Plan;”. CARRIED

The motion to adopt clause 5, as amended, and clauses 6 to 8, inclusive, is put and CARRIED.

Clauses 5 to 8 read as follows:

5. That the following actions be taken with respect to the request for City of London investment in the Westminster Park Optimist Centre and its expansion:

(a) the request for bridge funding to provide for an extension to the work term for the Community Development Worker currently funded by a one-time City CSIF grant BE APPROVED to a maximum of $6,000.00, from the 2008 Community Services Budget;

(b) the annualized request for community development funding for staffing and resources in the amount of $47,200, as well as the one-time funding request in the amount of $20,000 for construction costs related to the expansion project, BE REFERRED to the 2009 Budget process;

(c) the General Manager of Community Services BE REQUESTED to liaise with civic departments, on behalf of the Westminster Park Optimist Centre, with respect to regulatory matters related to its construction and expansion; and,
It being noted that the Civic Administration will continue assist the Westminster Park Optimists with investigating additional funding sources; it being further noted that the Community and Protective Services Committee (CPSC) received the attached presentation from G. Williams and S. Denomme, Westminster Park Optimists, and heard a verbal presentation from J. Clements, C. Mwamba and M. Mwamba, program participants, with respect to this matter. (2008-A09-02)

6. That clause 1 of the 11th Report of the London Diversity & Race Relations Advisory Committee (LDRRAC) BE DELETED and BE REPLACED with the following new clause 1:

That the request of the LDRRAC to increase its allowable expenditures in 2009 by $1,200.00 BE REFERRED to the 2009 Budget process for consideration; it being noted that the LDRRAC intends to produce an information brochure in English and other languages, as well as have the brochure available on the LDRRAC's website; it being further noted that the Community and Protective Services Committee received a verbal report from J. Olawuyi, Chair, LDRRAC with respect to this matter.

7. That, on the recommendation of the Chief Administrative Officer, the following actions be taken with respect to the City of London 2009 Accessibility Plan:

(a) the attached City of London 2009 Accessibility Plan, which outlines in Appendix A the recommended new strategic actions the City intends to undertake from January 2009 to December 2009, BE ADOPTED; and
(b) the Accessibility Advisory Committee BE THANKED by the Municipal Council for their continued support and extensive background work into the development of the 2009 Accessibility Plan;

It being noted that the estimated costs included in the Plan have been incorporated in each applicable departmental budget for 2009, and all projects are subject to Budget approval; it being further noted that a verbal presentation was heard from R. Armistead, Manager of Culture and Municipal Policy and R. Khouri, Chair, Accessibility Advisory Committee with respect to this matter. (2008-A09-03)

8. That the request from the Pillar Nonprofit Network for an annual City of London contribution in the amount of $40,000 BE REFERRED to the 2009 Budget process; it being noted that the Community and Protective Services Committee received the attached presentation was received from L. Foster, Volunteer Chair of the Board, and M. Baldwin, Executive Director, Pillar Nonprofit Network, as well as a verbal presentation from C. McKinley, Canadian Liver Foundation, with respect to this matter.

Councillor Usher moves, seconded by Deputy Mayor Gosnell, 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 13. CARRIED

Councillor Usher moves, seconded by Councillor Winninger, that clause 2 of the 10th Report of the Accessibility Advisory Committee BE DELETED and BE REPLACED with the following new clause 2, having the effect of creating the following new clause 8A to the 1st Report of the Community and Protective Services Committee and a revised clause 13 to the 1st Report of the Community and Protective Services Committee which reflects receipt and noting of all but clause 2 of the 10th Report of the ACCAC:

"8A. That the Accessibility Advisory Committee (ACCAC) heard a verbal report from R. Khouri on behalf of the Education and Awareness Sub-Committee; it being noted that the ACCAC was advised that K. Husain has copies of the Lieutenant Governor of Ontario's speech, delivered at the Empowerment and Action Day, on CD for those Members that would like a copy, noting that the ACCAC asked the Committee Secretary to forward the CD to the City's Corporate Communications Division to be uploaded to the ACCAC website. The Municipal Council approved the replenishing of the inventory of the attached ACCAC brochure by 1,000, using the funds remaining in the ACCAC's 2008 Budget, directed that any advertising be undertaken as a 2009 expenditure
for which a budget request could be made, if required, and declined the ACCAC's purchase of business cards." CARRIED

The Chair directs that clauses 9 to 12, clause 13, amended, and clauses 14 to 25, inclusive, of Section II be noted. Clauses 9 to 25 read as follows:

9. That, pursuant to section 23.16 of the Council Procedure By-law, the Community and Protective Services Committee elected Councillor David Winninger as its Vice-Chair for the term ending November 30, 2009.

10. That the Community and Protective Services Committee (CPSC) reviewed and received a copy of the “Dearness Home Community Newsletter” for the month of December 2008. (2009-C10-00)

11. That the Community and Protective Services Committee (CPSC) received and noted the 9th Report of the Community Safety and Crime Prevention Advisory Committee from its meeting held on November 27, 2008. (See Report attached.)

12. That the Community and Protective Services Committee (CPSC) received and noted the 5th Report of the Child Care Advisory Committee from its meeting held on November 26, 2008. (See Report attached.)

13. That clauses 1 to 13, excluding clause 2, of the 10th Report of the Accessibility Advisory Committee from its meeting held on November 27, 2008 were received and noted. (See Report attached.)

14. That the Community and Protective Services Committee (CPSC) reviewed and received a Municipal Council resolution adopted at its meeting held on November 17, 2008 with respect to appointments to the CPSC for the term ending November 30, 2009.

15. That the Community and Protective Services Committee (CPSC) reviewed and received an information report from the General Manager of Community Services with respect to 2008 holiday closure information. (2008-A08-04)

16. That the Community and Protective Services Committee (CPSC) was unable to reach a majority decision with respect to the proposed admission fees for the 2009 at Storybook Gardens and pursuant to Section 17.6 of the Council Procedural By-law is hereby submitting the matter to Municipal Council for its disposition. (The report of the General Manager of Community Services is attached for reference);

it being pointed out that no submissions were made at the public participation meeting associated with this matter.

17. That, on the recommendation of the General Manager of Community Services, the December 8, 2008 report on the Storybook Gardens Business Plan BE RECEIVED for information; it being noted that:

- Storybook Gardens will continue to be positioned as a community attraction serving as a local, family, children's learning and recreational facility, with the key strategic focus of bringing back the stories to Storybook Gardens through reintroduction and reinterpretation;
- the Storybook Gardens Business Plan will continue to be implemented;
- Storybook Gardens will be a year-round operation taking advantage of previous investments in the artificial ice rink; and
- the Storybook Gardens Business Plan will incorporate the recommendations of the Adhoc Business Implementation Task Force as supported by the Storybook Gardens Management Team;

it being noted that the Community and Protective Services Committee (CPSC) heard a verbal presentation from Dr. J. Hopper, Member, Animal Welfare Advisory Committee, and received written submissions from P. Morrison, 803 Waterloo Street, V. Van Linden, 910 Southdale Road East, and M. Evans, 51 Monte Vista Crescent, and K. and K. Lomac, 25 Beattie Avenue; it being pointed out that the attached letter from R. White, Dr. K. McCully and W. Myrvold, London City Farm, with respect to this matter was also received and reviewed. (2008-A09-07)
18. That the Community and Protective Services Committee (CPSC) received and noted clauses 2 to 10 of the 11th Report of the London Diversity and Race Relations Advisory Committee from its meeting held on November 20, 2008. (See Report attached.)

19. That the Community and Protective Services Committee (CPSC) received a Municipal Council resolution adopted at its meeting held on December 1, 2008 with respect to amending the Council Procedure By-law to provide for increased oversight of Dearness Home matters by the Community and Protective Services Committee.

20. That the Community and Protective Services Committee (CPSC) reviewed and received an information report from the Fire Chief with respect to a partnership with Fanshawe College and Thames EMS to access grant monies from the 2008-2009 Inter-professional Care/Education Fund to provide enhanced training for emergency personnel. (2008-CO9-00)

21. That the Community and Protective Services Committee (CPSC) deferred the receiving of an update on policing matters as the Chief of Police was unable to be in attendance.

22. That the Community and Protective Services Committee (CPSC) reviewed and received the attached presentation from the General Manager of Community Services with respect to a briefing on 2009 issues affecting the Community Services Department.

23. That the Community and Protective Services Committee (CPSC) reviewed and received the attached presentation from the General Manager of Community Services with respect to social assistance trends; it being noted that the General Manager of Community Services was requested to provide some statistical data for the Board of Control meeting scheduled for December 19, 2008, with local Members of the Legislative Assembly of Ontario.

24. That the Community and Protective Services Committee (CPSC) heard a verbal presentation from H.L. Usher, Chair, Dearness Home Committee of Management, with respect to the Dearness Home Compliance Report for the period of August 1, 2008 to October 31, 2008. The Chair noted the following actions had been taken by the Committee of Management, on the recommendation of the General Manager of Community Services, with the advice of the Dearness Home Administrator:

(a) the administrative actions of the Dearness Home Administration that fall under the Homes for the Aged and Rest Homes Act, which are duties of the Dearness Home Committee of Management, as detailed in the attached Appendix “A”; were confirmed and ratified by the Dearness Home Committee of Management; and,

(b) the discretionary duties, if any, under the Homes for the Aged and Rest Homes Act as detailed in the attached Appendix “B” were approved.

25. That the Community and Protective Services Committee passed the following resolution prior to moving in camera from 9:34 p.m. to 9:35 p.m.:

"That the Community and Protective Services Committee move in camera to consider a matter pertaining to personal matters about an identifiable individual, including municipal or local board employees, relating to the 2009 Mayor’s New Year’s Honour List.”

1ST REPORT OF THE PLANNING COMMITTEE

32. Councillor Branscombe presents the 1st Report of the Planning Committee.

Councillor Branscombe moves that clauses 1 to 6, inclusive, be adopted.

Councillor Branscombe moves, seconded by Councillor Hubert, that clause 6 be amended to read as follows:

"That, in accordance with Council Policy 5(16A), paragraph 19, which indicates that funding of third party individuals, organizations or groups by an Advisory
Committee of the Municipal Council whose mandate and budget does not explicitly provide for the granting of monies to third parties under identified parameters be subject to a recommendation by the subject Advisory Committee to the appropriate Standing Committee for review and recommendation to the Municipal Council, approval BE GIVEN for the Environmental and Ecological Planning Advisory Committee to utilize the balance of its 2008 Budget in the amount of approximately $600 for payment of a presenter/speaker at a conference to be held in February 2009 in partnership with the Council of Canadians and the Advisory Committee on the Environment relating to Climate Change SUBJECT TO those costs being incurred within the 2008 Budget year, failing which the costs would have to be requested as part of the EEPAC’s 2009 Budget submission; it being noted that the EEPAC has sufficient funds in its 2008 Budget for this purpose.” CARRIED

Clauses 1 to 5 and clause 6, as amended, read as follows:

1. That, on the recommendation of the General Manager of Planning and Development, the report with respect to the consolidation of by-law enforcement functions BE RECEIVED for information purposes and that further actions relating to the consolidation of Building Division by-law enforcement BE DEFERRED pending consideration through the Services Review Process. (2008-P05-00)

2. That, on the recommendation of the General Manager of Planning and Development, the report outlining the pros and cons and the financial impact of enforcement options designed to address substandard rental housing conditions BE RECEIVED for information purposes; it being noted that a public participation meeting of the Planning Committee will be held in March 2009 to discuss a recommended enforcement approach to address substandard rental housing conditions; it being further noted an interim report including verification of census data used and comments from the London Housing Advisory Committee and the Council Housing Leadership Committee will be brought forward to the Planning Committee prior to the March 2009 public participation meeting. (2008-P07-01)

3. That, the report from the City Solicitor with respect to Injunctions and Nuisances in relation to residential units BE REFERRED to the Town and Gown Committee for review and to provide recommendations for consideration at a future meeting of the Planning Committee. (2008-P06-00)

4. That clause 1 of the 11th Report of the Environmental and Ecological Planning Advisory Committee relating to concerns about the stormwater management facility serving Talbot North Village located at Colonel Talbot Road and Southdale Road West BE REFERRED to Engineering and Environmental Services Department staff to review, in conjunction with the undertaking of a larger review of the application of stormwater management protocols when such a facility is to be developed adjacent to environmentally significant areas or provincially significant wetlands which would impact the existing natural heritage features, and to report back at a future meeting of the Planning Committee.

5. That the Civic Administration BE REQUESTED to undertake a review of best practices used by other municipalities with respect to the quality of Environmental Impact Studies submitted by outside consultants.

6. That, in accordance with Council Policy 5(16A), paragraph 19, which indicates that funding of third party individuals, organizations or groups by an Advisory Committee of the Municipal Council whose mandate and budget does not explicitly provide for the granting of monies to third parties under identified parameters be subject to a recommendation by the subject Advisory Committee to the appropriate Standing Committee for review and recommendation to the Municipal Council, approval BE GIVEN for the Environmental and Ecological Planning Advisory Committee to utilize the balance of its 2008 Budget in the amount of approximately $600 for payment of a presenter/speaker at a conference to be held in February 2009 in partnership with the Council of Canadians and the Advisory Committee on the Environment relating to Climate Change SUBJECT TO those costs being incurred within the 2008 Budget year, failing which the costs would have to be requested as part of the EEPAC’s 2009 Budget submission; it being noted that the EEPAC has sufficient funds in its 2008 Budget for this purpose.

Councillor Branscombe moves that clauses 7 to 10, inclusive, be adopted.
Pursuant to section 17.2 of the Council Procedure By-law, Councillor Eagle calls for a separate vote on clause 7.

The motion to adopt clause 7 is put and CARRIED.

The motion to adopt clauses 8 to 10, inclusive, is put and CARRIED.

Clauses 7 to 10, inclusive, read as follows:

7. That, in response to comments prepared by the Environmental and Ecological Planning Advisory Committee appended to clause 4 of its 11th Report relating to the South Ross Lands Environmental Impact Study, the Civic Administration BE REQUESTED to confirm whether the features and functions of the Grenfell Wetland have been replicated on these subject lands as directed by the Ontario Municipal Board.

8. That, on the recommendation of the General Manager of Planning and Development, based on the application of the City of London relating to the properties located at 2 - 64 Tanoak Drive, the attached proposed by-law BE INTRODUCED at the Municipal Council meeting on January 19, 2009 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 (R1-9) Zone which permits single detached dwellings TO a Residential R2 (R2-2) Zone which permits single detached, semi-detached, duplex, and converted dwellings, to recognize the existing semi-detached dwellings at 2 - 64 Tanoak Drive as a permitted use;

it being pointed out that there were no oral submissions made at the public participation meeting held in connection with this matter. (2006-D11-02)

9. That, on the recommendation of the General Manager of Planning and Development, the following actions be taken with respect to the application of 1705820 Ontario Limited relating to the properties located at 677 and 679 Wharncliffe Road South:

(a) the proposed by-law attached hereto as Appendix "A" BE INTRODUCED at the Municipal Council meeting on January 19, 2009 to amend the Official Plan to add a Specific Area Policy (Chapter 10) to permit a self-storage establishment in the Multi-family, Medium Density Residential designation;

(b) the proposed by-law attached hereto as Appendix "B" BE INTRODUCED at the Municipal Council meeting on January 19, 2009 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, as amended in part (a) above, to change the zoning of the subject property located at 677 Wharncliffe Road South FROM a Residential R5 Special Provision (R5-3(6)) Zone which permits townhouses and stacked townhouses at a maximum height of 12.0 metres and a maximum density of 35 units per hectare TO a Restricted Service Commercial Special Provision (RSC5( )) Zone to exclusively permit a mini storage facility, and to amend Zoning By-law No. Z.-1 (in conformity with the Official Plan, as amended in part (a) above) to change the zoning of the subject property located at 679 Wharncliffe Road South FROM a compound Restricted Office/Restricted Service Commercial (RO/RSC1/RSC3/RSC4) Zone which permits uses such as professional offices, and a range of restricted service commercial uses such as animal clinics, automobile rental, repair, sales and service establishments, home improvement and furnishing stores, studios, assembly halls, clinics, emergency care establishments, funeral homes, convenience stores, and restaurants TO a compound Restricted Office/Restricted Service Commercial Special Provision (RO/RSC1/RSC3/RSC4/RSC5( )) Zone to permit a mini storage facility in addition to the existing permitted uses;

(c) the General Manager of Planning and Development BE REQUESTED to arrange a public participation meeting of the Planning Committee for consideration of the site plan required for this development; and

(d) Planning staff BE DIRECTED to review mini storage land uses and determine whether policy amendments are required to give greater clarity to where and under what criteria such uses should be permitted;

it being noted that the following design components will be addressed through the site plan approval process, and that the site plan and elevations are to be substantively consistent with the concepts provided in this report;
textures, architectural features to mitigate the overall scale of the development (e.g. projections/recesses, parapets, etc.), to visually enhance the development, and to enhance the pedestrian streetscape;

- landscaping along the street frontages to visually enhance the development, and to enhance the pedestrian environment;

- building design which addresses the street, is sympathetic to, and supportive of, the adjacent residential development;

- protection and enhancement of existing treed buffer along the entire westerly limit of the development to facilitate a 12-metre buffer; and

- protection of existing boundary trees along the north and south interior side yards, using a “best efforts” approach;

It being further noted that amendments to the Official Plan “Schedule A – Land Use” approved by Council on March 3, 2008 under OPA 438 (City-wide 5-year Review), which erroneously designated 679 Wharncliffe Road South Multi-Family, Medium Density Residential, is proposed to be amended to Auto Oriented Commercial Corridor (AOC) under the new Official Plan Commercial policies in a separate OPA 438 modification report which will be brought before a public meeting of the Planning Committee, to Council, and subsequently forwarded to the Minister for approval;

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

- J. Davis, Jack E. Davis Holdings Ltd. – representing the applicant and expressing support for the staff recommendation; noting that staff have assisted with design considerations for the development and that there is a significant buffer to the rear residential lands; further noting that if the owner of the property to the north is seeking protection for access to potential future residential development from his property, it is in the owner’s own responsibility to ensure appropriate zoning is in place, and that it is not appropriate to object to this application for that rationale; also providing the attached documents illustrating the intended site and building design.

- G. Priamo, Zelinka Priamo Ltd. – representing Probart Motors at 658 Wharncliffe Road South and Subaru of London located at 675 Wharncliffe Road South, noting that his client had filed an application in the past which allowed the Subaru dealership commercial use on the front portion of 675 Wharncliffe Road South and that they worked with staff to leave the lands on the southerly portion of the property as residential to allow for a more complete future planning process with respect to residential use in the area, as they felt this was a reasonable request to accommodate; further noting that this new application will eliminate their access options to lands to the north, which would have minimized traffic impact on Wharncliffe Road South if developed for residential use in the future, that it is a departure from the past approach which they may not have consented to had they known there was a similar option for their property and expressing opposition to this application. (2008-D11-06)

10. That the application of Sifton Properties Limited relating to the property located at 1780 Commissioners Road West and 1788 Sumac Way BE REFERRED back to staff to review issues raised by the applicant and comments from the public participation meeting, and to report back at a future meeting of the Planning Committee;

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 thanking staff for processing this application so quickly, expressing a number of concerns and requesting the application be deferred until they have further discussions with staff to resolve the following issues:
  - the use of excessive holding provisions on the R5 and R6 Zone;
  - h-80 is unnecessary as development cannot occur until servicing is available;
  - h-71 will limit the flexibility of the development as there are significant topographical constraints on the site as well as an easement;
  - h-82 is not required as the proposal exceeds the minimum frontage;
  - conditions 18 and 19 of the draft plan are similar and could be consolidated as one condition;
- conditions 15 and 23 are redundant given the h-80 provision;
- conditions 33, 35, 41 and 68 are not clear;
- condition 30 is already accomplished by condition 10; and
- conditions 40 and 42 have no reference to claimability.

- D. Sheppard, Chair, Environmental and Ecological Planning Advisory Committee (EEPAC) – noting that while the EEPAC comments have been included in the staff report, it is not clear as to whether compensation for the trees that were required to be removed at the entranceway to the park block has taken place, and suggesting that as the park block is not vegetated, this would be a logical place to plant trees. (2008-D11-07)

Councillor Branscombe moves that clauses 11 to 13, inclusive, be adopted. CARRIED

Clauses 11 to 13, inclusive, read as follows:

11. That, based on the direction of the Municipal Council dated September 15, 2008, the following actions be taken with respect to the application of 1739626 Ontario Ltd. (Mike Meddaoui) relating to the property located at 952 Southdale Road West:

(a) the proposed by-law attached hereto as Appendix “A” BE INTRODUCED at the Municipal Council meeting on January 19, 2009 to amend the Official Plan to change the designation of the subject lands FROM a Multi-Family, Medium Density Residential designation, TO a Multi-Family, Medium Density Residential designation, an Associated Shopping Area Commercial designation and an Open Space designation on Schedule “A” – Land Use, and to add a Wetlands Class 1 – 3 (Provincially Significant Wetland) to Schedule “B” - Flood Plain and Environmental Features;

that it being noted that after Official Plan Amendment 438, implementing the 5- year Review, has been approved by the Ministry of Municipal Affairs, the City will initiate a housekeeping amendment to the Official Plan to apply a new commercial designation to the lands in accordance with the revised commercial classifications and policies, and that the housekeeping amendment will be subject to public notice and a public meeting of Planning Committee.

(b) the proposed by-law attached hereto as Appendix “B” BE INTRODUCED at the Municipal Council meeting on January 19, 2009 to amend Zoning By-law No. Z1, in conformity with the Official Plan as amended in part (a) above, to change the zoning of the subject property FROM an Urban Reserve (UR2) Zone which permits existing dwellings, limited agricultural uses, conservation lands, managed woodlots, wayside pits and passive recreation uses, TO:

i) on the north portion of the site, a Holding Residential R6 Special Provision (h-2-h-11-h-17-h-18-h-63-h-88-R6-5) Zone to permit cluster housing (single, semi-detached, duplex, triplex, townhouses, stacked townhouses and apartment buildings) at a maximum density of 35 units per hectare (14.17 units per acre), with special provisions to facilitate the development of the site in accordance with the conceptual site plan;

ii) on the south portion of the site, a Holding Associated Shopping Area Commercial Special Provision (h-2-h-11-h-17-h-18-h-63-h-88 ASA1( )/ASA3( )) Zone to permit a range of retail, commercial and office uses with special provisions to facilitate the development of the site in accordance with the conceptual site plan and,

iii) on the east portion of the site, an Open Space (OS5) Zone to permit conservation lands and works, and recreational uses and facilities for the enjoyment of a natural area associated with conservation lands;

it being noted that the holding provisions will deal with the following issues prior to the development of the site: h-2 – delineation of the development limit and protection of the natural features on and adjacent to the site; h-11 – access arrangements; h-15 – noise, dust and mitigation related to the aggregate extraction operation; h-17 – provision of water and sanitary services; h-18 – archaeological resource identification and mitigation; h-63 – noise attenuation for commercial noise; h-88 – urban design concepts to be implemented through the
site plan process;

it being further noted that the development of the site will be substantially in keeping with the conceptual site plan and renderings attached to this report as Schedule "C", will be in keeping with the height restrictions indicated and will maintain or implement the following urban design:

**Pedestrian Linkages and Walkways**
- the development will incorporate a pathway network in keeping with the Bicycle Master Plan on the outside of the wetland buffer;
- the owner will continue to work with the City's Urban Designer, Parks Planning & Design and Site Plan staff to ensure that enhanced and well delineated opportunities are provided for pedestrian activity between all components of the commercial and residential areas, the natural area and the surrounding road network;

**Commercial Component**
- the full access to Colonel Talbot Road aligns with the entrance to the condominium development at 2615 Colonel Talbot Road and the detailed design is to provide for adequate stacking and turning movements for all vehicles including emergency services and delivery vehicles;
- the pharmacy/medical building has been brought close to the street edge (with no driveways or parking between the building and the street) and incorporates a second floor and an architectural height element to provide a focal point at the intersection;
- the bank building incorporates an architectural height element that addresses views from both Colonel Talbot Road and Southdale Road West;
- a variety of colours, textures and architectural features are incorporated into all views of the three commercial buildings to add interest and make the site more pedestrian oriented;
- screening and interest between the commercial and residential component are to be achieved using a combination of board on board and wrought iron fencing and substantial landscaping using a variety of plant species;
- the loading bay for the grocery store is incorporated into the architectural design for the building and the truck loading area and doors will be sufficiently screened from the view of the residential units and the road;
- articulation, using a variety of materials, and robust height elements are provided on all elevations of the grocery store which is massed to ensure an attractive built form. The visual massing of the building will be further mitigated through the introduction of enhanced landscaping;
- the landscape and hardscape treatment at the intersection of Colonel Talbot Road and Southdale Road West is to provide a sense of connection to the street;
- further discussions are required between the applicant and the Transportation Division regarding the inbound and outbound traffic movements for the entrance on Southdale Road West;
- further refinements to the drive-thru configuration for the bank may be possible to increase the functionality of the drive-thru and address safety concerns. Solutions must maintain a maximum of one row of parking between the building and Southdale Road West;

**Residential Component**
- the westerly residential building is visually front-oriented to Colonel Talbot Road and the interior of the development promotes integration with the neighbouring natural feature, encourages pedestrian activity and should perform as a focal point for the residential community and gateway to the planned pathway system adjacent to the woodlot/wetland;
- landscaping islands are incorporated into the driveway network to decrease the dominance of the hard surfaces and lead the eye to the woodlot/wetland feature;
- colour, texture and architectural features are used to break up the massing of the townhouse rows and add interest to the buildings. As the site grading is completed and final building elevations are determined, the owner will continue to work with the City's Urban Designer on roofline treatments/articulation that breaks up long roof lines;
- future access to the residential site is to be via the future extension of
Longworth Road. Temporary access alternatives may include access through the commercial site; and

(c) the revised Public Liaison Responses summary BE RECEIVED to update previously submitted information;

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

- J. Davis, Jack E. Davis Holdings Ltd. - representing the applicant and thanking staff for the unprecedented level of service relating to this application which sets a high standard to be met; noting that urban design issues for this development have been resolved through discussions with the Urban Designer and that the neighbouring residents be able to see the buildings through the augmented landscaping of the natural area, the rear of the buildings will be similar to the front design, that comments made by the agent for Speyside East Corporation are intended to limit business competition, and that there is sufficient new residential development in the area to support the commercial component of this development, and that there is a similar distance between this local type of commercial use and a larger commercial node at Southdale Road West and Wonderland Road South similar to several other areas of the City; further noting that comments raised by the Environmental and Ecological Planning Advisory Committee representative have already been taken into consideration during the review of this application by staff and are advisory in nature as are a number of other commenting agencies and organizations; and further noting that if the developable envelope of land on this site decreases significantly, there will be no choice but to increase the height of the buildings.

- R. Green, 2544 Colonel Talbot Road - expressing opposition to the application as revised, noting there has been no significant change and that stacked townhouses and a commercial plaza are neither wanted nor needed by the residents in the area, that the south side of Southdale Road West will have a significant commercial component in the future and that this is where commercial development belongs, that Westmount Mall is nearby and has many vacancies; further noting that the Byron Estates development across Colonel Talbot Road was only allowed to proceed with large residential lots and that this development should proceed on the same basis, that the proposed development does not protect the existing significant wetland, and would in fact make it acidic from salt runoff, and asking that the site be developed more in keeping with the preservation of this frail environment.

- G. Priamo, Zeilinka Priamo Ltd. - representing Speyside East Corporation which owns lands to the south of the subject lands and expressing opposition to this application as their development will be anchored by the same use, and is nearing completion of site plan approval and negotiation with food store chains; noting there is no justification for a premature application in an area that is already well served by existing commercial development.

- P. Whatmore, 1558 Thornley Street - representing a number of the neighbours in the Buttonbush area and expressing opposition to this development as it is a radical departure from the Community Plan and the existing approved Official Plan designation for this site; noting that the residents should be able to rely on guidelines and policies already in place and implement by their elected Councillors, and that residents must depend on due diligence being exercised by Council in this regard; further noting that land at the southeast corner of Southdale Road West and Colonel Talbot Road is already approved for some commercial development intended to serve the adjacent residential communities, that there is still growth and redevelopment potential at both Westmount Mall and the Southdale/Wonderland area, that there are already three grocery stores in the immediate planning area, that lights and noise from this development will disrupt the frail ecosystem of the wetland, and requesting refusal of the application as it is without merit or appropriate planning rationale.

- J. Patzer, 20-7222 Clayton Walk - noting that as the builder of a seven unit condominium development to the southeast of this property, there is a temporary access to the subject site that will need to be resolved on a permanent basis in order for the residents of this small development to access their homes without travelling through a commercial development to reach them.

- C. Melo, 1538 Thornley Street - providing clarification that the neighbouring residents have always opposed this development, and that there is concern with respect to the height of the development.
D. Sheppard, Chair, Environmental and Ecological Planning Advisory Committee (EEPAC) — noting that EEPAC found this site to have significant natural features and that the limit of these areas is within the area of proposed development due to the topography of the location, that approval for development is inappropriate at this time given there could be significant issues making the proposed concept workable given the constraints of the site, that lands will be required to duplicate the wetland as compensation and that the environmental impact study is neither complete nor accepted, and should not be dealt with by the use of a holding provision; further noting that the concept plan does not meet the buffer guidelines but that there will be a commitment by the City to go forward should this application be approved;

It being noted the Planning Committee received and noted a communication dated December 5, 2008 from A. Soufan, 1739626 Ontario Limited with respect to this matter.

That, on the recommendation of the General Manager of Planning and Development, based on the application of City of London initiated zoning amendment relating to the property located at 1451 Wharncliffe Road South owned by Sifton Properties Limited, the proposed by-law BE INTRODUCED at the Municipal Council meeting on January 19, 2009 to amend Zoning By-law No. Z.-1 in conformity with the Official Plan to change the zoning on a portion of the lands from a Residential R1 (Rl-5) Zone to an Open Space OS1 Zone to permit park and open space use, and an Open Space OS1 Zone to a Residential R1 (R1-5) Zone to permit single detached dwellings with a minimum lot frontage of 12 meters (40 ft) and a minimum lot area of 415 square meters (4467 ft²);

It being noted the Planning Committee received and noted a communication dated November 27, 2008 from Middlesex Condominium Corporation No. 122 with respect to this matter;

It being pointed out that there were no oral submissions made at the public participation meeting held in connection with this matter. (2008-D11-02)

That, on the recommendation of the General Manager of Planning and Development, the following actions be taken with respect to the application of Corlon Properties Inc. relating to the property located at 2000 Quarrier Road:

(a) the Approval Authority BE ADVISED that the issues raised at the public meeting with respect to the application for draft plan of subdivision of Corlon Properties Inc. relating to the property located at 2000 Quarrier Road were: the neighbouring residents’ desire to see this property developed in the near future and be maintained in a more satisfactory fashion, and the applicant’s request to amend the required orientation of the corner lots to face on to Street A rather than to Quarrier Road;

(b) the Approval Authority issuance of draft approval to the proposed plan of residential subdivision, submitted by Corlon Properties Inc. (File No. 39T-07504), prepared by Stantec Consulting Ltd. (Drawing No. 00377-Block66-DP1, dated March 28, 2007) as redline amended, which shows 26 single-detached residential lots, served by Quarrier Road and one new local street SUBJECT TO the conditions contained in the attached Appendix "39T-07504" BE SUPPORTED and that further discussions with the applicant BE UNDERTAKEN with respect to the applicant’s request to re-orientate the corner lots to Street A rather than to Quarrier Road;

(c) the Approval Authority BE ADVISED that the required departments and agencies were circulated on April 25, 2007, and that there were no requests to acquire Block 65 in Plan 33M-465;

(d) the proposed by-law attached hereto as Appendix “A” BE INTRODUCED at the Municipal Council meeting on January 19, 2009 to amend Zoning By-law No. Z.-1 (in conformity with the Official Plan) to change the zoning of the subject property FROM a Neighbourhood Facility/Residential R1 (NF1/R1-6) Zone which permits churches, elementary schools, community centres, day care centres, libraries, private schools, fire stations, private clubs, police stations and single-detached dwellings TO a Residential R1 (R1-6) Zone to permit single-detached dwellings and an Open Space (OS1) Zone to permit the
extension of Plane Tree Park;

(e) 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 PROJECT ON RESERVE FUNDS AND BUDGET**

<table>
<thead>
<tr>
<th>Fund</th>
<th>Estimated Revenue</th>
<th>Estimated Claims</th>
<th>Net Impact</th>
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<tr>
<td>Urban Works Reserve Fund</td>
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<td>$116,528.00</td>
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<tr>
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<tr>
<td>London District Catholic School Board Fund</td>
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<tr>
<td>Capital Works Budget</td>
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</tr>
<tr>
<td>Industrial Overzizing Reserve Fund</td>
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<td></td>
<td></td>
</tr>
</tbody>
</table>

**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 UWRF RULES. FURTHER ESTIMATED CLAIM/REVENUES BASED ON ANTICIPATED FUTURE RULES MAY VARY SUBSTANTIALLY.

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

- D. Schmidt, Colron Properties Inc. – representing the applicant and requesting that the corner lots of the development be permitted to remain facing Street A rather than Quarrier Road for the rationale as outlined in the attached presentation, requesting that the “as redline amended” reference be deleted from the staff recommendation, and that instead the following condition of draft plan approval be added:
  "The owner shall implement the “Lot 1 and 19 Landscape/Fence Easement Treatment, as prepared by Stantec Consulting Ltd. (Nov 2008), within 90 days of both homes being completed.”

- D. O’Neill, 1947 Quarrier Road – indicating a letter with the names of 32 residents was submitted to staff in June 2007 noting that the property, having been vacant for some time, was not being satisfactorily maintained, and requesting that approval be given for a development to move forward on this site that will be complementary to the existing residences. (2008-D11-02)

Councillor Branscombe moves that clauses 14 to 17, inclusive, be adopted.

Councillor Baechler moves, seconded by Controller Polhill, that each of clauses 14 to 17, inclusive be amended by adding thereto after the words “to report back” the words “in liaison with the City Solicitor’s Office,”. CARRIED

Clauses 14 to 17, each as amended, read as follows:
14. That the application of Claybar Developments Inc. relating to the property located at 1139 Fanshawe Park Road West BE REFERRED back to staff for further review and discussion with the applicant, and to report back, in liaison with the City Solicitor's Office, at a future meeting of the Planning Committee;

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

- J. Jardine, 1916 Jack Nash Terrace – representing the Stanton Brothers who own approximately 59 hectares to the west of the proposed development; noting that the reports are well done considering the very complex servicing issues, and that the Stanton lands, which will add approximately 1000 units to the City's inventory, cannot be developed until servicing is resolved and requesting that servicing proceed as soon as possible.
- M. Snowsell, Upper Thames River Conservation Authority – providing clarification that there is a need for UTRCA approval for any alterations to the Heard Drain / Snake Creek Corridor and that discussions are still being undertaken with staff with respect to servicing issues;

it being noted that the staff report on page 259 of the Planning Committee agenda is amended by deleting in the second last line of the page, the word "Wonderland" and replacing it with the word "Whitehills";

it being further noted the Planning Committee (PC) received and noted a communication dated December 2, 2008 from B. Card representing Claybar Developments Inc. and requesting this matter be referred back to staff for further consideration and discussion with the applicant and to report back to the PC within 90 days. (2008-D11-02)

15. That the application of Landea Developments Inc. relating to the property located at 995 Fanshawe Park Road West BE REFERRED back to staff for further review and discussion with the applicant, and to report back, in liaison with the City Solicitor's Office, at a future meeting of the Planning Committee;

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 Landea Developments Inc.; indicating that this area is a major part of the Growth Management Implementation Strategy and that while his client does not disagree with the staff's conclusions, there are some issues with respect to the width of the Heard Drain, noting that this matter and concerns with respect to amended language can be resolved through further discussions with staff; further noting a greater concern for the applicant is the business plan for the development due to the City's new Development Charges By-law, as well as design and construction considerations within the 2009 and 2010 Budgets.
- J. Jardine, 1916 Jack Nash Terrace – representing the Stanton Brothers who own approximately 59 hectares to the west of the proposed development; noting that the reports are well done considering the very complex servicing issues, and that the Stanton lands, which will add approximately 1000 units to the City's inventory, cannot be developed until servicing is resolved and requesting that servicing proceed as soon as possible.
- M. Snowsell, Upper Thames River Conservation Authority – providing clarification that there is a need for UTRCA approval for any alterations to the Heard Drain / Snake Creek Corridor and that discussions are still being undertaken with staff with respect to servicing issues;

it being noted that the staff report on page 311 of the Planning Committee agenda is amended by deleting in the third last line of the page, the word "Wonderland" and replacing it with the word "Whitehills". (2008-D11-05)

16. That the application of Clarke Family Holdings c/o Landea Developments Inc. relating to the property located at 1196 Sunningdale Road West BE REFERRED back to staff for further review and discussion with the applicant, and to report back, in liaison with the City Solicitor's Office, at a future meeting of the Planning Committee;

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 Clarke Family Holdings c/o Landea Developments Inc.; indicating that this area is a major part of the Growth Management Implementation Strategy and that while his client does not disagree with the staff’s conclusions, there are some issues with respect to the width of the Heard Drain, noting that this matter and concerns with respect to amended language can be resolved through further discussions with staff; further noting a greater concern for the applicant is the business plan for the development due to the City’s new Development Charges By-law, as well as design and construction considerations within the 2009 and 2010 Budgets.

- J. Jardine, 1916 Jack Nash Terrace – representing the Stanton Brothers who own approximately 59 hectares to the west of the proposed development; noting that the reports are well done considering the very complex servicing issues, and that the Stanton lands, which will add approximately 1000 units to the City’s inventory, cannot be developed until servicing is resolved and requesting that servicing proceed as soon as possible.

- M. Snowsell, Upper Thames River Conservation Authority – providing clarification that there is a need for UTRCA approval for any alterations to the Heard Drain / Snake Creek Corridor and that discussions are still being undertaken with staff with respect to servicing issues;

it being noted that the staff report on page 361 of the Planning Committee agenda is amended by deleting, in the third line of the second paragraph, the word “Wonderland” and replacing it with the word “Whitehills”. (2008-D11-02)

17. That the application of Auburn Developments Inc. relating to the property located at 1284 and 1388 Sunningdale Road West and the northerly portion of 1139 Fanshawe Park Road West BE REFERRED back to staff for further review and discussion with the applicant, and to report back, in liaison with the City Solicitor’s Office, at a future meeting of the Planning Committee:

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

- J. Jardine, 1916 Jack Nash Terrace – representing the Stanton Brothers who own approximately 59 hectares to the west of the proposed development; noting that the reports are well done considering the very complex servicing issues, and that the Stanton lands, which will add approximately 1000 units to the City’s inventory, cannot be developed until servicing is resolved and requesting that servicing proceed as soon as possible.

- M. Snowsell, Upper Thames River Conservation Authority – providing clarification that there is a need for UTRCA approval for any alterations to the Heard Drain / Snake Creek Corridor and that discussions are still being undertaken with staff with respect to servicing issues;

it being noted that the staff report on page 417 of the Planning Committee agenda is amended by deleting, in the third line of the second last paragraph, the word “Wonderland” and replacing it with the word “Whitehills”;

it being further noted the Planning Committee (PC) received and noted a communication dated December 2, 2008 from B. Card representing Claybar Developments Inc. and requesting this matter be referred back to staff for further consideration and discussion with the applicant and to report back to the PC within 90 days. (2008-D11-01)

Councillor Branscombe moves that clauses 18 to 23, inclusive, be adopted.

Councillor Branscombe moves, seconded by Councillor Eagle, that clause 22 be amended in line 4 by deleting all words after the word “information” and by substituting therefor the following:

"it being noted that if there is an opportunity for excess capacity to be assigned, that a condition be added to any agreement to address compensation in accordance with a prior agreement with the Lambeth Meadows Partnership (LMP), and that discussion take place with the LMP in that regard; it being further noted that if any developer adds new capacity to the plant, they would not be subject to any agreement to provide compensation to the LMP.” CARRIED
The motion to adopt clauses 18 to 21, clause 22, as amended, and clause 23, is put and CARRIED. Clauses 18 to 21, clause 22, as amended, and clause 23 read as follows:

18. That, on the recommendation of the General Manager of Planning and Development, the following actions be taken with respect to the application of The City of London relating to a portion of the property located at 3438 Manning Drive:

(a) the proposed by-law attached hereto as Appendix "A" BE INTRODUCED at the Municipal Council meeting on January 19, 2009 to amend the Official Plan by amending Policy 10.1.3 xiv) to allow a Leachate Pre-treatment/Hauled Liquid Waste Facility to be added as a permitted use within the Agricultural land use designation located on a portion of 3438 Manning Drive;

(b) the proposed by-law attached hereto as Appendix "B" BE INTRODUCED at the Municipal Council meeting on January 19, 2009 to amend Zoning By-law No. Z-1, in conformity with the Official Plan, as amended in part (a) above TO ADD a "Leachate Pre-treatment/Hauled Liquid Waste Facility" as an additional permitted use within the existing Special Provision Agricultural (AG2(2)) Zone variation; and

(c) the proposed by-law attached hereto as Appendix "B" BE INTRODUCED at the Municipal Council meeting on January 19, 2009 to amend Zoning By-law No. Z-1, in conformity with the Official Plan, as amended in part (a) above, to change the zoning of a portion of the subject property FROM an Agricultural (AG2) Zone which permits agriculturally related uses TO a Special Provision Agricultural (AG2(2)) Zone to permit a Leachate Pre-treatment/Hauled Liquid Waste Facility;

it being noted the following issues will be addressed through the site plan process; building height, surface run-off/stormwater management, buffering and odour controls;

it being further noted that staff will bring forward, to a future public meeting of the Planning Committee, possible Official Plan and Zoning By-law amendments relating to portions of 3438 Manning Drive, to delete the Agricultural Special Provision (AG2(2)) Zone, should the recommended zone come into force and effect for that site, and replace it with the new Waste and Resource Management (WRM1) Zone being considered as part of the W12A Landfill Area Study review (OZ-7604). This review will also consider deleting the existing Chapter 10 specific policy (10.1.3 xiv) for 3438 Manning Drive and the adjacent landfill site;

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. Ross, Patton, Cormier and Associates – representing J. Sifton, 5595 Wellington Road South, S. and K. Macklin, 6368 White Oak Road, and members of WWWGETHELP.COM and expressing opposition to this application on behalf of his clients noting that this is in fact an industrial use being placed in an agricultural zone outside of the Urban Growth Boundary and quoting a number of sections within the City’s Official Plan which note that, agricultural lands should be protected for production of food products, that the City is shoe-boxing an industrial use into a rural settlement area, that the Official Plan indicates any landfill within the City of London should be designated as a general industrial use, that the proposed amendments are in contravention of a number of sections of the Provincial Policy Statement, noting that a letter dated December 8, 2008 from the Ministry of Agriculture, Food and Rural Affairs notes that additional justification is required for the proposed amount of land required; further noting that the process for this application has been confusing for the residents, who additionally feel they are not being listened to, and that if a private developer brought forward such a recommendation it would never be permitted to proceed, and lastly noting that this is the wrong application for this location and that other areas should be reviewed.

- J. Sifton, 5595 Wellington Road South – representing a number of residents in the area and the WWWGETHELP.COM organization and expressing opposition to this application as outlined in the attached submission.

- H. Fletcher, Chair, Agricultural Advisory Committee (AAC) – noting that although there was a presentation from staff at a recent meeting of the AAC, they were under the impression this was a stand-alone facility and had no knowledge of the use of a forcemain to pump elsewhere, further noting they understood this was to be an agricultural zone, and is now something completely new. (2008-F-11-02)
19. That the application submitted by The City of London for Official Plan and Zoning By-law amendments relating to the W12A Landfill Area Plan Study BE REFERRED back to staff to review and address concerns outlined in the attached communication dated December 8, 2008 from the Ministry of Agriculture, Food and Rural Affairs with respect to a request for additional justification for the amount of land required for this application, and to report back at a future meeting of the Planning Committee; 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. Ross, Patton, Cormier and Associates - representing J. Sifton, 5595 Wellington Road South, S. and K. Macklin, 6368 White Oak Road, and members of WWWGETHELP.COM and expressing opposition to this application on behalf of his clients noting that this is in fact an industrial use being placed in an agricultural zone outside of the Urban Growth Boundary and quoting a number of sections within the City’s Official Plan which note that, agricultural lands should be protected for production of food products, that the City is shoeboxing an industrial use into a rural settlement area, that the Official Plan indicates any landfill within the City of London should be designated as a general industrial use, that the proposed amendments are in contravention of a number of sections of the Provincial Policy Statement, that a letter dated December 8, 2008 from the Ministry of Agriculture, Food and Rural Affairs notes that additional justification is required for the proposed amount of land required; further noting that the process for this application has been confusing for the residents, who additionally feel they are not being listened to, and that if a private developer brought forward such a recommendation it would never be permitted to proceed, and lastly noting that this is the wrong application for this location and that other areas should be reviewed.

- J. Sifton, 5595 Wellington Road South – representing a number of residents in the area and the WWWGETHELP.COM organization and expressing opposition to this application as outlined in the attached submission.

- H. Fletcher, Chair, Agricultural Advisory Committee (AAC) – noting that although there was a presentation from staff at a recent meeting of the AAC, they were under the impression this was a stand alone facility and had no knowledge of the use of a forcemain to pump elsewhere; further noting they understood this to be an agricultural zone, and is now something completely new. (2008-D-11-02)

20. That a demolition permit BE ISSUED to C.I.B.C. to demolish the residential building located at 197 St. Julian Street. (2008-D10-00)

21. That a demolition permit BE ISSUED to C. Mitsis to demolish the residential buildings located at 7, 11 and 13 Wyatt Street. (2008-D10-00)

22. That, on the recommendation of the Acting General Manager of Environmental and Engineering Services and City Engineer, the report with respect to the status of the Southland Pollution Control Plant BE RECEIVED for information; it being noted that if there is an opportunity for excess capacity to be assigned, that a condition be added to any agreement to address compensation in accordance with a prior agreement with the Lambeth Meadows Partnership (LMP), and that discussion take place with the LMP in that regard; it being further noted that if any developer adds new capacity to the plant, they would not be subject to any agreement to provide compensation to the LMP. (2008-W06-00)

23. That the monthly report of the Building Division for October 2008 BE NOTED AND FILED. (2008-D06-00)

The Chair directs that clauses 24 to 32, inclusive, of Section II be noted. Clauses 24 to 32 read as follows:

24. That the Planning Committee elected Councillor J. L. Baechler as its Vice Chair for the term ending November 30, 2009.

25. That the Planning Committee (PC) received and noted a Municipal Council resolution adopted at its meeting held on November 17, 2008 with respect to appointments to the PC for the term ending November 30, 2009.
That the Planning Committee received and noted an information report from the General Manager of Planning and Development with respect to possible cost sharing partnerships to implement the recommendations of the Richmond Row Master Plan. (2008-S04-00/D07-00)

That the Planning Committee received and noted the 5th Report of the Agricultural Advisory Committee from its meeting held on November 19, 2008. (See Report attached.)

That the Planning Committee received and noted clauses 3 through 16, inclusive, of the 11th Report of the Environmental and Ecological Planning Advisory Committee from its meeting held on November 20, 2008. (See Report attached.)

That the Planning Committee received and noted its Deferred Matters List.

That the Planning Committee (PC) will hold a Special meeting early in 2009 to provide an overview of the planning process for the information of the PC Members.

That Councillor S. E. Eagle disclosed a pecuniary interest in clause 7 of this report by indicating that a family member is employed by Drewlo Holdings Ltd.

That the Planning Committee passed the following resolution prior to moving in camera from 10:54 p.m. to 11:00 p.m.:

"That the Planning Committee move in camera to consider a matter pertaining to potential litigation with respect to the Southland Pollution Control Plant. Including matters before administrative tribunals affecting the municipality and advice that is subject to solicitor-client privilege including reports, advice or recommendations of officers and employees of the Corporation necessary for that purpose."

The PC is submitting a confidential report to the Municipal Council regarding this matter. (See Confidential Appendix to the 1st Report of Planning Committee enclosed for Council Members only.)

1ST REPORT OF THE SERVICES REVIEW COMMITTEE

Councillor Branscombe presents the 1st Report of the Services Review Committee.

Councillor Branscombe moves that clauses 1 to 3 be adopted.

Councillor Branscombe moves, seconded by Councillor Baechler, that clause 1 be amended in line 1 of the last paragraph by deleting therefrom the word "ongoing". CARRIED

Pursuant to section 17.2 of the Council Procedure By-law, Councillor Van Meerbergen calls for a separate vote on clause 2.

The motion to adopt clauses 1, as amended, and clause 3 is put and CARRIED.

The motion to adopt clause 2 is put and CARRIED.

Clause 1, as amended, and clauses 2 and 3 read as follows:

1. That the attached proposed organizational structure for the Development Approvals Business Unit, which includes the creation of an additional File Manager position, BE APPROVED and BE IMPLEMENTED subject to:
   (a) the Civic Administration reporting back to the Services Review Committee (SRC) in January 2009 with respect to an evaluation of the organizational and financial implications of the proposed structure, together with an updated business plan, with a view to ensuring the structure's efficiency;
   (b) the Civic Administration reporting back to the SRC in January 2009 with a proposed Sources of Financing Report to implement the proposed structure; and,
(c) priority approval of annual additional funding in the amount of $175,000 and one-time funding in the amount of $200,000, as contained in the proposed 2009 Budget;

it being noted that discussions are being held with Local Union No. 101 (Canadian Union of Public Employees) and the Human Resources Division, with respect to the creation of the Development Approvals Business Unit.

2. That the following actions be taken with respect to the Corporate Communications Division of the City of London:

(a) the principle of establishing a full service corporate communications function at the City of London BE ENDORSED;

(b) the Civic Administration BE DIRECTED to report back to the Services Review Committee (SRC), in early 2009, with the following:

(i) a full report with respect to how much is being spent (time and dollars) on corporate communications activities across the organization;

(ii) identification of opportunities to strengthen the partnerships between the Corporate Communications Division and the civic departments, efficiencies in communications activities, and areas where resources may be re-allocated; and,

(iii) identification of opportunities for savings to be reinvested in new communications activities;

(c) the Civic Administration BE DIRECTED to report back to the SRC with a business plan detailing the future of Corporate Communications, giving consideration to community engagement, issues management and internal communications, as well as an appropriate organizational structure to carry out those activities; and,

(d) the Civic Administration BE DIRECTED to proceed immediately with the recruiting and hiring for the existing vacant and funded position of Manager Corporate Communications;

it being noted the SRC received the attached presentation from T. Johnson, Director Corporate Management Support and E. Gamble, Director, Corporate Communications.

3. That the following actions be taken with respect to the request from the Accessibility Advisory Committee (ACCAC) for delegation status with respect to accessibility on sidewalks:

(a) the request BE REFERRED to the Environment and Transportation Committee (ETC) for consideration; and

(b) the ETC BE REQUESTED to report to Council, as soon as possible, with respect to the ACCAC's request for improved sidewalk accessibility during the current winter season;

it being noted that the Accessibility Advisory Committee Chair was in attendance to address the request, and further indicated the Committee's desire to have a decision on the matter during the current winter season.

The Chair directs that clauses 4 to 9, inclusive, of Section II be noted. Clauses 4 to 9 read as follows:

4. That the Services Review Committee elected Councillor N. Branscomb as its Chair for the term ending November 30, 2009.

5. That the Services Review Committee elected Councillor R. Caranci as its Vice Chair for the term ending November 30, 2009.
6. That the Services Review Committee directed that a section for “Communication Strategy” be incorporated into the business plan template.

7. That the Services Review Committee (SRC) reviewed and received a resolution of the Municipal Council from its meeting held on December 1, 2008 with respect to an amendment to the Terms of Reference for the SRC to extend its term to November 30, 2010.

8. That the Services Review Committee (SRC) reviewed and received a resolution of the Municipal Council from its meeting held on December 1, 2008 with respect to a proposed joint meeting of the Services Review Committee and the Audit Committee.

9. That the next meeting of the Services Review Committee will be held on Friday, January 23, 2009, at 11:00 a.m.

**DEFERRED MATTER**

34. Deputy Mayor Gosnell moves, seconded by Councillor Caranci, that leave be given to deal with clause 21 of the 33rd Report of the Board of Control. CARRIED

Councillor Orser moves, seconded by Councillor Lonc, that on the recommendation of the General Manager of Finance and Corporate Services and Acting City Treasurer, the following actions be taken with respect to Adult Live Entertainment Parlours (ALEP):

(a) the attached proposed by-law (Appendix “A”) BE INTRODUCED at the Municipal Council meeting to be held on December 1, 2008, to amend the City of London’s Business Licensing By-law L-6 to provide for a reduction in the licensing fee for an Adult Live Entertainment Parlour from $7,500 to $5,100; and

(b) the four holders of Adult Live Entertainment Parlour licences issued in 2008 BE REFUNDED the amount of any reduction in the licence fee if a by-law is adopted by the Municipal Council to reduce the licence fee;

It being noted that the Board of Control received the attached written submission dated November 25, 2008 from Elizabeth Cormier, Patton Cormier & Associates, on behalf of owners of ALEP businesses in the City of London and heard a verbal overview from the City Clerk, with respect to this matter;

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

- Elizabeth Cormier, Patton Cormier & Associates, on behalf of owners of ALEP businesses in the City of London – reiterating the points outlined in her letter dated November 25, 2008; stating that the fee calculations are over-inclusive and other municipalities’ fees should have no bearing on London’s fees as London’s fees have to be particular to London and London’s administration of its by-law; questioning the amount of time attributed to the work of MLEOs and managers; indicating that if one business is in violation of the by-law, the other businesses that are in compliance should not have to pay the costs associated with another business’s violation; questioning the number of calls for service at ALEPs in 2007; and, requesting a full response to her October 28, 2008 correspondence and for the matter to be referred back for further review to ensure fees relate only to enforcement and allowable charges under the governing legislation.

- B. Christofal, Royal Lancaster – enquiring if the amendment to reduce the fees is adopted by the Municipal Council, will refunds be issued. CARRIED

**EMERGENT MOTION**

35. Deputy Mayor Gosnell 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 a submission to the Government of Canada concerning the Employment Act. CARRIED
Councillor Hubert moves, seconded by Councillor Eagle, that:

WHEREAS in the past 12 months 5,500 jobs have been lost in London as a result of the current economic downturn;

AND WHEREAS the Ontario Works (OW) caseload has increased by over 1,000 cases during the same period;

AND WHEREAS each 1,000 new OW cases adds $2.5M to the City of London budget;

AND WHEREAS only 23% of Londoners who lost work are eligible for assistance from the Canada Employment Insurance (EI) program;

AND WHEREAS the average time in which eligible London workers are receiving EI is 23 weeks out of a maximum 45 weeks;

AND WHEREAS the Government of Canada has a significant surplus in its Employment Insurance account;

THEREFORE BE IT RESOLVED that London City Council reiterate its position on this matter and call on the Government of Canada to:

• move quickly to amend the Employment Act to include specific measures to increase the number of London and Canadian citizens who have worked and paid into EI to benefit from the program by decreasing the number of hours required to qualify; and,

• increase the amount of time that unemployed and qualified workers can receive EI benefits as a bridge to a return to full-time work;

AND BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Prime Minister of Canada, the Premier of Ontario, area M.P.s and M.P.P.s, the Federation of Canadian Municipalities, the Association of Municipalities of Ontario, the other Ontario Consolidated Municipal Service Managers, as well as local and national media outlets. CARRIED

Councillor Usher moves, seconded by Controller Hume, 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 proposed or pending acquisition of land by the municipality in connection with the Springbank Road Widening project and related expropriation; litigation or potential litigation with respect to an expropriation of part of the lands at 282-284 Springbank Drive, including matters before administrative tribunals, affecting the municipality or local board; advice that is subject to solicitor-client privilege, including communications necessary for that purpose, in connection with an expropriation of part of the lands at 282-284 Springbank Drive; and directions and instructions to officers and employees or agents of the municipality regarding settlement negotiations and conduct of litigation in connection with an expropriation of part of the lands at 282-284 Springbank Drive;

(b) a matter pertaining to litigation affecting the municipality, specifically an outstanding motion by AAR-CON Enterprises Corporation and Sifton Properties Limited to the Ontario Municipal Board, File No. PL030543, for an Order extending draft plan approval for a further 3 years; and advice that is subject to solicitor-client privilege, including communications necessary for that purpose relating to a motion presently before the Ontario Municipal Board for an Order extending draft plan approval for a further 3 years;

(c) a matter pertaining to litigation or potential litigation with respect to property located at 34 Debbie Lane, Block 1, Plan 33M-405, including matters before administrative tribunals, affecting the municipality or local board and advice that is subject to solicitor-client privilege, including communications, reports, advice or recommendations of officers and
employees of the Corporation necessary for that purpose;

(d) a matter pertaining to personal matters involving identifiable individuals who are municipal employees with respect to an employment related matter;

(e) a matter pertaining to labour relations or employee negotiations regarding employment related matters with municipal employees including communications, advice, reports or recommendations of officers and employees of the Corporation necessary for that purpose;

(f) a matter pertaining to labour relations or employee negotiations regarding employment related matters with municipal employees including communications, advice, reports or recommendations of officers and employees of the Corporation necessary for that purpose;

(g) a matter pertaining to personal matters about an identifiable individual, including municipal or local board employees relating to the 2009 Mayor’s New Year’s Honour List; and

(h) a matter pertaining to potential litigation with respect to the Southland Pollution Control Plant including matters before administrative tribunals affecting the municipality and advice that is subject to solicitor-client privilege including reports, advice or recommendations of officers and employees of the Corporation necessary for that purpose.

The Council rises and goes into the Committee of the Whole, in camera, at 8:27 p.m. with Deputy Mayor Gosnell in the Chair and all Members present.

Councillor Baechler leaves the meeting at 8:28 p.m.

Councillor Baechler enters the meeting at 8:47 p.m.

At 8:49 p.m. all Staff with the exception of J. A. Fielding, V. A. Cote, K. Bain, J. P. Barber, K. Dawtrey, M. Hayward, V. McAlea-Major, L. Rowe and B. Westlake-Power leave the meeting.

The Committee rises and Council resumes in regular session at 9:45 p.m. with Mayor DeCicco-Best in the Chair and all Members present.

2ND REPORT OF THE COMMITTEE OF THE WHOLE


I YOUR COMMITTEE OF THE WHOLE REPORTS:

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 the following actions be taken with respect to the 2008 to 2010 Compensation Plan for Management and Non-Union Administrative Employees in accordance with the attached chart, the details of which are also subject to Council approval:

(a) the Civic Administration BE DIRECTED to utilize up to $800,000 in 2008 for the purpose of performance recognition and addressing salary compression for Management and Non-Union Administrative Employees; and,

(b) the Civic Administration BE DIRECTED to utilize up to $800,000 in each of 2009 and 2010, SUBJECT TO budget approval, for the purpose of performance
recognition and addressing salary compression for Management and Non-Union Administrative Employees.

Deputy Mayor Gosnell presents the 2nd Report of the Committee of the Whole.

Councillor Miller moves, seconded by Councillor Branscombe, 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 2nd Report of the Committee of the Whole. CARRIED.

Deputy Mayor Gosnell moves, seconded by Controller Barber, that the following actions be taken with respect to the 2008 to 2010 Compensation Plan for Management and Non-Union Administrative Employees in accordance with the attached chart, the details of which are also subject to Council approval:

(a) the Civic Administration **BE DIRECTED** to utilize up to $800,000 in 2008 for the purpose of performance recognition and addressing salary compression for Management and Non-Union Administrative Employees; and,

(b) the Civic Administration **BE DIRECTED** to utilize up to $800,000 in each of 2009 and 2010, **SUBJECT TO** budget approval, for the purpose of performance recognition and addressing salary compression for Management and Non-Union Administrative Employees. CARRIED on a recorded vote, the Members voting as follows:

YEAS: Mayor DeCicco-Best, Deputy Mayor Gosnell, Controllers Barber, Polhill and Hume and Councillors Macdonald, Armstrong, Winninger, Usher, Orser, Lonc, Eagle, Baechler, Branscombe, Miller, Bryant, Caranci and Hubert. (18)

NAYS: Councillor Van Meerbergen. (1)

**MOTION OF WHICH NOTICE IS GIVEN**

36. Councillor Van Meerbergen moves, seconded by Councillor Caranci, that pursuant to section 11.3 of the Council Procedure By-law, leave be given for the introduction of a motion pertaining to wage increases in 2009. LOST

**BY-LAWS**

37. Councillor Baechler moves, seconded by Councillor Branscombe, that the following Bills be introduced:

<table>
<thead>
<tr>
<th>Bill No.</th>
<th>By-law No.</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>22</td>
<td>A.-6297-14</td>
<td>A By-law to authorize and approve a Service Level Agreement between The Corporation of the City of London and London Hydro Inc. regarding water meter reading, billing, collection and customer service for the City’s water and sewer accounts services and to authorize the Mayor and Clerk to execute the agreement. (4/1/BC)</td>
</tr>
<tr>
<td>23</td>
<td>A.-6298-15</td>
<td>A by-law to establish the remuneration for members of Council for 2009. (6/1/BC)</td>
</tr>
<tr>
<td>24</td>
<td>A.-6299-16</td>
<td>A By-law respecting the approval of the Legacy Plan for surplus arising from the 2008 Ontario Senior Summer Games – “Actifest”. (3/1/CPSC)</td>
</tr>
<tr>
<td>25</td>
<td>A-28-09002</td>
<td>A by-law to amend By-law No. A-28, entitled, “A by-law to provide for various Community Services Department fees and charges.” (1/1/CPSC)</td>
</tr>
<tr>
<td>26</td>
<td>PS-111-09060</td>
<td>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. (9/1/ETC)</td>
</tr>
<tr>
<td>27</td>
<td>PS-111-09061</td>
<td>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. (3/1/ETC)</td>
</tr>
</tbody>
</table>
Bill No. 28
By-law No. L-6-09014
A by-law to amend By-law L-6 entitled, “A By-law to provide for the Licensing and Regulation of Various Businesses.”
(21/33/BC)

Bill No. 29
By-law No. A.-6300-17
A By-law to authorize and approve a Loan Guarantee between Orchestra London and its financial institution; and to authorize the Mayor and Clerk to execute the guarantee.
(11/1/BC)

CARRIED

First Reading:
Councillor Hubert moves, seconded by Councillor Baechler, that Bill No.’s 20 to 29, inclusive, be read a first time. CARRIED

Second Reading:
Councillor Orser moves, seconded by Councillor Miller, that Bill No.’s 20 to 29, inclusive, be read a second time. CARRIED

Third Reading:
Councillor Usher moves, seconded by Councillor Hubert, that Bill No.’s 20 to 29, 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. 20
By-law No. A.-6296-13
A by-law to confirm the proceedings of the Council Meeting held on the 15th day of December, 2008. (City Clerk)

Bill No. 21
By-law No. CP-18
A by-law to provide for the Tariff of Fees for the processing of applications under the PLANNING ACT, R.S.O. 1990, c P.13, as amended. (18A/31/PC)

Bill No. 22
By-law No. A.-6297-14
A By-law to authorize and approve a Service Level Agreement between The Corporation of the City of London and London Hydro Inc. regarding water meter reading, billing, collection and customer service for the City’s water and sewer accounts services and to authorize the Mayor and Clerk to execute the agreement. (4/1/BC)

Bill No. 23
By-law No. A.-6298-15
A by-law to establish the remuneration for members of Council for 2009. (6/1/BC)

Bill No. 24
By-law No. A.-6299-16
A By-law respecting the approval of the Legacy Plan for surplus arising from the 2008 Ontario Senior Summer Games – “Actifest”. (3/1/CPSC)

Bill No. 25
By-law No. A-28-09002
A by-law to amend By-law No. A-28, entitled, “A by-law to provide for various Community Services Department fees and charges.” (1/1/CPSC)

Bill No. 26
By-law No. PS-111-09060
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. (9/1/ETC)

Bill No. 27
By-law No. PS-111-09061
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. (3/1/ETC)

Bill No. 28
By-law No. L-6-09014
A by-law to amend By-law L-6 entitled, “A By-law to provide for the Licensing and Regulation of Various Businesses.”
(21/33/BC)

Bill No. 29
By-law No. A.-6300-17
A By-law to authorize and approve a Loan Guarantee between Orchestra London and its financial institution; and to authorize the Mayor and Clerk to execute the guarantee.
(11/1/BC)

CARRIED
Councillor Miller moves, seconded by Councillor Usher, that the Council rise and go into Committee of the Whole, in camera, for the purpose of considering a matter pertaining to labour relations or employee negotiations regarding employment related matters with municipal employees including communications, advice, reports or recommendations of officers and employees of the Corporation necessary for that purpose. CARRIED

The Council rises and goes into the Committee of the Whole, in camera, at 9:54 p.m. with Deputy Mayor Gosnell in the Chair and all Members present.

**ADJOURNMENT**

38. Councillor Bryant moves, seconded by Councillor Usher, that the Meeting adjourn. CARRIED

The Meeting adjourns at 9:54 p.m.

Anne Marie DeCicco-Best, Mayor

Kevin Bain, City Clerk